



AFRICAN INDIGENOUS KNOWLEDGE SYSTEMS IN CONTEMPORARY
CONFLICT TRANSFORMATION: A CASE STUDY OF THE *BAKWERI*
PEOPLE OF THE SOUTH WEST REGION OF CAMEROON

BY

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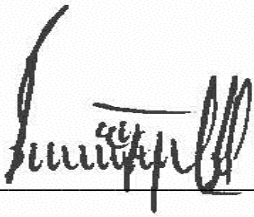
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DECLARATION

I, Valery Buinwi Ferim, declare that this thesis is my original work. All sources from which information was obtained have been duly acknowledged in the references. This research work is submitted in fulfilment of the requirements for the degree of Doctor of Philosophy in Conflict Transformation and Peace Studies, University of KwaZulu-Natal. I further declare that no part of this work has been previously submitted to any university for examination.



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DEDICATION

This study is dedicated to all those who still recognise the relevance of indigenous institutions in contemporary conflict transformation.

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LIST OF ABBREVIATIONS

IKS	Indigenous Knowledge Systems
AIKS	African Indigenous Knowledge Systems
CDC	Cameroon Development Corporation
SCNC	Southern Cameroons National Council
BLCC	<i>Bakweri</i> Land Claims Committee
CFA	Financial Cooperation in Central Africa

ABSTRACT

The aim of this study was to investigate the relevance of African Indigenous Knowledge Systems (AIKS) in contemporary conflict transformation with specific reference to the chieftaincy of the *Bakweri* people of the South West Region of Cameroon. The study population comprised of *Bakweri* indigenes as well as settlers and other short-term residents in the district of Buea such as students, business people and government employees. Taking into consideration the holistic and community-based nature of indigenous knowledge systems, interactive research methods such as in-depth interviews, participant observation, and focus group discussions were used data collection. The qualitative data from both the primary and secondary sources were analysed through content analysis. A combination of theoretical frameworks were used to analyse the challenges and prospects of using Indigenous Knowledge Systems (IKS) in contemporary conflict transformation among the *Bakweri* people in Buea. These included endogenous development, the postcolonial theory, the modernisation theory and the concept of integralism.

The study revealed that due to the political, social, economic and cultural significance of the Buea, the contemporary conflict issues among the *Bakweri* people arose from land, marriage, crime, corruption and those associated with the proliferation of Pentecostal churches. It was also found that although the *Bakweri* people have a rich history of indigenous institutions, the most resilient of these, even in contemporary times, is the chieftaincy. The institution is very central to the cultural, economic and political ethos of local communities. In spite of this, the *Bakweri* chieftaincy and associated

indigenous institutions tended to be marginalised by the state in the search for sustainable solutions to contemporary conflicts. The policy makers did not take the chieftaincy seriously in policy implementation.

The Bakweri chieftaincy and associated indigenous institutions had certain limitations which undermined their relevance in mitigating contemporary conflicts. These included the appointment of chiefs by the state, the system being dominated by the French bureaucratic system which marginalized African traditional leadership systems, rent-seeking, the patriarchal nature of the *Bakweri* customary law and the impact of heterogeneity on *Bakweri* culture. This is compounded by the fact that state-based structures are laden with excessive bureaucratic red tapes, corruption, low morale and a culture of impunity in the civil service.

The study recommended the need for conflict resolution mechanisms to adopt a bottom-up approach and for governments to empower indigenous structures to resolve their own conflicts. There is also need for further research using different cases, on the relevance of indigenous approaches to conflict transformation in the era of globalisation in order to build on or challenge existing theories. Furthermore, traditional institutions have to be interfaced with modern institutions to meet the contemporary challenges arising from globalization.

CHAPTER ONE

INTRODUCTION

1.1 BACKGROUND TO THE STUDY

There has been a persistence and apparent increase both in frequency and in scope, in the number of intra-state conflicts over the past two decades on the African continent (Miguel, 2004:727). Contemporary conflict hotspots on the continent include religious extremism in Nigeria, terrorism in Kenya and Somalia, political turmoil in Libya and Egypt and sectarian violence in the Central African Republic (Ferim, 2014). These indicate a gradual shift from traditional conflicts in Africa which were predominantly characterised by among others, inter-tribal wars, conflicts over grazing land, marital disputes, superstition and witchcraft (Kohnert, 2003; Peters, 2004). The upsurge of new forms and sources of conflict such as terrorism, inter-religious violence, resource wars, migration and refugees in Africa is a litmus test to the continent's capacity to transform them. This has necessitated the post-colonial state in Africa to continuously embark on the search for effective and sustainable mechanisms to prevent, manage and resolve its numerous conflicts.

Conflict transformation is considered "as a process by which conflicts are transformed into peaceful outcomes. It differs from conflict resolution and conflict management approaches in that it recognises that contemporary conflicts cannot be resolved simply through the reframing of positions and the identification of win-win outcomes" (Miall, 2004:3). The author further maintains that once relationships have been strained, tensions between parties remain

protracted and usually serve as the bedrock for future violent conflicts. It is against this backdrop that conflict transformation entails “the process of engaging with and transforming the relationships, interests, discourses and if necessary, the very constitution of society that supports the continuation of violent conflict” (Miall, 2004:4). It thus encompasses conflict prevention, conflict management and conflict resolution mechanisms. Attempts at achieving effective conflict transformation in Africa have at times been sought in the continent’s indigenous knowledge systems.

Indigenous knowledge systems refer to the holistic practices of indigenous peoples which are handed down usually orally from one generation to another (Ajibade, 2003). It is the outcome of a combination of generations of observations, experiments and experiences that enhanced the survival of peoples (Grenier, 1998:1-5). As Hammersmith (2007:34) states, “IK is stored in peoples’ memories and activities, expressed in stories, songs, folklore, proverbs, dances, myths, cultural values, beliefs, rituals, local language and taxonomy, agricultural practices, equipment, materials, plant species and animal breeds”. However, indigenous knowledge is not static but adapts and readapts to changing times and circumstances, making it ideal for the transformation of even complex conflicts. It is the fluidity and ethnographic nature of AIKS that makes it difficult for it to be codified and hence generalised. Studies in AIKS are thus largely relevant to a particular case at a particular point in time. As Brettell (2012) posits, “by attempting to codify it, ethnographers run the risk of framing it within their own individualised world-view, confining it in ways and words that perhaps run counter to, and distort its very essence”.

There is an abundance of literature on the use of IKS in preventing, managing and resolving conflicts across the world. In Canada for instance, the Aborigines have “developed a unique cultural and spiritual connection with the land and an intimate knowledge of the forest and other ecosystems and their traditional way of life is based on the idea of using and managing the resource so that it will last in perpetuity. It stands to reason that their ecological knowledge can contribute to sustainable forest management practices” (Natural Resources Canada, 1997). Additionally, Kiene (2006:1) argues that “for centuries, European traditional rural societies have been preserving their own systems of knowledge, especially about natural resource management and agriculture”. The author documents how local farming communities in France and Germany maintain complex ecosystems and diversify plant and animal breeds to generate local agricultural foodstuffs.

Tadese (2010) on the other hand, documents how unmarried Somali women for instance, practise the *Heerin* tradition, which involves visiting the village of an enemy clan and contracting marriages with suitable males, thereby uniting and bringing peace between both warring villages. Documenting the role of indigenous courts in transitional justice, Zeleke (2010) explores the role of the shrine of *Tiru Sina* and the court of the Sheiks at the shrine known as the *Shakoch Chilot*. This is a traditional institution of conflict resolution in the Oromiya Zone in Ethiopia which has legal recognition from both the local and central government. As per the author’s narrative, cases tried by the Court of the Sheiks are held under a big Podocarpus tree and can number up to 50 per

month, a figure that is by far greater than that those handled by the local state court. Even though the Ethiopian Constitution limits the powers of customary law courts to family and private matters following the consent of the parties to a dispute, the Court of the Sheiks handles a much wider range of conflicts, including theft, homicide and inter-ethnic conflicts. The three main spiritual elements used in trying cases are blessing, cursing and oath-taking.

AIKS also continue to play an important role within local communities in addressing challenges of food security, especially in contemporary times. Authors such as Eifediyi *et al.* (2008) and Olatokun and Ayanbode (2008) have documented the role of rural women in the cultivation of indigenous vegetables both for nutritional as well as medicinal uses in Nigeria. The authors document a wide cultivation of indigenous plants such as Bitter leaf (*Vernonia Amydalina*), *Moringa Olefera*, Water leaf (*Talinium Triangulare*) and Green (*Amaranthus Hybridus*) in South West Nigeria. These plants are used by local communities to among others, cure illnesses in children, treat malaria, high blood pressure, dysentery and also act as a rich source of vitamins to community members.

Noting the contribution of IKS to sustainable community livelihoods, the declaration by the World Conference on Science held in Hungary in 1999 states that:

“Traditional societies, many of them with strong cultural roots, have nurtured and refined systems of knowledge of their own, relating to such diverse domains as astronomy, meteorology, geology, ecology, botany, agriculture, physiology, psychology and health. Such

knowledge systems represent an enormous wealth. Not only do they harbour information as yet unknown to modern science, but they are also expressions of other ways of living in the world, other relationships between society and nature, and other approaches to the acquisition and construction of knowledge. Special action must be taken to conserve and cultivate this h-agile and diverse world heritage, in the face of globalisation and the growing dominance of a single view of the natural world as espoused by science. A closer linkage between science and other knowledge systems is expected to bring important advantages to both sides.”

There has been, however, much contestation regarding the efficacy of African indigenous approaches to contemporary conflicts. This is due to various factors, including the heterogeneity of African societies and the sources of conflicts emanating from global challenges beyond the capabilities of local community ways of knowing and value systems. One of the major challenges to Africa’s IKS has thus been the encroachment of globalisation. This has undermined and in some instances, replaced the continent’s knowledge systems with Western ones, creating what Ntuli (2002:53) refers to as the Balkanisation of Africa. Successive generations of Africans have for the most part, been assimilated into the age of quantum physics, laser technology and consumerism which is characteristic of Western societies. Western values of individual rights, freedom of speech, gender equality, monogamy and even communication technologies such as Facebook and WhatsApp, have undermined the collective and communal mode of production that was

characteristic of African traditional societies. This trend seems to be irresistible as it is argued in Modernisation theory that modernisation is irreversible (Chazan *et al.*, 1999). This has put a big question mark on the relevance of Africa's IKS in contemporary times.

Some researchers such as Briggs (2005) have even questioned indigenous knowledge as a knowledge system. That notwithstanding, Elechi *et al.* (2010:73-74) maintain that “although African cultures are diverse and, moreover, have been tempered by external cultural influences and colonialism, there remain certain tenets of African culture that have survived, to which we can refer as African culture. Again, no culture is static, and African societies have had to borrow from others to enhance their viability and adaptability to technological and economic changes”. It is on the basis of this consideration that the following section grapples with the concept of indigenous knowledge within the context of knowledge systems.

1.1.1 Indigenous Knowledge within the Context of Knowledge Systems

Green (2008) reveals the tension which exists in western scholars' acknowledgment of indigenous knowledge as knowledge in its own right. This has created a challenge in the effort to interface the two divergent systems of knowing in Africa for sustainable livelihood and development, including transformation of contemporary conflict in Africa. Therefore, any effort to integrate the two systems should begin with an examination of what knowledge is all about in order to facilitate a process of generating a knowledge system which will encompass both systems (Akpan, 2011).

The concept of knowledge has various faces, some of which are religious as they tend to embrace spirituality. This has been separated from western knowledge systems in mainstream debates. This is elaborated by Gyekye (1997) who maintains that while millions of human beings regard knowledge of the spirit world as the lynchpin of their whole orientation in this world, spirituality is increasingly being neglected in the education and lives of younger generations. It has been argued that the marginalisation of spirituality as part of knowledge is a major factor in the moral degeneration that has engulfed the modern world (Ellis, 2012). For some western scholars, knowledge is attributable essentially to the individual. Davenport and Prusak (1998) consider knowledge as a fluid mix of framed experiences, contextual information, value and expert insight that provide a framework for assessing and integrating new skills and information. This framework considers knowledge constructed by any individual as valid knowledge. This view implies that everyone is essentially a knowledge producer without looking at its social and cultural context.

Dewey (2008), however, emphasises the changing character of knowledge. Knowledge continues to change as new relationships are created with every new situation that presents itself. Dewey (2008) further elaborates on the power and the interconnected character of knowledge. According to him, knowledge as power has allowed those with the knowledge, or with the power, to decide what knowledge should be in the public domain and how it can be utilised to dominate others. Van Dijk (2003) states that knowledge is institutionalised when directed and controlled by the dominant group(s) in society. This gives

the dominant group/s the power to decide what knowledge should be in the public space and what knowledge should not be in the public space. This implies that the majority of people who are not part of the dominant group are simply controlled through the knowledge they are allowed to access. For instance, under colonialism and the apartheid system in South Africa, the different racial groups remained separate and had different levels of access to knowledge depending on their racial categorisation in the apartheid social engineering. In spite of their numerical minority, whites as the dominant race in apartheid South Africa, had more access to knowledge, especially modern scientific and technological knowledge than blacks. Since the white minority controlled the state and all other institutions of society, including education, the judiciary and the media, the laws promulgated under this perspective made South Africa thrive as an apartheid state owing to the ignorance allowed by the state. State intervention in allocating people of different social groupings different resources and opportunities cemented the belief in the superiority of white people in the country (MacDonald, 2006).

Jessop (2007) illustrates the way knowledge has been used as a commodity under capitalist relations. The author argues that the innovations and technologies protected under intellectual property rights have afforded those who own and control the major means of production with particular knowledge of a monopoly on inventions and business. This contention is elaborated by Lankshear *et al.* (2000) who question that if knowledge is tied to intellectual property rights, one has to interrogate the value of the knowledge transmitted in curricula in educational systems. The acquisition of this knowledge at various

formal educational levels, including higher education, has become a commercial undertaking as formal education is becoming unaffordable to many people. Choo (2002) states that what was traditionally a conversation between people exchanging information in formal settings, has become commercialised to the point where those who do not have the means to acquire information, are likely to remain outside the knowledge system. Marginson (2004) adds that institutions of higher learning are becoming more and more expensive, hence running the risk of reproducing social hierarchies, because only those with money will be capable of affording formal education, especially higher education.

The domination of individuals, social groups and nations over others has not always been based on brute force but rather on the knowledge at their disposal and on the innovation and creativity they bring to bear in using their knowledge. “Ideally, perfect knowledge is one that presents a network of interconnections where all experiences are valued and seen as contributing to knowledge already accumulated in order to solve problems in new contexts. This knowledge is acquired through experience and by studying what others have ascertained and recorded” (Dewey, 2008). However, in spite of the earlier argument that knowledge is a by-product of power relations, Allen (2014) argues that knowledge does not in itself have power. Rather, power is generated as a consequence of knowledge. For instance, western scientific knowledge, as knowledge that is currently dominant, has power. The relevance and importance of knowledge to any society, therefore, breeds authority and begets power.

1.1.2 Knowledge within the Context of Indigenous Knowledge Systems

Odora Hoppers and Makhale-Mahlangu (1998) consider knowledge within the context of indigenous knowledge systems as being a combination of technology, social, economic and philosophical learning, and systems of education, law and governance. It is knowledge relating to technological, social, institutional, scientific and developmental experiences, together with experiences deriving from liberation struggles. Serote (1998) adds that indigenous knowledge systems involve human experiences that are organised, ordered and accumulated as knowledge that can be used to achieve quality of life and to create a liveable environment for both human and other forms of life. This conceptualisation of IKS includes all forms of knowledge technologies, know-how, skills, practices and beliefs that allow the community to attain steady livelihoods in their setting. Nakashima *et al.* (2000) posit that IKS, sometimes known as indigenous sciences, present themselves holistically as knowledge deeply tied to the earth and everything in it. They are forms of knowledge systems that value all human experiences. This knowledge is generally held by indigenous people and transmitted mainly orally.

Cajete (2000:79) defines native science as “a celebration of renewal, where the ultimate aim of the knowledge is not to explain and objectify the universe, but it is rather learning about and understanding responsibilities and relationships and celebrating those that humans establish with the world”. According to Doe (2009:8), “indigenisation is the process of enabling people to reflect upon their own practices, identify their own resources, and cultivate their own sources of

power to heal themselves, reconcile their society, and build new institutions or transform old ones so that they respond to their new challenges and needs”. Such practices, resources, structures and processes are inherent in all societies, with African local communities being no exception. Indigenous mechanisms are “unique, informal, communal, restorative, context-specific and diverse” (Mutisi, 2009:18). In Africa, communities have utilised indigenous mechanisms to transform all forms of conflict long before the advent of the modern state. Such knowledge systems “have been practised for an extended period and have evolved within African societies rather than being the product of external importation” (Zartman, 2000).

It is the view in this study that due to Africa’s integration in the global political economy, the continent has emerged as one of the most contested spaces in international politics. In addition to its traditional significance as the hub of raw materials, the continent is playing an increasing role as a market for finished products from the industrialised world and also serves as a strategic base in global geo-politics. Moreover, the emergence and persistence of different forms of conflicts such as religious fundamentalism and sectarianism has also made Africa the focus of international discourses. With the prevalence of poverty, underdevelopment and lack of capacity to address its conflicts, the continent thus plays host to the largest number of multilateral peacekeeping and state reconstruction agencies in the world (Doe, 2009). This internationalisation of Africa’s conflict transformation architecture places Africa’s indigenous knowledge systems at risk of being overshadowed by exogenous approaches.

There is thus a risk for the implementation of approaches that are not culturally relevant and thus not acceptable by the majority of people concerned.

1.1.3 The Case for a More Culturally Relevant Approach to Conflicts

A case is made in this study for Afrocentrism as a more culturally relevant approach and a more sustainable path to conflict transformation in Africa. Afrocentrism advocates the promotion of a more Africa-centred paradigm which is reflective of the customs and traditions of African local communities. It seeks to dispel Eurocentric negativity, especially by Western media which depicts Africa as poverty-stricken, conflict-ridden and choking with infectious diseases and bad governance. The overall objective of Afrocentrism is the creation of an inclusive and balanced society based on fairness and coexistence. It is against this backdrop that African mechanisms of conflict transformation “include settlement of disputes using peaceful deliberation and not force, correction of wrong-doing through compensation and restitution not retribution, adjudication and assessment by a body of impartial elders that is fair” (Makwerere and Mandonga, 2012:2). Even though Africa is heterogeneous, and the West is by no means homogenous, there are common values and characteristics shared by African societies. Eurocentric mechanisms generally depend on legal state-based institutions and focus on the rights of individuals. On the other hand, Afrocentrism involves structures and processes which “are community-initiated and community-organised” and “are predominantly informal and ritualistic” (Huyse, 2008:5).

As Obarrio (2011:23) observes, “huge swathes of African populations, rural-dwellers in particular, seek the resolution of conflicts in informal, ‘traditional, or ‘customary’ mechanisms of justice”. There is an abundance of literature which documents the role of indigenous knowledge systems in conflict transformation throughout Cameroon even in contemporary times. Hansen (2003) for instance, documents the role played by the *Lamido*, a Muslim traditional chief in Northern Cameroon in the politics and religious education in his kingdom. In the North West Region of the country, the people of Bafut have retained a powerful chiefdom also known as *Fondom*, headed by the *Fon* and his council of elders known as the *Kwifor*. Still in the same region, there is an indigenous secret society known as the *Takumbeng*, made up exclusively of post-menopausal women from about 16 different *Fondoms*. Through nocturnal naked marches of protest, this group draws government’s attention to critical issues facing local communities. It “is noted for its function of social peace and the settlement of disputes among women involving quarrels, gossips, theft, land disputes, married partners and even between men and women” (Tanga, 2006:6).

Also, the *Ngondo* traditional festival which unites the ethnic *Sawa* coastal peoples of Cameroon is held annually at the banks of the river *Wouri* whose waters play an important role in shaping the cosmology of the *Duala* people. As Mokake (2012:95) notes, “it is on this occasion that the coastal people commune with the water gods or spirits through their intermediaries (traditional rulers). For their part, traditional leaders renew their oath with the deities of water in the founding spirit underlying the *Ngondo*”.

The *Bakweri* people are an ethnic group located predominantly in Buea, at the foot of Mount Fako in the South West region of Cameroon. They also have an abundance of indigenous structures which they utilise to transform conflicts and enhance social peace. Scattered across about one hundred small villages in the region, with each headed by a chief, the people are united by their totem, the elephant. Due to its volcanic fertile soil, the region has since colonial times, witnessed an influx of migrants to work either in its banana and tea plantations, or as ordinary small-scale farmers. As a result of this immigration, the region today can thus be classified into rural and urban. However, the *Bakweri* people remain relatively small compared to other ethnic groups in Cameroon and have an estimated population of over 50 000 people (Ngoh, 1996). No recent statistic is available on the population of the *Bakweri* people.

Empirical studies gathered from participant observation indicate that most *Bakweri* people still retain traditional societies and observe customs such as chieftaincy, councils of elders, language and secret societies. However, parts of the population that reside in more cosmopolitan areas appear to have been integrated into the structures and mechanisms of the 'modern' state. It is thus necessary to document the knowledge systems of transforming conflicts in *Bakweri* communities so as to advance a more sustainable mechanism to conflict transformation.

1.2 RATIONALE FOR THE STUDY

The study is based on the personal experiences of the researcher as a member of the study area and the fact that there is abundance of indigenous knowledge

systems that have been used in local communities in Cameroon for conflict transformation. These include rituals, song, dance and traditional institutions such as councils of elders, sacred societies and vigilante groups. As a researcher who originates from Cameroon, I closely observed how the *Bakweri* people of the South West Region of the country use community-based structures to address conflicts related to land and domestic disputes for sustainable community livelihood. Some of such indigenous mechanisms include traditional leaders, spiritual healers and secret societies such as the *Obasinjong* and *Malay* dance groups. These indigenous systems of conflict transformation have not been thoroughly investigated to inform policy, further research and education for younger generations.

Furthermore, the few studies which exist have tended to examine community-based approaches and structures from a western perspective rather than focusing on community members themselves. The postcolonial state in Africa (Cameroon being no exception), is notorious for bad governance, dysfunctional institutions and corruption. Nevertheless, most local communities across the continent are characterised by relative peace and have the capacity to restore social equilibrium following any conflict (Elechi, 2010:74). There is thus a need to properly document, preserve and utilise the indigenous mechanisms of the *Bakweri* people as they offer prospects for sustainable transformation of conflicts. As Ineba (2000) argues, “if Africa has to put the ‘falling apart together’, her original values must be revisited”.

The western positivistic view of value-free science which propagates that when a researcher originates from a study community, the findings might be biased, is rejected in the study. The study ascribes to the indigenous ways of knowing and knowledge production that the researcher, as a member of the local community, cannot detach him/herself from the challenges of the society. He/she has the responsibility to ensure that the experiences and views of the people studied are not distorted due to cultural and language differences. They are conducted and presented from the cultural perspectives of community members themselves. This cannot be done adequately by an outsider but by a person who originates from the community itself. As Butera (2012:XX) argues, “if you do not tell your story, someone else will tell it, and most times, the contextual flavour will be wanting”. In addition, an Igbo proverb supports this claim that “Until lions have their own historians, tales of the hunt will always glorify the hunter”. The researcher happens to originate from the study community, understands the culture and local language and is able to interact easily and meaningfully with community members. Moreover, conflict is a universal phenomenon, inherent in most, if not, all institutions and societies alike. It has the potential to render catastrophic consequences on any nation state. A research project like this that sets out to scrutinise in any form the different types of conflicts and recommend measures of transforming them, is of utmost importance.

1.3 PROBLEM STATEMENT

Chieftaincy has emerged as one of the most resilient indigenous institutions of the *Bakweri* people in the South West Region of Cameroon. It plays a very

important role in unifying the people and has a great potential to resolve land disputes, which is certainly the most protrusive form of contemporary conflict within *Bakweri* communities. As Olonisakin (2000) argues, indigenous structures are more culturally relevant and thus, are a more viable option for the sustainable resolution of conflicts than non-indigenous ones. In spite of its great potential, the role of the *Bakweri* chieftaincy appears to be overshadowed by the encroachment of globalisation and the heterogeneity of Buea in particular and the South West region of Cameroon as a whole. This heterogeneity appears to dilute the role of the chieftaincy in the resolution of conflicts. To further exacerbate the problem, the reluctance of Cameroon's "central government to relinquish its traditional grip of power at all levels of society" (Mbuagbo, 2012), seems to undermine the capacity of indigenous structures to transform contemporary conflicts.

The study is based on the broad premise that although there is sufficient literature on the widespread usage of African indigenous knowledge systems in transforming conflicts such as the *Gacaca* Courts in Rwanda (Corey and Joireman, 2004), the *Mato Oput* in Northern Uganda (Baines, 2007) and the *Guurti* System in Somaliland (Renders and Terlinden, 2010), these mechanisms, which are rooted in traditions and cultural practices, need to be relevant to contemporary Africa as an integral part of the global village. A global village dominated by western ways of knowing and value systems propagated by western mass media and other sophisticated communication technologies. It is within this context that western approaches to contemporary conflicts maintain that African indigenous knowledge systems are out-dated in

meeting the global challenges of contemporary conflicts in heterogeneous societies (Sillitoe, 1998). Sigsworth (2009:12-13) emphasises the patriarchal nature of African societies characterised by the supreme role played by the father as head of the clan or family as another limitation of indigenous approaches in a world propagating human rights and equality among gender sections of society, including the rights of children.

In spite of these western criticisms of the efficacy of African indigenous approaches and methods to contemporary conflicts, various African indigenous communities such as the *Bakweri* people of the South West region of Cameroon, are still utilising their indigenous structures and values in transforming conflicts. This is partly because of the absence, lack of access to and / or understanding of modern mechanisms of conflict transformation. These structures which include secret societies, traditional leadership and spiritual healers, are cheaper, easily accessible and culturally relevant to the people as opposed to western formal state-centred institutions. However, it is acknowledged in the study that due to the challenges of globalisation such as immigration of people from outside local communities with different cultural values, the indigenous structures on their own cannot effectively address contemporary conflicts. They need to work together with formal state structures. This experience was observed in the District of Buea which is the hub of the Bakweri people and the seat of the paramount chief. This emphasises the dynamism and adaptability of African indigenous ways of knowing and value systems to contemporary challenges. Besides traditional conflicts such as land and family disputes, as well as witchcraft, the Bakweri

are now faced by contemporary conflicts, including corruption, cyber fraud and armed robbery. However, the sustainability of modern approaches to conflict transformation in the community should be built on the local ways of knowing and value systems. This is important if they are to be locally accepted and supported.

The following research questions are asked in the study with regard to the *Bakweri* people of the South West region of Cameroon:

- What types of conflicts exist in *Bakweri* communities?
- What is the role of the *Bakweri* chieftaincy and associated indigenous institutions in the transformation of these conflicts?
- What state-based structures are involved in the transformation of conflicts in *Bakweri* communities? and
- What are the limitations of both *Bakweri* indigenous as well as state-based structures in transforming these conflicts in the study area?

1.4 AIM OF THE STUDY

The aim of the study was to investigate the relevance of African Indigenous Knowledge Systems (AIKS) in contemporary conflict transformation with special reference to the chieftaincy of the *Bakweri* people of the South West Region of Cameroon.

1.5 OBJECTIVES OF THE STUDY

The objectives of the study were to:

- Investigate the types of contemporary conflicts that exist among *Bakweri* communities of the South West region of Cameroon;
- Examine the role of the *Bakweri* chieftaincy and associated indigenous institutions in the transformation of these contemporary conflicts;
- Analyse the role of the various state-based structures involved in the transformation of contemporary conflicts in *Bakweri* communities; and
- Identify the limitations of both *Bakweri* indigenous as well as state-based structures in transforming contemporary conflicts in the study area.

1.6. SCOPE OF THE STUDY

Though this study sheds light on some of the indigenous knowledge systems of conflict transformation of the *Bakweri* people of Cameroon, it focuses predominantly on the role of the *Bakweri* chieftaincy as well as state-based mechanisms and their roles in transforming contemporary community conflicts. This is primarily because even though the *Bakweri* people have a rich culture and an abundance of indigenous structures used to mitigate conflicts, the majority of these have been overshadowed by modern state structures in the contemporary era of globalisation. That notwithstanding, the chieftaincy among the *Bakweri* people in particular, and Cameroon in general, has thrived as the most resilient indigenous institution even within the context of globalisation and Westernisation.

1.7 LIMITATIONS OF THE STUDY

The major limitation of this study was the limited access to secondary data such as official government reports and decrees such as the laws governing traditional authorities in Cameroon. The researcher also encountered challenges regarding the availability of some of these documents in English. Most of them were in the French language. Moreover, there was a dearth of data regarding the current population of the *Bakweri* people. The problem of access to official documents is not peculiar to Cameroon alone as many other developing countries do not have accurate and complete data banks on social, economic and political indicators since governments in these countries lack the financial resources and logistical means to gather and collate accurate figures. Dawson *et al.* (2001) maintain that “the quality of data varies directly with the wealth of a country and unsurprisingly, poor countries have poor quality data”.

Lemke (2003:120-4) argues that “Africa is systematically underrepresented in statistical international relations analysis because of missing information on regime-type and power”. In this study, accessibility to data such as relevant policies and decrees was thus hampered by poor documentation and inaccessible government websites. To address this problem, the researcher relied heavily on primary data obtained from interviews with key informants and other resource persons within the study area. The researcher also had to obtain hard copies of these documents from the relevant offices, and employ professional translation services into English language before analysis.

1.8 OUTLINE OF THE STUDY

Chapter One is the introduction. It provides the background, rationale, objectives and research questions as well as the significance of the study.

Chapter Two is a review of related literature. Relevant theories are also critically discussed in the Chapter in order to develop a conceptual framework to theoretically and methodologically guide the study.

Chapter Three presents the research methodology used in conducting the study. The methodology is informed by the conceptual framework of the study within the context of the indigenous knowledge system paradigm.

Chapters Four to Six present and discuss the findings of the study: Chapter Four presents the different types of contemporary conflicts in the study area; Chapter Five examines state-based as well as African indigenous mechanisms of contemporary conflict transformation within *Bakweri* communities with specific reference to the Chieftaincy; Chapter Six is a discussion of the limitations of both indigenous and modern state-centred mechanisms in transforming conflicts in the study area.

Chapter Seven provides the conclusion and recommendations of the study.

CHAPTER TWO

LITERATURE REVIEW AND CONCEPTUAL FRAMEWORK

2.1 INTRODUCTION

According to Hart and Bond (1998:13), “a literature review is a selection of available documents (both published and unpublished) on a topic, which contain information, ideas, data and evidence written from a particular standpoint to fulfill certain aims or express certain views on the nature of the topic and how it is to be investigated, and the effective evaluation of these documents in relation to the research being proposed”. Far from merely reinventing the wheel or out of sheer pleasure derived from learning something new, the essence of this section is to dig into and analyse available documented data relevant to this study. This is not just for purposes of identifying gaps or building on previous studies, but also to have a broad perspective on African indigenous knowledge mechanisms of conflict transformation. Secondary sources of information such as textbooks, journal articles, websites and other published materials are used extensively in order to achieve this objective.

Existing literature related to this study demonstrates the contestations which exist with regard to the relevance of African indigenous knowledge systems (AIKS) in contemporary conflict transformation. The literature can be classified into two categories as follows: The first category, which could be classified as Eurocentric, considers state-based institutions (as the modern state itself is a Eurocentric creation) as having the sole authority in the transformation of all forms of conflicts within the society. It also criticises African Indigenous

Knowledge Systems as being too local and incapable of addressing contemporary global challenges and conflicts in the era of globalisation. Its procedures are, therefore, formal, rational and scientific. The second category is Afrocentric and emphasises the relevance of African indigenous knowledge in contemporary conflicts. Initiated at the grassroots, it relies predominantly on structures within local communities and its procedures are informal and usually rooted in rituals, song and dance (Huyse, 2008:5). As a more sustainable mechanism for conflict transformation, Afrocentric approaches should not deny the importance of interfacing African indigenous knowledge systems with other systems to meet contemporary challenges. However, relevant knowledge systems should build on what African people in their respective communities already know. This is meant to create sustainability and ensure that those knowledge systems from outside are relevant and appropriate to local conditions and challenges. This study ascribes to this conceptual framework in its investigation of the relevance of AIKS in contemporary conflict transformation with special reference to the *Bakweri* people of the South West Region of Cameroon. The review is organized as follows:

The Chapter begins with an outline of the evolution and entrenchment of Eurocentrism. This includes an overview of Eurocentric mechanisms of conflict transformation and their limitations in transforming African conflicts. This is followed by a discussion of the evolution of Afrocentrism including its conceptualisation of Africa's contemporary conflicts and the need for Afrocentric mechanisms of transforming African conflicts. The salient features of African Indigenous Knowledge Systems in conflict transformation are

presented including their challenges in contemporary conflict transformation. Finally, the Chapter outlines the conceptual/theoretical framework of the study.

2.2 THE EVOLUTION AND ENTRENCHMENT OF EUROCENTRISM

Eurocentrism refers to beliefs and practices that claim and emphasise the superiority of European culture in particular, and Western civilisation as a whole, implying that all which is good, innovative and progressive, starts in Europe. As Marks (2007:8) argues, “Eurocentric views of the world see Europe as being the only active shaper of world history, its ‘fountainhead’ if you will. Europe acts; the rest of the world responds. Europe has ‘agency’; the rest of the world is passive. Europe makes history; the rest of the world has none until it is brought into contact with Europe. Europe is the centre; the rest of the world is its periphery. Europeans alone are capable of initiating change or modernisation; the rest of the world is not”.

For centuries now, Eurocentric models have maintained hegemony in explaining human behaviour and advancing solutions to societal problems including contemporary conflicts. This is due to the political and economic dominance of the West in the global knowledge economy. This dominance has led to a control of knowledge production and knowledge validation that omits or marginalises the indigenous knowledge systems of non-Western societies. This Western hegemony and arrogance was echoed in the writings of Western scholars such as Trevor-Roper (1967:9) who argued that,

“It is fashionable to speak today as if European History were devalued: as if historians in the past, have paid too much attention to it, and as if

nowadays; we should pay less. Undergraduates seduced as always by the changing breath of journalistic fashion, demand that they should be taught the history of black Africa. Perhaps, in the future, there will be some African history to teach. But at present, there is none or very little: there is only the history of the Europeans in Africa. The rest is largely darkness, like the history of pre-European pre-Columbian America. And darkness is not a subject for history.

This arrogance has not only been evident in the academia, but even more so in economic and cultural milieus. Africa's consumption behaviour has been overshadowed by European goods and services from food chains such as McDonald's and Kentucky Fried Chicken, to financial institutions such as the Bretton Woods institutions as its associated development advisors. It is against this backdrop that Eurocentric approaches denigrated African knowledge systems in particular, arguing that African customs were uncivilised, inferior and even barbaric. Such ethnocentric thinking has justified centuries of slave trade and European imperialism in Africa (Schiele, 1996). In support of this view, Chukwuokolo (2009) argues that European imperialism "saw Africa under colonial bondage, involving socio- political domination, slavery and economic exploitation, racial and cultural devastation. In fact, the colonisers destroyed the philosophical and religious base of Africa and foisted European system as an alternative. Colonial experience left two broad "legacies" on Africa: denial of African identity and the foisting of western thought and cultural realities and perspectives on Africans. Even in contemporary times, ideas and methods are

frowned upon if they are not benchmarked to Western standards and purported by Western scholars”.

Since the advent of the modern state, Eurocentrism has thus entrenched itself as having control on explaining phenomena and advancing solutions to the problems plaguing most societies. This hegemony has become increasingly obvious in the 21st Century wherein principles of liberal democracy such as the promotion of human rights and rule of law have become universalised. It is within this context that globalisation is increasingly becoming synonymous to westernisation, with the latter looking down with contempt, on other knowledge systems. The schism between Eurocentric approaches and other indigenous knowledge systems are brought out by Briggs (2005:102) who argues that “Western science is seen to be open, systematic and objective, dependent very much on being a detached centre of rationality and intelligence, whereas indigenous knowledge is seen to be closed, parochial, unintellectual, primitive and emotional”. Both AIKS and Eurocentric approaches have thus been categorised as being diametrically opposed to each other, a bifurcation which has been perpetuated by an interplay of power politics.

2.3 AN OVERVIEW OF EUROCENTRIC MECHANISMS OF CONFLICT TRANSFORMATION

Eurocentric mechanisms are founded on positivist methodologies which purport to employ objectivity, rationality, quantitative and mathematical models in conflict transformation. According to positivism, knowledge “should consist of empirical propositions that are logically related and can be tested against

evidence so that theory as a whole is confirmed or refuted by observations of data” (Nicholson, 1996:132). Positivism, therefore, rejects intuition, introspection and spiritualism and maintains that just like the physical world operates on laws such as gravity, society also operates according to general laws. As an individual rights-based society, its approaches to conflict transformation are rational and scientific. Such positivistic approaches hold that the only sources of true authority are science and logic. It dispels all forms of ‘non-scientific’ approaches as bias and inadmissible and hence, there is an overwhelming focus by Western approaches on forensic science. It is this Eurocentric contempt for ‘non-scientific’ approaches that prompts Western scholars to attribute the origins of thought, reason and civilisation to the Greeks. Condemning this view as chauvinistic rationalism, Asante (2008:157) argues that “the West cannot impose Greece as some universal culture that developed full-blown out of nothing without the foundations it received from Africa”.

One of the foundations of Eurocentric approaches to conflict transformation is the liberal peace approach. “Liberal peace theories prescribe electoral democracy and the free market as panaceas for all post conflict states, irrespective of the institutional and cultural ripeness of the societies to cope with the inherent competitiveness of ‘democracy’ and the markets” (Doe, 2009:1). Such a universalised one-size-fits-all model is merely an extension of neo-colonialism wherein the colony is perceived as tutelage of the empire. It falls within the ambits of the modernisation theory which perceives African knowledge systems as primitive and incapable of coping with modern

challenges. Prescriptions by the liberal peace approaches thus undermine indigenous and organic structures and processes of conflict transformation within African societies. As such, an approach that undermines African cultures and values that have been practised for generations is not a sustainable path to conflict transformation in Africa.

There is overwhelming literature which maintains that a core aspect of Eurocentric approaches is its focus on the individual as opposed to the community. Such individualism is evident in the writings of French philosopher, Decartes (1637) who maintains that “I think, therefore I am”, rendering the individual to constitute the core of Western societies. Asante (2006:156) aptly captures the nature of Western societies, by arguing that “the political and social ideology of aggressive individualism celebrates self-reliance, autonomy, personal independence, individual liberty and triumphalism over others”. The author argues further that when individualism and self-interest become the norm in society, they pose a danger to the preferred principle of human cooperation.

To further exacerbate the problem, the individual, according to the Western conceptualisation, is selfish and inherently bad, leading to potentially solitary, poor, nasty, brutish and short lives (Hobbes, 1651). The author thus recommends that a strong and authoritative government be put in place to protect citizens from a potential war of all against all. It is for this reason that the focuses of Eurocentric approaches are on the law and retribution. The law, according to Eurocentric conceptualisation, constitutes a supreme set of rules

and regulations that are binding on all individuals within a given territory. A court of law is a state-based Eurocentric mechanism of resolving conflicts and utilises logic, precedence and the rule of law in the administration of justice. “Prosecutions are slow, partial and preoccupied with either/or simplifications of the adversarial process” (Minow, 1998:87), rendering the outcomes of trials as either guilty or not guilty.

The dominance of Eurocentrism in conflict transformation has taken root in Africa as there is a continuous reliance on foreign aid and western interventions in resolving the various problems plaguing the continent. This reliance has perpetuated western values in the conflict transformation architecture of Africa. Hoffman (2009) maintains that such western values are dominated by liberal peace whose core focus is on “democratisation and good governance, respect for the rule of law, the promotion and protection of human rights, the growth of civil society and the development of open market economies” (Hoffman, 2009:10).

2.4 LIMITATIONS OF EUROCENTRIC MECHANISMS IN TRANSFORMING AFRICAN CONFLICTS

In spite of the rapid encroachment of globalisation on Africa’s political economy, there is still a persistence and in some cases, a further escalation of conflicts. This is an indication that Eurocentric paradigms on their own are not sufficient in transforming African conflicts. Perceptions and attitudes towards globalisation have thus been changing on the continent. In support of this view, Kloh (2001: i) argues that “among the important factors are the lack of tangible

benefits to developing countries from opening their economies, despite the well-publicised claims of export and income gains; the economic losses and social dislocation that are being caused to many developing countries by rapid financial and trade liberalisation; the growing inequalities of wealth and opportunities arising from globalisation; and the perception that environmental, social and cultural problems have been made worse by the working of the global free market economy". This is further exacerbated by the fact that globalisation, is in actual fact, Westernisation in disguise as it undermines non-Western knowledge systems. This has prompted some scholars to refer to globalisation as the latest stage of imperialism (Chukwuokolo, 2009).

Against this backdrop, one of the main challenges of Eurocentric mechanisms and their efficacy in resolving African conflicts is their applicability to the African context. Onwuzuruigbo (2011:306) argues that "nothing is wrong with western dogmas and instruments of conflict resolution in themselves. But certainly, something is awry with the assumptions and contexts under which they are employed to resolve African conflicts." This view expresses concerns that solutions which have worked elsewhere are hardly a panacea for the resolution of African conflicts. The continent has its own dynamics, including practices such as polygamy, chieftaincy, long-serving rulers and communal networks which put Africa apart from Western societies. As Museveni (2014) aptly coins it, a "valued relationship cannot be sustainably maintained by one society being subservient to another society". It is thus imperative for IKS of African societies to be recognised as a key component in conflict transformation on the continent.

A key feature of Eurocentrism is individualism as opposed to communal-based systems that are characteristic of most African local communities. The individual rights-based Eurocentric model also does not fit well within the context of the communal and organic nature of African societies. Zeleke (2010:63) for instance, argues that “the ideology of the state legal system is drawn mainly from the western legal philosophy which is highly influenced by an individualistic orientation and does not fit the strong social orientation on the ground where it is being implemented”. This Eurocentric flaw of individualism has long been echoed by some scholars who argue that:

“Therein is the tragedy. Each man is locked into a system that compels him to increase his herd without limit - in a world that is limited. Ruin is the destination toward which all men rush, each pursuing his own interest in a society that believes in the freedom of the commons. Freedom in a commons brings ruin to all” (Hardin, 1968:1244).

Besides, among the Western solutions to Africa’s developmental challenges, are the promotion of democracy and regime change. The problem can partly be attributed to fact that regime change is a very delicate and complex operation across the African continent. As Engelbert and Tull (2008) argue, there exists numerous, informal, yet legitimate decision-making structures, rooted in patron-client relationships across the continent. By using the phrase “Institutional Transfer Fallacy”, they argue further that it is erroneous to attempt to transfer Western institutions to Africa as the two contexts are completely different. They also lambast terms such as “rebuilding” and “re-establishing” with regard to the

state and its institutions in Africa, arguing that these institutions never existed on the continent. What has been in existence “is more the vision (or dream) of the progressive, developmental state that sustained generations of academics, activists and policy-makers, than any real existing state” (Milliken and Krause, 2002:762). Citing some of the challenges to the liberal peace approaches, the study supports Hoffman’s (2009:10) argument that Eurocentrism is “an elite-driven, top-down, outside-in, technocratic and overly formulaic experiment in social engineering that lacked local legitimacy”. Based on this premise, the major challenge with Eurocentric approaches in transforming contemporary African conflicts has been its lack of knowledge of and relevance to the African context.

Against this backdrop, Western institutions and values cannot be transplanted to Africa largely because the modern state, which is *sine qua non* in the entrenchment of Eurocentrism, does not exist on the continent. Eurocentric approaches have failed to transform African conflicts largely because they undermine the realities and verities of African polities which include issues of neo-patrimonialism, nepotism and tribalism. “Local political and civil society leaders pointed to the many political, social, economic and cultural contingencies that make it impossible for their societies to fulfill the duty to prosecute” (Huyse, 2008:2).

2.5 THE EVOLUTION OF AFROCENTRISM

In his writings on Afrocentrism, Chukwuokolo (2009:32) opines that the concept “was created by Afro-American intellectuals in asserting that Africans should be

given their intellectual pride of place as the originators of civilisation". It is relevant in a context where globalisation is synonymous to westernisation and has overshadowed almost all forms of African knowledge systems, including music, philosophy, folklore and even consumption. The Western perception of Africa as underdeveloped, barbaric, inferior and irrational still prevails even in contemporary times. This perception is being increasingly challenged by scholars, with Thompson (2004:2) arguing that "Africans are innately no more violent, no more corrupt, no more greedy, and no more stupid than any other human beings that populate the planet. Not to believe this is to revive the racism that underpinned the ethos of slavery and colonialism". Afrocentrism is thus a movement against the socio-economic and cultural domination of Africa by predominantly Western norms. It is a philosophy and moral justification for action against the denial of the 'Africanness' of Africa. As Onyewuenyi (1993:39-40) maintains,

"The Afrocentric movement is a series of activities by concerned African and African-American scholars and educators and directed towards achieving the particular end of ensuring that the African heritage and culture, its history and contribution to world civilisation and scholarship are reflected in the curricula on every level of academic instruction.....Advocates of Afrocentrism demand a reconstruction and rewriting of the whole panorama of human history in its account of the origin of mankind, the origin of philosophy, science, medicine, agriculture and architecture, etc".

That notwithstanding, global institutions such as the World Bank and the International Monetary Fund have been and are still involved in the redesign of Africa's political economy from a Eurocentric perspective. Even African literature has been devalued in favour of writings by Western scholars. As Mazrui (2001:97) points out, "there has been excessive effort to make Africa's ideological experience conform to the European ideological categories of liberalism, conservatism, capitalism, socialism, Marxism, fascism, and the rest." Arguing that globalisation is a Western construct designed to perpetuate white supremacy, Asante (2006:153) maintains that "there can be no trans-historical religion of Westernism that suits the entire world. There will only be the death of culture, the destruction of ways of life, the assault on information about societies, and the attempt to equate modernisation, urbanisation, art, education or architecture with Westernisation". It is in view of this that Mazrui (2001) argues further that although African structures were undermined and destroyed by colonialism, African attitudes and values persisted. Africa's traditional political values and ideas, therefore, endured the encroachment of European civilisation albeit the annihilation of some of its traditional institutions. However, Afrocentrism should not be translated as a drive to promote blackness for its own sake. It should take cognisance of the fact that African communities are becoming increasingly heterogeneous and are thus part of a global community.

2.6. CONCEPTUALISING AFRICA'S CONTEMPORARY CONFLICTS

Ahuja (2006) posits that conflict is part and parcel of all communities, whether homogenous or heterogeneous. All social groups (family units, clans, ethnic communities or religious gatherings) are every now and then, entangled in

complex disputes. Conflict is thus an essential creative element in human relationships. It is the means to change, the means by which our social values of welfare, security, justice and opportunities for personal development can be achieved. This is elaborated by Burton (1972:137-138) who maintains that if suppressed, as is often the case in traditional societies where conflict is settled according to traditionally accepted norms, society becomes static. There is thus conflict between the individual and society, between the privileged and underprivileged, between managers and the managed, and between those possessing different ideological values. These conflicts challenge authorities and traditionally held values. But they are neither to be deprecated nor feared. The existence of a flow of conflict is the only guarantee that the aspiration of society will be attained. However, due to underlying socio-cultural, political and economic factors, a presumably negligible disagreement may escalate into a major violent conflict with disastrous consequences on nation-states. Moreover, “a seemingly resolved dispute may resurface long afterwards because the underlying conflict remains” (Castro *et al.*, 2000).

Several authors such as Grewal (2003), Brahm (2003) and King *et al.* (2006) have advanced definitions to concepts of peace and conflict. However, John Galtung, one of the foremost scholars in peace research, expanded the concepts of peace and violence to include indirect or structural violence. This ushered in a direct challenge to the established notions about the nature of peace which had for long been considered to be the absence of war. Peace, in contemporary times, considers not only the absence of manifest violence (negative peace) but also the absence of structural violence (Galtung, 1996).

This expanded definition of peace is particularly important as conflicts generally begin at a community level and remain dormant for several years as they do not make good stories for international media. Such conflicts are implanted in socio-economic and political superstructures, making them opaque in the eyes of an outsider. Yet, they linger on as a slow torture for concerned community members. However, as Smith (2004:5) cautions, “this should not create the illusion of their capacity to escalate suddenly and viciously. When that escalation occurs, it often seems to international observers to have come out of a clear blue sky”.

It is argued in this study that the escalation of conflicts also occurs due to the malleability of individuals. This is supported by Mill (1989:60) who argues that “human nature is not a machine to be built after a model, and set to do exactly the work prescribed for it, but a tree, which requires growing and developing itself on all sides, according to the tendency of inward forces which make it a living thing”. The escalation of violent conflicts could be a result of the absence or denial of ontological needs such as recognition, participation, security and dignity. It stems from the demands by individuals and groups to make certain adjustments in behaviour that are unacceptable and probably beyond human tolerance and capabilities (Burton, 1990). It is on the basis of this consideration that Amoo (1997) argues that any political system that denies or suppresses these human needs must eventually generate protest and conflict. It could be likened to beating a dog to a wall, leaving it with no option but to retaliate.

It is thus imperative to address the root causes of conflict and even more importantly, put in place early warning mechanisms to identify and tackle conflict in its latent stages. According to Adedeji (1999:7), most contemporary conflicts are generally caused by “violent reactions to the pervasive lack of democracy, the denial of human rights, the complete disregard of the sovereignty of the people, the lack of empowerment and accountability and generally bad governance”. These are aspects of what is generally referred to in Peace Studies as structural violence. It is a silent and usually preventable form of oppression that often manifests itself in inequality, starvation, diseases, lack of jobs and freedoms of expression (King *et al.*, 2006:45). Nathan (2000:6) advances the view that with regard to contemporary conflicts, “critical structural conditions in Africa are authoritarian rule, the marginalisation of ethnic or religious minorities, socio-economic deprivation and inequality, and weak states that lack the institutional capacity to manage political and social conflicts effectively”. In addition, there is a need to analyse the role of foreign governments in the politics of African nation-states. Research needs to be done on the role played by these institutions in perpetuating conflicts in Africa as they strive to pursue their personal interests.

Gurr (1993) on the other hand, exposes how and why national peoples, regional autonomies, indigenous peoples and minorities tend to migrate from non-violent protests, through violent protests, to outright rebellion in an uneven escalation that takes many years in most cases. According to the author, this is the time lag that gives major incentives for the proactive prevention of violent conflicts. Goals generally include demands for political access, autonomy,

secession or control, triggered by historical grievances, and contemporary resentments against the socio-cultural, economic and political conditions within the polity. Groups, therefore, fight for power as it is important in securing access to a better quality of life. Archbishop Desmond Tutu (1998) believes “the surest recipe for unrest and turmoil is if the vast majority have no proper homes, clean water, electricity, good education and adequate health care ... If the disadvantaged, the poor, the homeless and unemployed become desperate, they may use desperate means to redress the imbalance”.

Klare (2001:190-212) also identifies diverse causes of internal wars as triggered by grievances over the exploration and exploitation of natural resources. Conflict, according to the author, is “motivated by a desire to reap the financial benefits of resource exploitation. This is usually coupled with long-standing ethnic, political and regional antagonisms, often provoked when governments exploit resources in areas occupied by indigenous people or ethnic minorities”. This is most likely to occur in developing countries where there are few sources of wealth and governments are weak and divided, widely seen as corrupt and unable to mediate competition for valuable resources by legal and regulatory means. In line with this view, Ross (2004:343) produces evidence linking oil and other mineral wealth to (separatist) conflict. The author exhibits ground-level research carried out on the links between mineral wealth and secessionist movements in areas such as the Western Sahara in Morocco (1975-1978), the struggle over Cabinda in Angola (1975), the Katanga rebellion in the Democratic Republic of Congo (1960-1975), the Biafran secession in Nigeria (1967-1970) and Liberia (1990s), among others. According to the

author, the rents available from oil (and sometimes, other minerals) give actors a financial incentive to initiate conflict.

Another key source of conflict in most African states is abuse of power which results in the proliferation of governments for life. Vakunta (2006:33) asserts that "more often than not, abuse of power in Africa goes unpunished largely because Africans have the tendency to revere political leaders. In many parts of Africa, the sacred role as assigned to traditional leaders has been transformed to political leaders". This has resulted in the proliferation of 'governments for life'. Examples include the regimes of leaders such as Paul Biya of Cameroon, Obiang Nguema of Equatorial Guinea and Robert Mugabe of Zimbabwe. Against this backdrop, multiparty politics will remain a window-dressing if Africans continue to turn a blind eye to wanton abuse of office and corrupt practices that plague the continent.

Kadende *et al.* (2005) on the other hand, are of the opinion that the refugee problem is another crucial factor linked to African conflicts. They argue that conflicts do not simply spill across boundaries because of movement of refugees. Instead, conflicts arise when refugees enter a polarised situation or one that already contains the seeds of discord. In such cases, refugees create tensions by entering into new alignments or changing old ones. South Africa for instance, has witnessed sporadic attacks on foreigners, motivated by xenophobia and criminality with the 2015 attacks on foreigners being condemned worldwide (Crush *et al.*, 2015).

At the micro level, marital disputes resulting to separation and divorce are increasingly becoming a key feature, especially in more urbanised areas of the continent. For instance, divorce statistics provided by Statistics South Africa (2016) reports that the incidence of divorce in the country has gone up, with over 50 per cent of divorce requests being made by women. Numerous authors have also documented some of the causes of marital disputes across the African continent. Coining the phrase “no romance without finance”, Mills and Ssewakiryanga (2005) highlight the role of materialism as a catalyst to marital disputes. Finance is particularly important in an increasingly monetised and Westernised economy characterised by consumerism. ‘Sugar daddies’, ‘sugar mummies’ and sexual relationships based almost exclusively on pecuniary interests are increasingly becoming the norm in most African communities.

Moreover, the bastardization of the culture of bride price (referred to as *lobola* in South Africa) has reduced the practice to a money-making scheme, making many families to retain receipts as proof of payment in case of divorce. Lawoko *et al.* (2007) on their part, document how the age difference between couples and literacy rates influence intimate partner violence in Kenya. Marital problems are thus increasingly coming under the spot light in African local communities. This is coupled with the fact that polygamy is a customary practice inherent in almost all African traditions. Within the African context, polygyny is the norm and refers to a situation where one man is married to more than one wife. This practice is very common in the Sahel states with Fenske (2015:58) referring to the region from Senegal to Tanzania as the “polygamy belt”. This practice also sets the pace for numerous marital disputes.

Another contemporary source of conflict, especially in sub-Saharan Africa is the proliferation of Pentecostal churches. The upsurge of these 'new' churches has seen a knock-down effect on the membership of traditional Anglican, Baptist and Catholic mission churches established by European colonisers over a century ago. The precursor to Pentecostalism in Africa "were indigenous prophet figures, many who of whom were persecuted out of historic mission denominations for pursuing spiritualities, sometimes scandalously perceived by church authority as belonging to the occult" (Asamoah-Gyadu, 2013). Some of these Pentecostal churches, such as the renowned Synagogue Church of All Nations in Nigeria, airs miracles and prophecies by its leader, Prophet T.B. Joshua, on its equally famous Emmanuel TV channel. These miracles convert hundreds of thousands into believers as they generally testify about supernatural healings that defy mainstream scientific medicine and preach a gospel of abundance. Prophet T.B. Joshua is so popular across the continent that his church has been graced by the visit of renowned African politicians such as Winnie Mandela, the ex-wife of late South African president Nelson Mandela, Morgan Tsvangirai, leader of the opposition in Zimbabwe and John Atta Mills, former president of Ghana. In 2003, a Pentecostal evangelist was invited by Ghana Airways, the country's national airline, to pray for and deliver the airline from periodic financial woes (Asamoah-Gyadu, 2005).

However, Pentecostal churches are increasingly becoming controversial in Africa. This is as their doctrines for the most part, call on Africans to discard their customary practices such as ancestral worship, and serve the 'living God'.

Besides, some of their own practices are also increasingly being considered unethical and exploitative in contemporary Africa. There are also numerous reported incidences of unconventional acts such as pastors in South Africa ordering their followers to eat grass, snakes and drink petrol. These have at times created tensions between church leaders and the local communities, resulting in the destruction of the church buildings in some areas of the country. In Nigeria, for instance, over 100 people died when a building belonging to the Synagogue Church of All Nations collapsed. Though Nigerian engineers alleged later that the building was poorly constructed, Prophet T.B. Joshua and the church's authorities maintain that the building was bombed by a mysterious aircraft (The Economist, 2014). The controversy of churches is further exacerbated by the fact that they are tax-free entities even though they rake in millions of dollars of tithes and offerings from followers desperate for miracles such as financial breakthroughs and healing from above. Forbes Magazine (2011) for instance, ranked Bishop David Oyedepo of the Living Faith Church World Wide also known as Winners' Chapel which is headquartered in Nigeria, as the richest pastor in Nigeria with a net worth of about 150 million dollars. Authors such as Adedun and Mekiliuwa (2010) and Adeboye (2015) note that the church's Faith Tabernacle, a 50 000 seat auditorium in Nigeria is the largest church auditorium in the world.

It is this unregulated framework under which churches operate that prompted the South African Commission for Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities to conduct an investigative study on the commercialisation of religion and human rights violations in the

country. According to Mkhwanazi-Xalavu (2015) (chairperson of the Commission), the purpose of the study is to investigate “the commercialisation of religion and the abuse of people’s belief systems in terms of when these institutions are run, how are they being run, where is their funding going into, who collects how much and what do they do with the money, where does the money eventually go to, and what are the governing principles that are there?” The Commission subsequently issued subpoenas to several pastors and church leaders to appear before it to give an account of their religious practices. In spite of this, most Pentecostal churches across the continent operate in highly unregulated and unchecked environments probably because no administrator wants to intervene with the ‘Word of God’.

Land has also been a key source of conflict across the African continent. Soini (2005) for instance, traces the evolution of land use practices in the Chagga farming systems on the slopes of Mount Kilimanjaro in Tanzania. The author conducted a historical analysis of land use in 1961, 1982 and 2000 and concluded that land use patterns in the region have evolved from agricultural cultivation and patches of grazing land, through home gardens to the expansion of human settlements. In contemporary times, the state itself has been a major role-player in land allocation and use, especially given the increasing pressure from both domestic and international communities for among others, land redistribution, forest conservation, the preservation of natural game reserves and environmental protection. It is, therefore, no surprise that this multiplicity in the use of land has led to numerous land disputes across the continent and hence, a major policy problem for most

governments whose control of land allocation is increasingly becoming a constraint on the livelihoods of local peoples (Mertz *et al.*, 2005).

The government of Botswana for instance, was involved in one of the most lengthy court cases in the history of the country following its eviction of the San people from the Central Kalagadi game reserve. The eviction was partly as a result of attempts by the Botswana government to 'modernise' the traditional hunting-gathering lifestyle of the San and pave the way for the Kalagadi game reserve (Hitchcock *et al.*, 2011). Similarly, Sithole *et al.*, (2003) explore the conflicts between the state and the peasants which arose as a result of dissatisfaction over the land reform program. They observed how "unfulfilled promises by Zimbabwe's political leadership were beginning to backfire as some landless peasants forcibly occupied white owned commercial farms, threatening to plunge the long delayed resettlement programme into further disarray" (Sithole *et al.*, 2003:83).

Corruption is also a vice that is becoming increasingly entrenched in Africa. Kyambalesa (2006:108-109) attributes the causes of corruption to governance "not sufficiently guided by principles of accountability, transparency, rule of law and genuine citizen participation". Other causes include political instability, job insecurity, low pay, regular government reshuffles, weak judiciary, bureaucratic red tape and greed. Rasheed (1995:44) contends that "most people in developing countries, especially in Africa, see corruption in more practical terms. They see it as theft of public resources by civil servants; illegal taxation of economic activity; nepotism, including favouring relatives, friends, and other

acquaintances in the distribution of public goods and services, employment in the public sector; embezzlement of public funds; the misuse of one's public office to extract extralegal income and other benefits for the office holder; capricious and selective enforcement of government regulations in an effort to benefit the regulator; and differential treatment of business owners in the expectation of a bribe from the entrepreneur being granted the preferential treatment".

Against the backdrop of the foregoing, Grounden (2005:12) outlines conditions necessary for sustainable conflict transformation. The author maintains that in order for sustainable peace to exist in Africa, there is a need for the existence of three sectors – the state, the private sector and the civil sector. The state has to be characterised by a separation of powers. The three arms of government (the executive, the legislature and the judiciary) must act independently of each other but must stand as checks and balances to counterbalance the growing influence of any one arm. The rule of law and accountability must thrive. The legislature must make laws, the judiciary must interpret the laws and the executive must execute these laws. These processes are contrary to what generally prevails in most African countries. In Cameroon for instance, some authors (Akoko and Oben, 2006:25-48; Mbaku and Takougang, 2004) have advanced that the abuse of power by the executive, a plethora of profit-seeking political parties and a survival-of-the-fittest private sector, are common features in the society.

2.7 THE NEED FOR AFROCENTRIC MECHANISMS IN TRANSFORMING AFRICAN CONFLICTS

As discussed above, contemporary Africa is plagued by numerous and diverse forms of latent and violent conflicts. These include unemployment, poverty, natural resource conflicts, ethnic clashes and terrorism. Even though traditional African societies had structures within them to address all types of conflict, the advent of Western imperialism and globalisation undermined and in some cases, eradicated these African community-based structures. The marginalisation of AIKS by the colonialists was meant to facilitate Western administration and ease exploitation (Awedoba, 2009). To further exacerbate the continent's marginalisation plight, current solutions to address contemporary conflicts in Africa remain predominantly Western-centred. These include peacekeeping operations, international criminal tribunals, the involvement of international statesmen as mediators and the role of human rights and civil society organisations. Even initiatives aimed at enhancing sustainable development in Africa are often forged without the consent and inputs of the continent's indigenous people (Varte, 2012). These largely account for the protracted nature of conflicts on the continent as these Eurocentric approaches undermine culturally relevant Afrocentric approaches. It is, therefore, imperative for the knowledge and inputs of indigenous peoples to be considered in all policies and projects that concern them. As Galloway (2010) maintains,

“in recent years, there has been an increasing realisation that the observations and assessments of indigenous groups provide valuable local level information, offer local verification of global models, and are

currently providing the basis for local community-driven resource management and adaptation strategies to global environmental change that are way past the planning stage and are already being implemented and tested”.

There is thus a growing need to recognise, appreciate and utilise Africa’s indigenous knowledge to address contemporary challenges such as disaster management, forest conservation, climate change, pandemics, epidemics, conflicts and even a basic understanding of human behaviour. African communities, therefore, require their own solutions to conflict transformation even in contemporary times. The African continent has unique socio-economic developmental challenges due to its diverse colonial history and heterogeneity of its cultures (Meredith, 2006). This contention is supported by Olonisakin (2000) who maintains that African cultures are different from western ones, including their approaches to conflict transformation. Cultural aspects such as traditional religion, music and institutions can play a very important role in conflict prevention, management and resolution. The predominant Western approaches to African conflicts is aimed at universal applicability whereby the state, and the state alone, exercises what Weber (1948:78) refers to as a “monopoly on the legitimate use of physical force”.

Boege (2006) asserts that the cultural diversity of Africa creates what he terms ‘traditional segmentary societies’. The author argues that diverse societies “have their own peculiar institutions of control of violence, conflict transformation and peace building”. These are self-regulatory and legitimated

by the people's own interpretations of customary rights. As Ntuli (2002:53) succinctly argues, "Africa is neither Europe nor America. Africa's problems are not European or American problems. Africa's solution to her problems cannot be anybody's but Africa's. If we accept these truisms, we then accept that Africa has to find her own indigenous ways to define, identify and address her challenges". In line with this view, Castro and Ettenger (2000) maintain that African indigenous knowledge systems can provide "an alternative perspective and combination of local wisdom and practical experience that compete with (and in some cases, outperforms) or enhances the models offered by 'western science'". This, unfortunately, is not always the case.

It is in recognition of this that Igboin (2011:101) laments that the advent of western imperialism and the encroachment of globalisation have seen a gradual erosion of the values that existed within traditional African societies and the replacement of these values by foreign ones. This has resulted in Western-centric principles and mechanisms of conflict transformation on the continent, to the detriment of indigenous mechanisms, largely because most African countries are dependent on western donors for aid and grants. There is thus a need for endogenous African approaches to play a key role in the transformation of African conflicts. Afrocentric scholars are increasingly lambasting the claim to knowledge that has been monopolised by Eurocentric scholarship, even on knowledge about Africa itself. As Nyamnjoh (2003) argues, "only by creating space for scholarship based on Africa as a unit of analysis on its own right, could scholars begin to correct prevalent situations whereby much is known of what African states, institutions and communities

are not (thanks to dogmatic and normative assumptions of mainstream scholarship) but very little of what they actually are”.

However, such Afrocentric mechanisms must be interfaced with other knowledge systems in order to maintain global standards. The need for such interface is also due to the fact that however traditional they are, African indigenous mechanisms are not static. They evolve and adapt to the dynamics of global political discourses. As Anan (2004:12) maintains, “due regard must be given to indigenous and informal traditions for administering justice or settling disputes, to help them continue their often vital role and to do so in conformity with both international standards and local tradition”.

2.8 FEATURES OF AFRICAN INDIGENOUS KNOWLEDGE SYSTEMS IN CONFLICT TRANSFORMATION

AIKS have certain key characteristics which distinguishes them from Eurocentric ones. These features are still clearly visible within most African local communities, especially in rural parts of Africa that still retain traditional structures and observe African customs. Though still considered as archaic in the eyes of Eurocentric values, these features account for the maintenance of relative peace and stability in most African local communities even in contemporary times. Some of them are discussed below.

2.8.1 Rooted in Oral Tradition

One of the key aspects of Afrocentrism as an approach to conflict transformation is that it is rooted in oral tradition as opposed to well-laid down

written rules or laws as is typical of Eurocentrism. Oral communication through face-to-face encounters is the bond of belonging to a nation wherein individuals within the group, perceive themselves as having a common past, culture, language, adaptation, folklore and destiny. “Everything takes place as if, to remedy the transitory nature of the oral discourse, tradition came along to support certain words, to underline them, to give them weight, and thereby, to make of these landmarks in social experience” (Sumner, 2001:23). In support of this view, Zion and Yazzie (2006:152) posit that “the major difference between western adjudication and indigenous dialogue is that western thought tends to be rational and is based on Aristotelian logic, using inductive or deductive reasoning. Indigenous thoughts tend to be based on affect or feelings, where feelings are often more important than ‘finding facts,’ and both are expressed in languages that are more sophisticated than English”.

Such sophisticated discourses are sometimes expressed through proverbs, storey-telling and myths. Agbaje (2002:237) maintains that “*a myth is the storehouse of African beliefs, traditions and values*”. It is not stipulated that myths and proverbs, in themselves, can provide solutions to conflicts rather, they are viewed as important tools to curb conflicts. Onwuzuruigbo (2011:311) notes that “like many Nigerian groups, the Yoruba use proverbs and myths in situations of conflict, but more importantly, they are used by elders to arbitrate and resolve conflicts in a manner that reiterates Yoruba worldview, customs and values”. The utilisation of proverbs and myths in conflict resolution has helped the Yoruba people to live in harmony and this could be applied in Africa as a whole.

2.8.2 Absence of Professional Legal Representation

Though well-structured, the processes of resolving conflicts in African traditional societies are less formal compared to state-centred mechanisms. Due to the communal nature of these structures, which focus on relationship-building, Afrocentric mechanisms lack professional legal representation. This augurs well for restorative justice as the formal legal system is highly structured, formal, complex, time-consuming and retributive in nature (Obarrio, 2011). Such Eurocentric processes have been met with a lot of frustrations and dismay among African traditional societies. As Dinnen (2003:30) decries, a modern approach to conflict transformation such as a court of law “failed to appeal because it excluded ordinary people from participation. It also created further divisions through its adversarial character. Taking disputes to court became a way of making money (through compensation claims) for many parties and led to further disagreements and conflict”. The absence of professional legal representation in Afrocentric mechanisms of conflict transformation thus makes the entire process less intimidating for the parties involved. The environment is also familiar to the parties as cases are heard by elders, family heads and local chiefs within the confines of the village (Osei-Hwedie and Rankopo, 2012).

As Elechi *et al.* (2010) note, the justice system in contemporary African local communities is two-tier with one being the state-administered system based on Western norms, and the other being localised and run by community members based on African traditional values. However, there is a preference for the latter

as it is inexpensive, accessible, understood and run by community members themselves. Besides, “state court interventions in conflicts have tended to polarize community members further. It is also important to appreciate the fact that African communities are close-knit, thus conflicts not quickly resolved to the satisfaction of litigants, can undermine the peace and harmony of the community. State-based tribunal decisions often follow the “winner takes all approach,” which goes against the principles and values of the African justice system” (Elechi *et al.*, 2010:78).

2.8.3 Focus on the Community as a whole instead of on the Individual

A key aspect of African mechanisms to sustainable conflict transformation is a focus on the entire community as opposed to on an individual. The community is a significant component that substantially distinguishes African traditional societies from Western ones. As Schiele (1996:287) maintains, “considerable emphasis in the Afrocentric paradigm is placed on a collective conceptualisation of human beings and on collective survival; individual identity is conceived as a collective identity”. The author argues further that the focus on the community does not reject the uniqueness of the individual. It instead dispels the notion that an individual can exist in isolation from his/her community. Such a communal focus has been echoed by advocates of African socialism through African philosophies such as *Ubuntu*.

Nussbaum (2003:2) moots that *Ubuntu* is a philosophy which expresses “our interconnectedness, our common humanity, and the responsibility to each other that deeply flows from our deeply felt connection”. *Ubuntu* as a traditional

mechanism of conflict resolution, stipulates sympathy, care, reciprocity and shared respect for other people and that one can be a person through others. Throwing some light on this, Mbiti (1989:141) maintains that the principle literally means “I am because we are, and since we are, therefore I am”. This focus on collectivism places emphasis on communal cooperation, sharing and social responsibility and enhances the welfare of the entire community.

Collective rights and responsibilities are thus common themes rooted in African local communities in contrast to individual rights and responsibilities, which are characteristic of Western societies. This collective mode of existence explains why people in most African cultural societies tend to be treated as members of one’s family. Community members are “addressed as father, mother and brother irrespective of the generic relationship” (Mkhize, 2006:187). It is within this context that anything and anyone within the community is everybody’s business. There is a keen interest in strangers and visitors to the community as community members are interested in knowing the purpose of their visit, their length of stay and even the nature of their own communities. Everyone acts in the spirit of ‘thy brother’s keeper’.

This is in sharp contrast to Western societies where everyone minds their own business. The researcher experienced this during one of his international trips to the United Kingdom. As the researcher toggled between trains, sweating under the strain of the heavy bags he was carrying, while at the same time wondering if he was headed in the right direction to catch the right train, not even once did anyone bother to ask him where he was coming from or where

he was heading to. It is needless to say neither did anyone heading towards the researcher's direction bothered to assist him with some of his luggage. The only one who eventually took some interest in the researcher was a Heathrow train ticket conductor who asked the researcher where he was from and where his final destination was. Following the short conversation, the old man subsequently told the researcher that he was from Ghana!

In African traditional societies, a dispute is not understood as in the West, as a conflict between two parties but as a problem between an offender and the community. This is based on the rationale that what is finally affected is not a person but the whole group to which that person belongs. "Modern justice systems are designed to identify individual responsibility, but guilt and punishment, victimhood and reparation are viewed as collective in most African societies. Moreover, trials only recognise criminal guilt, not political or moral responsibility" (Huyse, 2008:15).

2.8.4 Focus on Reconciliation and Restoration of Social Harmony

A key feature of the traditional justice system in local communities in Africa is its focus on restorative justice as opposed to retributive justice. The essence is to promote reconciliation and healing among parties involved in a dispute and not merely the punishment of offenders. As Elechi *et al.* (2010:74) outline,

"African social institutions provide the necessary social support that prevents conflict and work towards the restoration of law-and-order when necessary. As a victim-centred justice system, the primary goal of African indigenous justice system is the restoration of victims, through

empowering them and addressing their needs. Again, offenders are held accountable to the victim and the community. Efforts are also made to reintegrate the offender back into the community. The counselling efforts are geared towards the healing and transformation of the offender into a conforming citizen. Although this is primarily the responsibility of the offender's family and well-wishers, the tone of the tribunals do also encourage the healing and reintegration of the offender".

Zartman (2000:222) posits that restorative justice in African societies has to be understood "as a compensation for loss, not as a retribution for offense". There is thus a focus on values such as apology, repentance, forgiveness and empathy. For instance, the South African Truth and Reconciliation Commission established in 1995, was designed to heal a society torn apart by apartheid. It laid the foundation for ground-breaking restorative justice in the country. The Promotion of National Unity and Reconciliation Act 34 of 1995 which established the South African Truth and Reconciliation Commission, states that the purpose of the Commission includes,

"the granting of amnesty to persons who make full disclosure of all the relevant facts relating to acts associated with a political objective committed in the course of the conflicts of the past during the said period; affording victims an opportunity to relate the violations they suffered; the taking of measures aimed at the granting of reparation to, and the rehabilitation and the restoration of the human and civil dignity of victims of violations of human rights".

This indicates a focus on healing and relationship-building as opposed to revenge. Similarly, Rwanda's indigenous approach to addressing the 1994 genocide was the introduction of the *gacaca* courts in 2001. The courts focused on the restoration of social harmony through communal reconciliation. Led by individuals of exemplary moral and ethical standards, the courts were rooted in Rwandan traditions and notions of indigenous communal law enforcement. Designed to promote healing, this method of transitional justice aimed at providing truth, justice and reconciliation. "The *gacaca* system rests upon the voluntary confession, demonstration of remorse, apology and request for forgiveness by perpetrators" (Mutisi, 2009:19). The process gave community members the opportunity to talk about the 1994 genocide. Rwandan communities worked together as witnesses, tribunal personnel and jurors and this offered local communities an opportunity to be part of the solution to the country's problems through relationships and consensus-building.

Elechi (2008) notes this desire to build communities in his observation of the Ibo people in Nigeria. The author argues that no offense can be so serious that it cannot be atoned for by a commensurate action by the offender and other community members. Punishments are, therefore, finite and offenders have the option to restore their dignity and position within the community. Since subsistence agriculture remains the mainstay of most African local communities, social harmony is imperative in maintaining the productivity of societies. Thus, "reintegrating offenders into the community is important so that they can remain productive and contribute to the survival of the community" (Elechi *et al.*, 2010:78). The focus on reconciliation also takes centre-stage at a

traditional institution for conflict resolution known as the Court of the Sheiks in the Oromiya zone of Ethiopia. Zeleke (2010) documents how the Court whose members are well conversant with the customs of the people, transform conflicts by oath-taking thereby, committing parties to refrain from reprisals. “The court of the Sheikhs is also keen to avoid the sense of grudges (tit for tat). In a way, the institution also serves as a damage control institution” Zeleke (2010:73).

2.8.5 Use of Rituals – Metaphysics in Judgments

Rites and rituals are key aspects of traditional justice mechanisms in Africa. There is a belief in close affinity and a symbolic relationship between the living and the ancestral realm. The rite of passage from birth, maturity and death is celebrated in song, dance, rituals and narratives such as story-telling and proverbs. These all form part of conflict transformation within most African local communities. There is thus a tendency for Africans to fervently hold on to and revere customs and traditional beliefs. Practices such as ancestral worship, divination, sorcery, secret societies, liturgy and the rite of passage are still deeply revered by traditional African societies. Mutisi (2009:19) documents that “in traditional Rwanda, when a dispute had been resolved, a ritual or ceremony would be held to reflect the symbolic and practical importance of the process”. These customs are not some imaginary, archaic and uncivilised superstitions, but a religious dogma, the essence of being and a way of life that defines most African rural communities. Given this premise, opposition to such traditions, especially within rural areas in most of Africa, is often considered offensive and even blasphemous. Afrocentrism thus transcends positivist approaches which

seek rational explanations to phenomena and underscores spiritualism in healing and divination processes across Africa. This reinforces perceptions that the African is egregiously supernatural as expressed by Senghor (1964:24) when he opined that “emotion is black . . . reason is Greek”.

The reliance on supernatural forces, traditional healers and sacrificial rituals are key features of African traditional societies (Obario, 2011:37). In South Africa, *Ulwaluko* is traditionally regarded as an educational institution where initiates are taught about courtship, negotiating marriage and social responsibilities and conduct (Meintjes, 1998:7). It is an important rite of passage which marks the transition from boyhood to manhood. The initiation rites which normally take place between June and July or November and December, involves a series of teachings in isolated tents in mountains for several weeks, marked by the circumcision of young males (known as *abakwetha*) aged typically between 18 and 25 years. The circumcision process, which is performed without any anaesthetic or pain-killers and the subsequent period of seclusion from society, “is viewed as demonstrating bravery and instilling endurance and discipline in initiates” (Ndangam, 2009:212).

2.8.6 Role of Elders and Traditional Leaders

The role of elders in conflict transformation in African societies cannot be overemphasised. Their importance is rooted in the belief that they are an embodiment of knowledge, experience and wisdom, hence the African proverb that “what an old man can see sitting down, a young man cannot see standing up”. It is perhaps with this in mind that the African Union established a

consultative body in 2007 known as the Panel of the Wise. This body is made up of renowned African leaders, tasked with the duty to advise the Peace and Security Council of the African Union on issues related to conflict prevention, management and resolution. As stipulated in Article 11(2) of the Protocol Relating to the Establishment of the Peace and Security Council of the African Union (2002), “the Panel of the Wise shall be composed of five highly respected African personalities from various segments of society who have made outstanding contribution to the cause of peace, security and development on the continent”. It is against this backdrop that Makwerere and Mandonga (2012:2) maintain that “Elders were and are still respected as trustworthy mediators all over Africa because of their accumulated experience and wisdom. The roles of these mediators depend on traditions, circumstances and personalities.” There is thus a preference for kinship solidarity as opposed to ideological theory (Mazrui, 2001).

A key African institution which sets Afrocentric mechanisms apart from Eurocentric ones is the chieftaincy. The chieftaincy is perhaps the most dynamic and resilient of all African indigenous institutions. While colonialism had different influences on traditional institutions in Africa, it by no means succeeded in dismantling the pre-colonial power relationships (Cheka, 2008). This is in spite of the fact that Eurocentric paradigms such as the Modernisation theory have often been insensitive “to the cultural structures of African societies, and to the domesticated agency of Africans”, condemning their indigenous institutions such as the chieftaincy as “primitive, repressive and unchanging in character” (Nyamnjoh, 2003). This arrogance of Western

rationale has often attributed the shortcomings of chiefs as individuals, to the failure of the chieftaincy as an institution. That notwithstanding, the institution has stood the test of time throughout Africa's history and contemporary politics. Even at the state level, there is still the existence of kingdoms across the continent in countries like Morocco and Lesotho albeit with largely ceremonial monarchical powers, whereas in Swaziland, the monarchy is absolute.

In line with this, several nations across the continent also maintain powerful chiefs and chieftaincies. These include Paramount Chief Chikowi of the Yao people of Malawi, King Otumfuo Nana Osei Tutu II of the Ashanti in Ghana, Chitimukulu Ackson Mwamba of the Bemba people of Zambia and King Goodwill Zwelithini of the Zulu people of South Africa. In South Africa for instance, the Traditional Leadership and Governance Framework Act (2003) empowers traditional councils to participate "in the development of policy and legislation at local level". Article 18 of the Act states that: "Any parliamentary Bill pertaining to customary law or customs of traditional communities must, before it is passed by the house of Parliament where it was introduced, be referred by the Secretary to Parliament to the National House of Traditional Leaders for its comments." Somali communities such as the Issa and the Gurgura are organised in a hierarchical structure that maintains social cohesion and is headed by the *Ugaz* or the King, who is the administration head of the clan. "The *Ugaz* has ultimate power over all aspects. He is considered as the peacemaker and mediator between the society and their 'god'. If there is a problem such as drought, disease or famine, he appeals to the 'god' and comes with a solution" (Tadesse, 2010:98).

Highlighting the importance of traditional leaders in African, Keulder (1998:11) maintains as follows:

“The institution of traditional leaders and its procedures of governance is not only a simpler form of government, but also a more accessible, better understood, and a more participatory one. It is more accessible because it is closer to the subjects than any other system of government; subjects have more direct access to their leaders because they live in the same village and because any individual can approach the leader and ask him or her to call a meeting . . .; decision-making is based on consensus, which creates greater harmony and unity; it is transparent and participatory because most people may attend tribal meetings and express their views, directly not through representatives; and lastly, harmony and unity prevail because the interests of the tribal unit, rather than an individual or group of individuals, are pursued and expressed.”

Across West Africa for instance, there is a growing commitment by the new elites to maintain strong linkages with their home village and even adopt neo-traditional titles. Whether out of genuine recognition or out of sheer politics, there is an apparent renewed commitment by state bureaucrats to tap into the influence of the chieftaincy in enhancing governance, especially at the grassroots. The institution itself is adapting to the changing dynamics of global politics even as Africans themselves are engaged in the process of negotiating their multiple identities (Nyamnjoh, 2003).

Indigenous mechanisms of transforming conflicts have been in existence in African communities long before the advent of the modern state. They are in most cases, not codified in a written document and the essence is to build sustainable relationships between community members. A contemporary Eurocentric repackage such as alternate dispute resolution which emphasises methods such as negotiation, mediation, arbitration and conciliation, was a response to the inadequacies and deficiencies of court proceedings. AIKS has never been a response or an alternative to any system as they have always been indigenous and unique to African communities.

2.9 CHALLENGES OF AFRICAN INDIGENOUS KNOWLEDGE SYSTEMS IN CONTEMPORARY CONFLICT TRANSFORMATION

African indigenous approaches to conflict transformation need not be romanticised as they are not a panacea for the resolution of all types of conflicts in all contexts, especially given the heterogeneity of contemporary African communities. One of the major challenges to AIKS is its inferior status in the global political economy of knowledge. Power is central to knowledge production and because of the inferior status of Africa in the global political economy, AIKS are being marginalised. This marginalisation is further exacerbated by the fact that AIKS is considered as being too local to resolve contemporary global challenges. Referring to attempts at mainstreaming AIKS as “a conspiracy of empathy”, Akpan (2011:117) frowns on the labelling of indigenous knowledge as local and native. He argues that such perceptions merely reinforce a master-servant asymmetry wherein AIKS has become “a

target of 'caring' thought and a subject of quiet disdain". Knowledge therefore, should not only be premised on the physical and its contribution to the production of tangible goods and services within the 'modern' context. Emphasis also needs to be placed on the spiritual significance of knowledge and the role it plays on the lives of communities concerned. Such spiritual aspects of knowledge are evident even among urban-dwellers in for instance, their preference for the village as the place of retirement and burial place (Geschiere and Gugler, 1998). This spiritual knowledge is thus a crucial asset that can be harnessed for sustainable community livelihood across African local communities.

Additionally, given the heterogeneous and diverse nature of traditions and customs in Africa, the relevance of indigenous mechanisms to solve inter-cultural conflicts involving non-communal actors such as multinational corporations and modern state institutions, has also been questioned (Boege, 2006:10). This is largely due to the fact that Africa is by no means homogenous, rendering conflict transformation a context specific exercise. Africa's increasing heterogeneity is also having negative effects on the communal livelihood inherent in African local communities. The extension of this collective mode of existence pledges certain individuals with parental responsibilities (Mkhize, 2006), including the ability to reward as well as the capacity to punish. It is this assumed responsibility to lay down specific communal norms and prescribe modes of behaviour that has resulted in intolerance for the "other" within some local communities. It is, therefore, no surprise that "most of the so-called troublemakers in most communities are

often people who are socially, politically and economically marginalised” (Elechi *et al.*, 2010: 80).

In South Africa for instance, homophobic violence is rife within local communities. Lesbians regarded as transgressing patriarchal norms, have been raped and even murdered in an attempt to prescribe communally acceptable behaviour (Lubbe, 2007). Other forms of prescriptive behaviour to women across the continent include the stigma on the wearing of mini-skirts, female genital mutilation and virginity testing. This intolerance for difference within Africa's local communities and the relegation of women as a second class gender, endorsed by local communities, are clearly flaws in African approaches to conflict transformation.

More so, the use of elders in conflict transformation in Africa is almost always the prerogative of males, giving such processes a sexist patriarchal dimension. Sigsworth (2009:12-13) emphasises the patriarchal nature of African societies and maintains that “patriarchy is a form of social organisation marked by the supremacy of the father in the clan or family; the legal dependence of wives and children; and the reckoning of descent and inheritance in the male line”. Women thus tend to be marginalised and excluded from decision-making processes and structures as traditional African societies are predominantly male-dominated. The respect for and use of elders as mediators in conflict situations has been assumed by political leaders across the continent, leading to a culture of gerontocracy. This is a leadership practice whereby politics and statecraft are governed by individuals who are significantly older than most of

the adult population. As Plato, cited in Bytheway (1995:45) states, “it is for the elder man to rule and for the younger to submit”. Vakunta (2006:32) maintains that “the sacred role as assigned to traditional leaders has been transformed to political leaders”. It has thus become common practice for African heads of government to persistently change constitutional provisions to enable them to cling on to political power, leading to a continent predominantly ruled by old people.

Examples include Robert Mugabe (91 years) of Zimbabwe, Paul Biya (82 years) of Cameroon, Hifikepunye Lucas Pohamba of Namibia (80 years) and Teodoro Obiang Nguema Mbasogo (73 years) of Equatorial Guinea. Former presidents like Omar Bongo (president of Gabon for 42 years), Gnassingbé Eyadéma (president of Togo for 38 years), and Muammar al-Gaddafi (president of Libya for 42 years) were all removed from political power only through death. The ages of these Africans sharply contrast with leaders in developed countries such as Barack Obama of the United States (54 years), David Cameron of the United Kingdom (49 years), François Hollande of France (61 years), Angela Merkel of Germany (61 years), Tony Abbott of Australia (58 years) and Vladimir Putin of Russia (63 years) (World Presidents Database, 2016). The reluctance of African leaders to relinquish power probably explains the high rates of unemployment among the youth in most African countries. Gerontocracy in African leadership correlates with the significant challenges experienced in Africa, including corruption, embezzlement, nepotism, unemployment and poverty.

Additionally, given the fast encroachment of globalisation, modern societies have regarded indigenous people and tradition as out-dated. This view is supported by other scholars who maintain that:

“Historically, modern societies have regarded indigenous people and tradition as less progressive, and as a result, many groups of indigenous peoples, especially their younger generations, are influenced to devalue their native cultures and to adopt new lifestyles and technologies” (Osai, 2010:9).

According to a report by Minority Rights Group International (2008), the government of Botswana considers the *Basarwa* as an embarrassment to the modern state. These indigenous people of Botswana have insisted on maintaining their traditional lifestyle as hunter-gatherers. The Botswana government has been keen on changing the ‘primitive’ traditional lifestyles of the *Basarwa*. There have been numerous attempts by the government to forcefully evict the *Basarwa* from the Kalagadi game reserve and integrate them into the ‘modern’ society. African younger generations also tend to undermine AIKS as they are increasingly being influenced by Western civilisation (Ossai, 2010:9).

Also, Gordon (1996) contends that the reliance on supernatural forces as used by traditional healers in the delivery of judgments and sacrificial rituals to promote reconciliation is a key feature of traditional justice systems in Africa. This is not easily accommodated in modern secular societies, especially in the wake of universal notions of human rights, equality and other democratic

norms. More so, the restorative justice approach which focuses on truth and reconciliation is partly flawed in that truth-telling does not necessarily guarantee reconciliation. The Truth and Reconciliation Commission in South Africa for instance, has been criticised as having contributed very little to nation-building as South Africa remains a deeply divided society (Gibson, 2002; Meintjies, 2013). Truth might in some instances, stir memories and open up old wounds which might further compound the reconciliation process. Additionally, truth is relative, subjective, elusive, complex and even contradictory (Hayner, 2001). It is in view of this that the former South African Archbishop, Desmond Tutu, considered reconciliation to be a miracle.

However, AIKS is a methodology in its own right albeit these contestations. Besides, the history of all knowledge systems is a history of contestations. Knowledge is a manifestation of power relations. He who controls the media and is able to exercise leverage over government policy, influences what knowledge systems will be given priority in any given political system. Unfortunately, African countries have generally been at the receiving end of power relations hence, the marginalisation of AIKS. It is, however, important to look for ways in which both Afrocentric and Eurocentric mechanisms can be integrated in the search for sustainable solutions to contemporary African conflicts. This has by and large, been undermined in the literature as scholars from both paradigms often tend to play the chicken or the egg approach, which comes first?

The study fills the knowledge gap by advancing the polyepistemic view. This advances the view that we are living in a world characterised by different and diverse knowledge systems which are supposed to be complementary rather than competitive. Colonialism and other forms of imperialism have created a situation such that Eurocentricism became a dominant knowledge system and marginalized other knowledge systems, especially Indigenous Knowledge Systems (IKS) as unscientific and primitive. The study realizes that people live in different ecological and cultural environments where they develop specific knowledge systems which are indigenous to a particular environment. It is on the basis of this consideration that the study examined the case of indigenous knowledge systems of the Bakweri people of South West Cameroon in mitigating contemporary conflicts in their area.

2.10 THE CONCEPTUAL FRAMEWORK

The review of existing literature in the previous section has revealed that inasmuch as initiatives to transform African conflicts need to be endogenous and rooted in African cultures, the continent is part of an increasingly globalised world characterised by heterogeneous communities. It is thus imperative to consider an interface between AIKS and other knowledge systems as a more sustainable approach to transforming contemporary African conflicts. It is within this framework that the theory of endogenous development, the postcolonial theory, the modernisation theory and the concept of integralism are used in the study. Nel (2006:27) posits that “when we speak about theories, we have in mind coherent sets of concepts, statements and arguments, in which people set out and defend their most fundamental assumptions about issues”.

The endogenous conflict transformation framework as advocated by Makwere and Mandonga (2012:2) maintain that “endogenous conflict transformation methods are unique, informal, communal, restorative, context specific and diverse”. As an Afrocentric approach, they have been practised for extended periods of time and have evolved within African societies rather than being a product of external importation. Contemporary conflict transformation initiatives in most African countries, including the *Bakweri* local communities of Cameroon, have been predominantly state-driven and negotiated from an elitist state-centric perspective. Hiroshi (2007) argues that within the ideology of the modern nation-state, only the government has sovereignty over war and peace-making. Conventional conflict transformation studies and practices have tended to uncritically adhere to the state-centric ideology. Ordinary people tend to be excluded from conflict transformation-related responsibilities. Besides, community-based approaches should be acknowledged since they are more accessible and understood by large proportions of people within African local communities. The challenge for African researchers and academics is thus “to affirm and activate the holistic paradigm of indigenous knowledge to reveal the wealth and richness of indigenous languages, worldviews, teachings, and experiences, all of which have been systematically excluded from contemporary educational institutions” (Battiste, 2002:1).

This approach, which aims at empowering AIKS, has been captured by the postcolonial theory. For instance, Mapara (2009:141) argues that “literature by the colonisers distorts the experience and realities of the colonised, and

inscribes the inferiority of the colonised while at the same time, promoting the superiority of the coloniser”. Postcolonial theorists are of the view that colonialism and subsequent neo-colonial mechanisms have undermined African IKS by marginalising these systems of knowing in the search for sustainable solutions to developmental challenges (Nazarea *et al.*, 1998). In combating the residual effects of colonialism on cultures, post-colonialism explores ways in which societies can move forward based on mutual respect. It is aimed at deconstructing colonial structures which valorised Western norms, silenced the subaltern and perpetuate the dependency of Africa in particular and the third world in general (Childs and Williams, 2014). It is thus imperative to reclaim African identity by valorising and celebrating African values and endogenous mechanisms.

The case for indigenous approaches to conflict transformation in Africa has been dented by a constant and recurring struggle between the masses and the corrupt elite who highjack the state for their narrow interests. Moreover, African local societies are witnessing a growing encroachment of universalised norms and new forms of conflict such as terrorism and cyber-crime. Besides, *Bakweri* local communities in Cameroon have become increasingly heterogeneous due to changes in migration patterns. It is within this predicament that the modernisation school has resurfaced as an alternative to the endogenous approach. It holds that “African societies are in the process of becoming ‘modern’ rational entities in which efficiency and scientific logic replace traditional values and belief systems” (Chazan *et al.*, 1999:15). As a Eurocentric approach, modernisation theorists argue that through mentorship

and assistance from developed countries, African countries will abandon their 'backward' ways, will evolve to an age of mass consumption and be integrated into the global village. It is within this context that some *Bakweri* local communities in Cameroon have witnessed their customs and traditions being overshadowed by Western language, music and state-based institutions.

That notwithstanding, the fact that the modernisation theory inherently condemns AIKS as being too local and outmoded, is an indication that the approach is incomprehensive in resolving conflicts even within contemporary *Bakweri* local communities. As Nayoo (2007:167) argues, "many theories imported from the West have not been able to find innovative solutions to Africa's developmental dilemmas, including conflicts". Even though modernisation theorists pride themselves as being embedded in scientific rigour and abstract formulations, conflict is context-specific to the realities and verities of the case study. Besides, conflicts cannot be sustainably resolved by ignoring the 'other'. It is within this backdrop that a more sustainable approach would be a fusion of both African endogenous and Eurocentric approaches.

Jeffries' (1999) concept of Integralism provides valuable insights in this regard. According to the theory, it is erroneous to assume that everything must exist in bivalence as social reality actually exists in multi-valence. There is local in the global and vice versa. "No 'traditional' society can hope to make progress without knowledge from outside. No knowledge system is so 'complete' that it needs nothing from outside its domain. More correctly, one is embedded in the other" (Akpan, 2011: 121). The concept focuses on how to incorporate natural

science with supernatural conceptions of faith and belief systems. It seeks to resolve the schisms between scientific logic of modernisation theory and the philosophical and religious aspects of the endogenous approach and AIKS. To do this, Integralism focuses on the ethical and moral principles of major religions. Principles of hospitality, altruism, charity and reciprocity are emphasised. Integralism maintains that methods of cognition are not just through sense and reason, but also through intuition. Conflict transformation approaches should thus not only be limited to forensic science and rationality, but also through the morality and ethics of religion and culture. This will not only reduce the “insensitivities” of law and retribution, but will also address the problem of irrelevance of AIKS. It is thus by integrating Eurocentric and Afrocentric mechanisms that both knowledge systems “would be united in the goal of understanding the human condition as the basis for personal, social and cultural reconstruction” (Jeffries, 1999:39).

2.11 SUMMARY OF CHAPTER

This chapter has presented contestations regarding the relevance of Eurocentric and Afrocentric mechanisms in transforming African conflicts. It is argued that attempts at labelling AIKS as local, partly emanates from the tendency of bifurcating knowledge systems and hence, overlooking the fact that reality exists in multi-valence. This bifurcation of knowledge systems has been translated into a mono-cultural discourse on globalisation, a discourse that merely glorifies Western culture and marginalises the ‘other’. As Asante (2006:153) argues, “a globalisation that seeks to have Chinese adopt French architecture, Japanese believe that European renaissance art is more

important than Japanese classics, English music more 'classical' than African music and Italian dance more 'classical' than Indian dance, and so forth, remains a bad idea. The ultimate objective is not dialogue, but control, prediction and subjection". Eurocentrism is thus an ideology of cultural annihilation as it undermines other knowledge systems in its drive to epitomise Western values and institutions. Afrocentrism on the other hand, has usually been expressed as a reaction to Eurocentrism. In its penchant of resisting Western encroachment, Afrocentrism has largely failed to acknowledge its own challenges in the era of globalisation.

Indigenous people, the world over, have had to reckon with the encroachment of Eurocentric values into their natural habitats. Often, they have had to give up their land, natural habitats, forests and ways of life, so as to adapt to the logging, fishing, fracking, mining and construction activities of multinational corporations and governments alike. This sacrifice, at times, comes in exchange for little more than lite beer and blue jeans. From the *Bakweri* people of the South West Region of Cameroon, the pygmies of Equatorial Africa, the Khoisan of the Kalahari to the Aborigines of Australia, indigenous people have been exploited, branded, stripped of their land and their traditional practices have been demonised as primitive, barbaric and resistant to change, all in the name of globalisation which is in fact, Westernisation. In spite of this, Westernisation unfortunately, has not provided sustainable solutions to the world's growing conflicts. Instead, the domineering and exploitative nature of Eurocentrism has exacerbated intrastate conflicts which have grown in incidence across Africa since the so-called "Wind of Change" blew across the

continent in the 1960s. While Modernisation theorists have blamed Africa's plight on the inadequacies of the African to take advantage of Western benevolence, critics have argued that Eurocentric arrogance is the root of Africa's as well as global conflicts.

The way forward is thus to have a multicultural discourse. It is within the framework of such pluralism that an argument can be established here that no society is too simple and local to be complex. Alternatively, no knowledge system is too advanced and complex that it lacks simplicities. Inasmuch as there are complexities within the simple, there are also simplicities within the complex. Akpan (2011:121) aptly maintains that "no society can be so 'advanced' that it no longer has need of 'local' knowledge. No 'traditional' society can hope to make progress without knowledge from outside". Since problems cannot be resolved by ignoring the 'other', integrating African indigenous knowledge systems with western-based knowledge mechanisms should be a more sustainable path to contemporary conflict transformation. It is thus within the context of these contestations that Nakata (2002:28) summarises that:

"The whole area of indigenous knowledge is a contentious one. From what constitutes 'indigenous' to whose interests are being served by the documentation of such knowledge, there lies a string of contradictions, of sectorial interests, of local and global politics, of ignorance and of hope for the future."

CHAPTER THREE

RESEARCH METHODOLOGY

3.1 INTRODUCTION

The aim of this study was to investigate African indigenous knowledge systems in contemporary conflict transformation with specific reference to chieftaincy of the *Bakweri* people of the South West region of Cameroon. The relevance of a case study in methodology cannot be underestimated. A case study is a research strategy that involves an empirical inquiry that investigates a phenomenon within its real-life context. The case study approach provides a systematic and in-depth way of looking at event, collecting data, analysing information and reporting the results (Babbie, 2007). As a result, the researcher gains a sharpened understanding of why the research issues happened as they did, and what might become important to look at more extensively in the future (Bless *et al.*, 2006).

According to Soy (1997) “researchers from many disciplines use the case study method to build upon theory, produce new theory, dispute or challenge theory, explain a situation, and provide a basis to apply solutions to situations, explore, or describe an object or phenomenon. The advantages of the case study method are its applicability to real-life, contemporary, human situations and its public accessibility through written reports”. This study deals with conflict and human subjects are its primary variable. Evans (2008) argues that:

“the basic point about conflict is that it is always context-specific. Big overarching theories – whether cast in terms of clash of civilisations, ancient tribal enmity, economic greed, economic grievance, or anything

else – may be good for keynote speeches, and are certainly good for academic royalties. They may also be quite helpful in identifying particular explanatory factors that should certainly be taken into account in trying to understand the dynamics of particular situations. But they never seem to work very well in sorting between those situations which are combustible and those which are not. For that you need detailed, case by case analysis, not making assumptions on the basis of experience elsewhere, or what has gone before, but looking at what is under your nose, right now”.

This Chapter outlines and discusses the methodology used in the study. It highlights the research site and research design which includes data collection methods and the strategies for ensuring validity and reliability. The data analysis methods are also presented.

3.2 RESEARCH SITES

Data was collected from the following communities: Molyko, Soppo, Bokwaongo and Koke. These villages are situated within the district of Buea, Cameroon. The local communities in these villages have for long been utilising indigenous mechanisms such as the chieftaincy, traditional healers and rituals to transform conflicts such as land disputes, marital conflicts, inheritance and succession disputes. They are also exposed to the rapid encroachment of globalisation which is accompanied by heterogeneous cultures.

3.3 RESEARCH DESIGN

In order to determine the contribution of African Indigenous Knowledge Systems (AIKS) in contemporary conflict transformation, a qualitative research design was adopted in the study. Qualitative research allows for a more flexible interaction between the researcher and community members using qualitative research methods such as in-depth interviews, focus group discussions and participatory observation. Qualitative research allows the researcher to investigate research participants in their natural settings and in order to make sense of, or interpret phenomena in terms of the meanings people bring to them (Pierce, 2008). The study thus employed a combination of ethnographic and phenomenological research designs. According to Hammersly *et al.* (1983:2), “the ethnographer participates overtly or covertly in people’s daily lives for extended periods of time watching what happens, listening to what is said, asking questions. In fact collecting whatever data are available to throw light on issues with which he or she is concerned”. On the other hand, phenomenology seeks to develop an articulate understand of human experience as perceived by the subjects themselves. As Schutz (1962:69) states, “the observational field of the social scientist – social reality – has a specific meaning and reference structure for the human beings living, acting and thinking within it. By a series of common sense constructs they have pre-selected and pre-interpreted this world which they experience as the reality of their daily lives”. The study was thus grounded both on observation, as well as on the narratives as told by respondents through in-depth interviews and focus group discussions.

3.4 METHODS OF DATA COLLECTION

The following subsections present the research methods that were employed to collect data for this study. Both primary and secondary sources of data were used. . While primary sources involved key informant interviews, participant observation, and focus group discussions, secondary sources included books, journal articles and internet sources.

3.4.1 Key Informant Interviews

Conducting interviews is a traditional method of social scientists for extracting information through well-placed individuals in the society and institutions. It is part of the ethnographic approach, often used in situations where access to official records or data is weak or non-existent. Where official records exist, it is used as a means to gain further insight by questioning key informants about specific social, political and economic problems. Social scientists also use this approach within the field of social interactionist or ethno-methodological research. Key informant interviews consist of asking questions that are mainly semi-structured or open-ended, allowing detailed, full answers from respondents. This approach contrasts with quantitative questionnaires, which allow only controlled and structured responses within narrow parameters (McNamara, 2007).

In this study, interviews formed a large part of the research approach to data collection. Distinct from the use of a survey method, according to Mackenzie and Knipe (2006), the epistemology of the qualitative interview aligns itself more with a constructivist paradigm than a positivist one. This was important for

this study as it gave the researcher an opportunity to be actively involved rather than being just a passive listener. The interviews were both semi-structured as well as open-ended, and the researcher focused more on asking questions and listening to participants. Such a free-flowing style, using convergent interviewing techniques with emphasis on listening and observing, ensured that the experiences and opinions of interviewees were properly captured. Similarly, in this study the researcher at all times attempted to allow the interviewees to tell their stories/experiences in detail on approaches to conflict transformation. During the interviews, the researcher was mindful of the fact that it was necessary to gain insights into the key concepts of the study as the interviewees were telling their stories and sharing their experiences and views. As a result, the researcher only used the interview guide to direct the interview discussions, but never restrained any additional information that happened to arise.

At all times, richness of data was sought from participants as they were encouraged to talk openly about their experiences to enable insights through words and not in numbers. In consultation with the community leadership a total number of 50 respondents (25 men and 25 women) were purposively selected for the study. They included both *Bakweri* and non-*Bakweri* residents in the study communities. These were knowledge holders and practitioners, who were directly involved in conflict situations relating to the study community. The respondents included local chiefs, quarter heads, members of sacred societies, magistrates, police officers, university students, etc. Age and education were also considered as vital factors in selecting the respondents.

Education was important as it indicated a certain degree of familiarity with contemporary state structures and their role in conflict transformation. Age on the other hand was important as the elderly *Bakweri* respondents were more familiar with the role of indigenous institutions in conflict transformation in the study communities.

3.4.2 Participant Observation

Interviews alone were deemed insufficient for the study, and they were supplemented by participant observation in order to improve the validity of the findings. Begold (2007) defines a participatory approach as a methodology that argues in favour of the possibility, the significance, and the usefulness of integrating research partners in the knowledge-production process. In this study, the participatory approach provided the study community with the opportunity to be participants in the research process. In addition to serving as informants, knowledge holders were involved in the identification and selection of the study case, definition of the problem and interpretation of data from their own cultural perspective. The approach was meant to fill the power gap between the researcher and the researched community. Participant observation was also used because it has the advantage as outlined by Kawulich (2005, para. 8) to provide the researcher with ways to check for non-verbal expressions of feelings, to understand how participants communicate with each other and check how much time was spent on various activities. Participant observation particularly, has been used in an array of disciplines as a tool for data collection about people, processes, and cultures in qualitative research (Wolcott, 2001). It was also used to increase the validity of the study.

In this case, observations assisted the researcher to have a better understanding of the study area. Similarly, it assisted mainly to develop a holistic understanding of the use of community-based knowledge systems in contemporary conflict transformation.

Against this backdrop, the researcher spent time in the study area, collecting data. During this time, and through the assistance and cooperation of community leaders, the researcher participated in various activities related to the research problem such as community meetings and court sessions. The researcher visited police stations and government offices such as those of the Divisional Officer and the State Counsel along with complainants. The researcher was fully aware of the fact that one of the limitations in using participant observation as a technique is that sometimes, researchers are not easily accepted in the communities where they are conducting their research. A number of issues such as one's appearance, ethnicity, age, gender and class may affect the researcher's acceptance in the community (Kawulich, 2005). Another limitation of participant observation is that the researcher can immerse into an unfamiliar culture and study the lives of other people as a full time community member during the period of the research. This is limiting because sometimes, researchers have to change their ways of lives in order to fit within the community of the study. However, this was not the case with this study since the researcher is familiar with the culture and the way of life within the study area.

3.4.3 Focus Group Discussions

Focus group discussions were conducted with selected groups made up of 6-10 community members. Yates (2004) states that a focus group differs from an in-depth interview in that, it is a group rather than a one-to-one interview. Also, getting the participants to discuss among themselves was a fast and easy way of collecting qualitative data in less time than would be needed for individual interviews. Three focus group sessions were conducted with each group consisting of between six and ten participants for an average duration of one hour each. These participants were selected based on their knowledge of either the indigenous knowledge systems of the *Bakweri* and/or state-centred mechanisms of conflict transformation in the study communities.

One limitation levelled against focus group discussions is that the focus groups are placed in an artificial environment which can influence responses generated. This is due to the fact that researchers using the ethnographic technique will situate themselves in the real environment that is unreachable for focus groups. In focus groups, people are grouped in a meeting room, thus they may behave differently from how they behave when they are not watched and it might affect the quality of research results (Morgan, 1996). The overall objective of using a variety of data collection methods was to explore people's knowledge and experience on the research problem. The combination of interviews, participant observation and focus groups discussions provided a better understanding of the research problem from the community's perspective through interaction.

3.5 DATA ANALYSIS

Data gathered for this study was analysed qualitatively. Sarantakos (1998) states that data analysis involves making sense out of information gathered from research and bringing out meaning from data. Qualitative data in the form of digital voice recorded interviews was transcribed and translated from the lingua franca of the study communities where applicable, into English. Due to the heterogeneous nature of the study communities, the lingua franca used was Pidgin-English, an uncodified and easily modified language adapted from the English language. Interviews, focus group discussions and participant observation notes were typed and analysed through content analysis. In content analysis, the researcher classifies key ideas in a written communication, such as a report or an article. A researcher can also do content analysis of different forms of recorded information. It is a systematic method for analysing textual information in a standardised way that allows evaluators to make inferences about that information. Classifying numerous texts and words in much fewer content categories is a central idea in content analysis (Weber, 1990:12). Information obtained from key informants, focus group discussions and participant observation was analysed by categorising the data into themes targeted at answering the research questions.

3.6 RELIABILITY AND VALIDITY OF DATA

In research validity is described as the degree to which a research study, especially the research instruments used, measure what they are intended to measure. There are two main types of validity, internal and external. Internal validity refers to the validity of the measurement itself, whereas external validity

refers to the ability to generalise the findings to the target population. Both are very important in analysing the appropriateness, meaningfulness and usefulness of a research study. The use of different research instruments and sources of information in this study of Indigenous Knowledge Systems and Contemporary Conflict Transformation Among the Bakweri People of South West Cameroon, such as in-depth interview views, focus group discussions and participant observation was meant to cross-reference them and ensure that the data were valid and the instruments were reliable. As already indicated, different sources of information were used in the employment of these research instruments. The responses of interviewees were cross referenced to ensure consistency in the narration of facts.

Also, in order to enhance the validity and reliability of this study, the researcher observed the certain maxims advanced by Fals-Borda (1995) who cautions as follows:

“Do not monopolise your knowledge nor impose arrogantly your techniques, but respect and combine your skills with the knowledge of the researched or grassroots communities, taking them as full partners and co-researchers. Do not trust elitist versions of history and science which respond to dominant interests, but be receptive to counter-narratives and try to recapture them. Do not depend solely on your culture to interpret facts, but recover local values, traits, beliefs, and arts for action by and with the research organisations. Do not impose your own ponderous scientific style for communicating results, but diffuse and share what you have learned together with

the people, in a manner that is wholly understandable and even literary and pleasant, for science should not be necessarily a mystery nor a monopoly of experts and intellectuals”.

3.7 ETHICAL CONSIDERATIONS

According to Bak (2004:28), one of the goals of ethics in research is to ensure that no one is harmed as a result of research activities. In support of this view, Strydom and Venter (2002:45) maintain that “research should be based on mutual trust, acceptance and cooperation, and well accepted conventions and expectations between parties involved in a research project”. The fact that human beings are objects of study in the social sciences brings unique ethical problems to the researcher. For researchers in the social sciences, the ethical issues are pervasive and complex, since data can be obtained at the expense of human subjects. Given the fact that data for this study was obtained from both primary and secondary sources, numerous ethical issues were observed throughout the study as follows:

➤ Informed Consent Obtained and Voluntary Participation

The consent of all respondents was duly obtained before conducting the interviews and focus group discussions. Where applicable, the researcher obtained permission from relevant gate-keepers such as local chiefs and quarter heads to conduct research in the local communities. The Respondents were informed that their participation in the study was entirely voluntary. They had the choice to participate, not to participate or to stop their participation in the study without incurring any penalties for taking such an action.

Participants were thus, given choices of withdrawing from the study whenever they felt that they had lost interest to participate. The researcher obtained approval from participants to record the interviews and conversations. This enabled the interviewer to focus on the interviewees and their responses. That notwithstanding, the researcher still took down notes on key issues raised during interviews. Questions pertaining to the interviews were listed on the informed-consent sheet that each interviewee was required to sign. Moreover, all ethics protocols of the University of KwaZulu-Natal were duly observed.

➤ **Anonymity and Confidentiality of Participants Ensured**

In addition to obtaining the consent of participants, the researcher ensured that their views were presented anonymously. Neither the names nor identities of participants were disclosed in any form throughout the study. Also, an environment of comfort and trust was ensured throughout the study. This was necessary in order to facilitate the greatest flow of views and insights from each participant. To protect participants, their genuine names were kept anonymous and pseudo names used when referring to their experiences.

➤ **Guarded Against Plagiarism**

Plagiarism constitutes a serious offence in all academic institutions as it involves the use of someone else's works or ideas without due acknowledgement and hence, a theft of their intellectual property. In order to avoid plagiarism, all authors whose works and ideas were consulted during this study, have been duly acknowledged in the forms of in-text citations and in the list of references.

CHAPTER FOUR
CONTEMPORARY CONFLICTS AMONG *BAKWERI* COMMUNITIES IN
BUEA, CAMEROON

4.1 INTRODUCTION

The District of Buea is the capital city of the South West region of Cameroon. Along with other towns and villages in the Fako Division, Buea is also the home of the *Bakweri* people and the seat of their paramount chief. Buea was part of the section of Cameroon which was under the British colonial administration. Due to the region's fertile volcanic soils, the Cameroon Development Corporation (CDC) was established by the British colonial administration in 1947 to produce tropical agricultural cash crops such as bananas, tea and oil palms. The CDC, being one of the largest employers in the country, led to the influx of migrants from other parts of the country to Buea in particular, and the Fako Division in general (Dibussi, 1999). This influx increased Buea's heterogeneity. Primary data gathered during data collection revealed that Buea also hosts the University of Buea (established in 1992), which until the establishment of the newly created University of Bamenda in 2011, had been the only English-speaking University in Cameroon. The growing number of students (which currently stands at over 18 000) has been accompanied by an influx of businesses such as cyber cafes, restaurants, taverns and night clubs, to service the growing population.

The *Bakweri* people are the dominant ethnic group in the district of Buea (at the foot of Mount Fako). They are scattered across about one hundred villages in the Fako Division. It is estimated from the last survey conducted in 1996 that

there were about 50 000 *Bakweri* people in the Division. Each village is headed by a chief though they were all united by their totem, the elephant (Fanso, 1989). They have a rich history and culture, including the chieftaincy and indigenous games such as the *Palapala* wrestling competition, dance groups and secret societies (Ngoh, 1996).

4.2 TYPES OF CONTEMPORARY CONFLICTS WITHIN *BAKWERI* COMMUNITIES

There has been a gradual but progressive shift from traditional to contemporary forms of conflict among the *Bakweri* people in Buea. Information gathered from key informant interviews shows that traditional conflicts used to involve issues related to witchcraft, land disputes and stray animals trespassing through people's farms. People accused of witchcraft, for instance, were given herbal tonic to drink. If the accused vomited after consuming the herbal tonic, s/he was exonerated, but if the accused's stomach got swollen after consuming the herbal tonic, then s/he was declared guilty. No contemporary case of witchcraft was documented during the data collection process. There are traditional conflicts that are still inherent within contemporary *Bakweri* communities, though their nature, scope and mechanisms to transform them have evolved over time. They include land disputes, marital squabbles and inheritance / succession disputes. In addition, due to the increasing heterogeneity of Buea, new forms of conflict are emerging within the society (such as religion and corruption). However, the most protrusive type of conflict within *Bakweri* communities that all participants identified with during the field study was land ownership and associated disputes.

4.2.1 Land Disputes

Land is without doubt, an important natural resource not just for the *Bakweri* people, but for all African indigenous communities. In the study communities, land is utilised for a multiplicity of reasons, including subsistence agriculture, grazing of domestic animals such as goats, hunting and human settlement. For instance, Baiphethi *et al.* (2009) stress the need to harness subsistence agriculture in African local communities to enhance sustainable food security, especially for rural livelihoods. It was revealed that all land in Cameroon was categorised as state land, including native land registered under customary law. As a result of this, any land can be expropriated by the state for public use. However, directly controlled state land includes land that had been expropriated for public use or land around “property which by nature or intended purpose, is set apart either for the direct use of the public or for public services” (See Ordinance N°.74-2 of 6 July 1974 to establish rules governing State lands). That notwithstanding, data sourced from interviews with community leaders, revealed that there were two main categories of contested land in contemporary *Bakweri* communities. There is the native land and the CDC land surrender.

Native land covers privately-owned land that had been used by the *Bakweri* people for among others, settlement and subsistence agriculture. Prior to the procurement of native land, the seller of the land has the responsibility to prove ownership of the land. In case of family land, the seller has to provide evidence that the family members have given the seller permission to sell the land. The evidence can include statements of approval from witnesses from the seller’s

family and appropriate documentation. The standard procurement process of native land involves the signing of an agreement to buy / sell land contract between the buyer and the seller. The form includes among others, the dimensions of the land, the owner of the land, the amount of the sale of the land and the signatures of witnesses, including the chief of the village, and in some cases, the quarter head. As revealed in the in-depth interviews, following the validation of the sale by the chief (his kinsmen and witnesses both from the buyer's and seller's side), the transfer of land at the village level was declared complete. The new owner then had the authority to carry out any activity on the land, including farming and construction.

The two main categories of land ownership rights and access in Cameroon are under customary and statutory laws. Access to land under customary law is limited to the validation of a sale and transfer of land after the signature of the transfer documents by the chief. However, after the finalisation of the transfer at the village level, ownership under state law requires the new owner to register the property at the Lands Department (at the office of the Divisional Officer). If s/he chooses to do so, a cadastral survey will then be conducted by the Lands Department and a land certificate will subsequently be issued by a regional delegate in the Ministry of State Property and Land Tenure through the office of the Senior Divisional Officer. Section 1 of Decree No. 76/165 of April 27, 1976 recognises the land certificate as the only official certificate of land ownership in Cameroon. This appears to undermine the authority of customary law.

Moreover, Belaunde *et al.*, (2010:20-21) note the lengthy and costly process involved in the acquisition of a land certificate in Cameroon. It was found during the course of the study that the standard procedure for obtaining a land certificate involves the following: a complete application, including a sworn professional surveyor's report; a professional valuation surveyor's report; and an attestation of non-indebtedness from the local Department of Lands (all of which may be costly to acquire). The application then goes through the Divisional Officer, Land Consultative Board, Divisional Chief of Service for Lands, Chief of the Provincial Service of Lands and the Central Service of Land in Yaounde, a process that often takes five years on average. Belaunde *et al.* (2010) further note that due to this bureaucratic red tape involved in the processing of land certificates, only about 11 per cent of private land in Cameroon is registered with the state. Much of privately-owned land is thus, simply registered under customary law, at the village level by the chief. The absence of land certificates by land owners paves the way for conflicts.

It was common to find non-*Bakweri* people being holders of huge and numerous plots of native land in the District of Buea. This is due to the fact that for a long time, the area had been exposed to and accommodative of non-natives. Moreover, during the German colonial era, over 100 000 hectares of land was expropriated across the South West region for large-scale plantation agriculture due to its fertile volcanic soil, and *Bakweri* people were forced out to less fertile reserves. During focus group discussions, it was revealed how in protest to the expropriation, the *Bakweri* people showed little enthusiasm to work on the plantations and were branded by the Germans as apathetic and

lazy. This stereotype still persists nowadays. To address the problem of shortage of labourers, the colonial administration sought to recruit workers from other parts of Cameroon. While initially, most migrant workers returned to their local communities after short spells of work on the plantations, an increasing number of them gradually decided over time, to settle in the South West after retirement (Konings, 2009:19). It is this settler population that resorted to acquire plots of native land from the indigenous people, historically sold to them at almost give-away prices. As one participant remarked:

“Before the establishment of the University of Buea in 1992, land in Buea was almost worthless. You should know that the *Bakweri* people are a very clean, proud and accommodative people. So they used to sell land to foreigners for almost nothing to finance their generally laid-back lives. That attitude has still not changed. What has changed, however, is that a huge chunk of native lands is now in the hands of non-*Bakweri* people and that is a problem.”

The other category of land is the one under the Cameroon Development Corporation (CDC) land surrender. The South West region of Cameroon, with Buea being its capital, is the hub of the agricultural corporation, the CDC. The *Bakweri* people had for long, laid claims to the land on which the Corporation had expropriated to establish its estates and called for among other things, “an official recognition that the CDC land historically and legally belonged to the natives of Fako Division” (Dibussi, 1999:4). This movement for the recuperation of *Bakweri* land (expropriated by the colonial administration) was spearheaded by a group called the *Bakweri* Land Claims Committee (BLCC). In-depth

interviews with community leaders and other knowledge holders and supported by Kofele-Kale (2007:106) revealed that the arbitrary and uncompensated alienation of some of the most fertile *Bakweri* lands was strongly resisted by this group, the reclamation of which has remained a major point of contention since then. There has been a series of lengthy complaints and court battles lodged by the BLCC starting from the United Nations Organisation in 1947 to the African Commission on Human and Peoples' Rights in 2007. The government of Cameroon subsequently embarked on a drive to 'surrender' CDC lands to *Bakweri* chiefs in the Fako Division. The process of surrendering land back to the *Bakweri* people escalated the land crisis in the District of Buea in particular, and the Fako Division as a whole (Kofele-Kale, 2007).

The CDC land surrender was specifically meant to return an initial 25 000 acres of land that had been expropriated by the Corporation back to the *Bakweri* people (Konings, 2011). Since local chiefs are custodians of the village, the CDC has been progressively 'surrendering' land back to the chiefs for redistribution to *Bakweri* indigenes within their respective villages. However, the redistribution process was highly unregulated. There were no clear guidelines and policies regarding the redistribution of the surrendered land. Consequently, the chiefs, on their part, have over the past few years, embarked on an egregious drive to sell land surrendered to them by Corporation (meant to be redistributed to the *Bakweri* people). This is partly due to the small number of *Bakweri* indigenes vis-a-vis the surrendered land. Instead of being part of the solution, the *Bakweri* chiefs became the catalyst behind the problem of land redistribution among *Bakweri* communities. As one interviewee observed:

“To be crowned a *Bakweri* chief these days is a source of newfound wealth. What we are witnessing these days is a reckless sale of land by *Bakweri* chiefs to sustain luxurious lifestyles. This practice is more prevalent among young chiefs who have recently embarked on a drive to buy Toyota Rav4s as a show of affluence.”

Focus group discussions revealed that the sale of land is a particularly profitable exercise in Cameroon, specifically in Buea. Besides serving as the capital city of the South West region, Buea also hosts the University of Buea with an ever-growing student population (which currently stands at about 18 000 students) (University of Buea, 2015). The consequence has been the transformation of erstwhile conservative villages, to heterogeneous and modern political and economic hubs, with enormous potential for businesses to thrive. This has resulted in a scramble for land, much of which is under the custody of local chiefs, having been surrendered to them under the CDC land surrender programme.

It was revealed during the study that conflicts usually escalate when the same piece of land is sold and resold to different unsuspecting buyers. This is particularly common, especially among Cameroonians in the diaspora who buy and leave land undeveloped, with the expectation that its value will appreciate in the future. Due to greed, the practice of selling land to numerous buyers is common not just with local chiefs but also with individual landowners. This is particularly so given the lengthy process involved in the procurement of a land certificate. Since there are no land certificates for most of the land sold in Buea,

it is common for fake documents to be generated by individuals professing ownership of land which, in actual fact, does not belong to them. In support of this, Ndang and Bau (2010) maintain that conflicts over land ownership in the Fako Division of Cameroon “are usually instigated by disagreements on family succession, greed and double dealing, resulting in feuds, bloodshed and prolonged court cases”. This paves the way for the numerous land disputes in the district as revealed during data collection. It was revealed that the Court of Appeal in Buea has received hundreds of land-related cases since 2010.

It was also revealed in the study that traditionally, the *Bakweri* chiefs played a key role in the process of land procurement in Buea. The local chiefs had to establish facts regarding rightful ownership in the case of native land. They were also signatories to the offer to purchase / sell land form. However, in the case of the land surrendered by the CDC, the chiefs are directly in charge of land redistribution or land sale. That notwithstanding, the sale and transfer of land had to be endorsed by the office of the Divisional Officer for the purpose of issuing land certificates. Several participants concurred that local chiefs collude with government officials, mostly in the office of the Senior / Divisional Officer, to convert the CDC Land Surrender into a money-making scheme and for self-aggrandisement. There are numerous narratives of government officials from the mayor right through to the governor of the Province, ‘grabbing’, owning and selling land that was meant to be redistributed to the *Bakweri* people. This practice was condemned in a memorandum by Ngongi (2013) addressed to the Senior Divisional Officer for Fako wherein, he notes, among others as follows:

“Today, the people of Fako are faced with the challenges of the overwhelming influx of economic migrants, who pose a considerable threat to their very survival as minorities in their own ancestral lands. Coupled with this is the reckless and illegal sale by FAKO chiefs of indigenous lands surrendered by CDC. The obvious absence of any strategy by the people of Fako who are faced with this very serious and increasingly intractable problem, is evidenced by the way they are increasingly marginalised in the management of the affairs of the Division - politically, economically, socially, and, to a certain extent, even culturally.”

Presidential Decree No. 003/08/02/1982 forbids administrators to own land in the areas of their jurisdiction. Administrators, who are indigenes of their areas of jurisdiction, are the only exception to this decree. Land ownership and sale by state administrators is thus, in direct contravention of this Decree. Numerous reports have documented this illegal practice. For instance, CameroonWeb (2014) reports that the Governor of the South West Province and the Senior Divisional Officer own numerous plots of land in Buea, with established land certificates in their names. Given the profitability of land sales in Buea and the key role that chiefs play in this process, conflicts have also escalated regarding the appointment and succession of *Bakweri* chiefs. Some participants elaborated on how state officials colluded with local elites to create villages that never existed and appoint chiefs to apply for land under the CDC land surrender programme. Much of the land that is subsequently allocated to these

newly-created villages is then shared between the chiefs and the administrators that appointed them. According to one participant:

“Since the CDC land surrender started, you have a situation where villages that never existed are being created and others are split for the purposes of applying for and acquiring land. Considering the fact that administrators are involved in the allocation of that land, much of the land that is subsequently allocated, is shared between the chief who has been appointed by the administrator and the administrator. The chief then proceeds to sell off the land instead of allocating it to people who are supposed to be the villagers. This is a very serious conflict.”

It was also discovered that the village of Bolifamba was split into two and named Upper and Lower Bolifamba, with two second class chiefs appointed by state administrators. A cadastral site plan for a village called Ewili was also drawn up and an application made to the state requesting for land under the CDC land surrender programme. Respondents also maintained that defunct *Bakweri* villages such as Maungu, Liwo and Wonjoku have re-emerged in anticipation that they will benefit from the CDC land surrender programme. Ambe (2014) notes that “tens of hectares of CDC surrendered land near Bulu Village meant as a layout for Wonjoku in Bova II, have allegedly been sold out by those who applied for the land surrender with the apparent connivance of local administrators”. This irregularity has further led to conflicts between the *Bakweri* people, spearheaded by BLCC and the government. Since its formation in 1946, BLCC has been clamouring for the acknowledgment that the

Bakweri people are the legitimate owners of land under the control of the CDC. The group “has been at the forefront of the *Bakweri* campaign for compensation for, and restitution of, their lands initially expropriated by the Germans at the end of the 19th Century, and taken over by the Government of Cameroon, immediately after the reunification of British and French Cameroons in 1961” (Bakweri Land Claims Committee, 2007).

Land sale by *Bakweri* chiefs to predominantly non-natives, puts the indigenous knowledge systems of the *Bakweri* people at risk of extinction as loss of land entails loss of culture and associated traditional or indigenous practices. One community leader maintained that “if you lose your land, your culture becomes overshadowed by that of the new owners of the land”. However, there were divergent views on this issue. Some *Bakweri* people have called for an immediate cessation of what they consider as the illegal sale and transfer of land to non-natives. Others maintained that the CDC land surrender is meant to serve as a source for the economic empowerment of *Bakweri* people and not that of non-natives. Reinforcing the stereotypical notion that the *Bakweri* people are lazy and not industrious, one participant remarked as follows:

“Cameroon is for us all. The *Bakweri* people cannot claim that they are entitled to a part of this country more than we are, Regional integration is a reality. Besides, they are lazy. Look around you, most of these buildings here in Molyko are owned by non-natives. We built this city.”

This is particularly true in a survival of the fittest capitalist society like Cameroon where money 'speaks'. The status quo, therefore, is one wherein, non-natives are perceived as invaders on *Bakweri* land on the one hand and non-natives on the other hand, are claiming a right to land based on the power of their pockets, and in turn, perceiving the *Bakweri* people as proud and lazy. This has created a tensed relationship between the *Bakweri* natives and non-natives.

4.2.2 Contemporary Marital Disputes

Like in other African societies, marriage among the *Bakweri* people is an important rite of passage. The family plays a key role in the socialisation process by providing emotional and economic support to couples and children alike. Marriage is so revered to the extent that both men and women are socialised into believing that it is the ultimate goal in life. Traditionally, marital problems in Africa remained and were resolved within the confines of the family, kinship groups and village elders (Mutongi, 1999). However, in contemporary times, disgruntled couples were increasingly resorting to legal mechanisms such as the courts of law to resolve family disputes and divorce has become a common phenomenon. It was revealed that there is a high incidence of divorce and separation among *Bakweri* communities. This comes as no surprise in an increasingly Westernised society which albeit to a limited extent, advocated the rights and independence of women and increasingly upheld principles of gender equality.

It was found that marital disputes have been part and parcel of *Bakweri* society long before the advent of the western modern state. However, contemporary marital disputes arise largely because of the patriarchal nature of the *Bakweri* society, in particular, and Cameroon in general. As Atanga (2012) notes, patriarchy in Cameroon is evident in practices such as polygyny, female genital mutilation and the low education of the girl child across numerous regions. Polygyny, which is an institutionalised gender-asymmetric form of partnership which allows a man to get married to more than one wife (Reniers *et al.*, 2012:1076), is allowed in both traditional and contemporary *Bakweri* customs, as well as the common law system of state administration in Cameroon. The Civil Status Registration Ordinance No. 81 – 02 of 29 June 1981 recognises polygamy as legal in Cameroon. The law also requires customary marriages to be registered at the local council. Most of them, however, are not registered, paving the way for conflicts.

Polygyny is a customary practice which is common among the *Bakweri* people even though the advent of modernisation, higher costs of living, coupled with Christianity, have slowly overshadowed the practice. Focus group discussions with community members and other knowledge holders revealed that the practice is currently being challenged by changing values, the spread of Christianity, the growing appeal of the western way of life and also the rising costs of having large families. It is allowed in *Bakweri* customary law on condition that the first wife accepts to it and is involved in choosing any subsequent wife. It was also observed that some people get married again without divorcing in monogamous relationships. That notwithstanding, most

Bakweri participants interviewed, confessed to having numerous concubines. A *Bakweri* participant maintained as follows:

“A real man should have many women as our fathers used to do. As long as you can take care of their needs, there is nothing wrong with that. Besides, the number of available women is more than men. So they do not have a choice.”

However, it was revealed that *Bakweri* women do indeed have choices in a country that has been classified by the United Nations Data (2013) as having an equal male to female ratio. According to one participant, the polygamous nature of *Bakweri* society is a source of infidelity and makes *Bakweri* marriages prone to separation and divorce. Most male participants were of the opinion that *Bakweri* women were generally promiscuous with one maintaining that “I can never get married to a *Bakweri* woman”. The problem of divorce among the *Bakweri* has been highlighted by Ardener (1996) who traces its origins to the exposure of *Bakweri* women to immigrants who were working on the CDC plantations a few decades ago. *Bakweri* women tended to engage in *concubinage* or promiscuous relationships with immigrants as they were generally considered to be more hard-working and affluent than indigenous *Bakweri* men who resisted working on the plantations.

It was established that the neighbouring town of Tiko (20 kilometres away from Buea), with its famous Tiko market, is historically known as a key point where *Bakweri* women used to go and work as prostitutes. The high immigrant population working in the plantations, coupled with Ibo traders from Nigeria,

made prostitution a profitable business for these women (Ardener, 1996). Nowadays, the stereotype still remains that *Bakweri* women are promiscuous in their penchant for wealth. To a certain extent, this statement holds true as it is common to find *Bakweri* children either not knowing their fathers or having different fathers from the same mother. As Quirk (2006:54) notes:

“*Bakweri* women demand disposable husbands from the small proportion of men who have resources, and divorce them as soon as they’ve sucked them dry and a richer fellow is available. *Bakweri* women treat men as work horses and unashamedly cite economic ineptitude as the reason for divorce.”

It is partly as a result of this quest for material wealth by *Bakweri* women that the rate of promiscuity and subsequently, divorce or separation among the *Bakweri* is high. Men assert their sexism over women due to the patriarchal nature of the society, while women also assert resistance due to their exposure to modernity and competition among men to woo them. To further exacerbate gender tensions, most women within *Bakweri* communities were increasingly becoming economically empowered, resulting in some husbands to feel emasculated. One female respondent boastfully maintained that “I’ve got a job, a car and a piece of land. I can take care of myself and my children. I won’t tolerate any *shit* from my husband.” Assertions and notions like these abound among most middle and upper class *Bakweri* women. Within a predominantly patriarchal African society, such a mind-set was a recipe for frequent marital conflicts because it was generally considered as attempts to emasculate men of their dominance and manhood.

During focus group discussions, it was revealed that marital conflict situations were further exacerbated by the fact that *Bakweri* men often tended to consider their women as their personal property due to payment of the dowry or bride price. As Sigsworth (2009:12-13) argues, “men’s conception of who they are and what type of behaviour they should display is inherently linked to their position in society: their notions of their own masculinity (or the qualities, behaviour and appearance traditionally associated with men) are directly linked to how steeped in patriarchy their particular society, culture or community is”.

Against this backdrop, it was observed that in spite of the perceived high levels of promiscuity in the study communities, most young women were still looking forward to getting married and having children. This was reinforced by traditional social pressures placed on women to go through this rite of passage. This social pressure was not placed on men because as one respondent remarked, “a man can still procreate even at the age of 70. Women on the other hand, are generally infertile by the age of 35”. Getting married after the payment of the bride price under customary law thus gives the bride the pride that she is highly valued by her husband and gives her respect within the society as a married woman. Women often tended to compromise and yield to these social pressures, with the result being dysfunctional marriages and subsequently, divorce.

Moreover, the emancipation of women (economically and politically) has led to contestations in spaces that were traditionally occupied by men. Atanga

(2010:26) notes that “Cameroonian women have gradually shifted from being housewives only to having additional public domain occupations”. It is thus common nowadays, to find female lawyers, doctors, cops and politicians in Buea and its environs. They challenge the dominance of men by maintaining that “what a man can do, a woman can do better”. This assertiveness does not augur well in a traditionally patriarchal society because when resisted by men, it results to separation and divorce. Under *Bakweri* customary law, the woman is expected to refund the bride price to the man. Failure to do so will lead to any subsequent marriage by the woman to be declared null and void.

4.2.3 The Proliferation of Pentecostal Churches and Associated Conflict Situations

The proliferation of Pentecostal churches and associated conflict situations in Cameroon as in other African countries is increasingly becoming a serious concern across most parts of sub-Saharan Africa. The Preamble of the Constitution of the Republic of Cameroon states that “the State shall be secular. The neutrality and independence of the State in respect of all religions shall be guaranteed; freedom of religion and worship shall be guaranteed”. Law No. 90-053 of 19 December 1990, amended by Law No. 99/011 of 20 July 1999, deals with Freedom of Association in Cameroon. According to section 22 of this Law, religious congregations consist of either “any group of natural persons or corporate bodies whose vocation is divine worship” or “any group of persons living in community in accordance with a religious doctrine”.

In spite of the advent of Christianity, since the colonial era and other forms of religious tolerance in post-independence Cameroon, the *Bakweri* people still practise their customs and institutions, including African traditional belief systems. These include traditional dances, the *Pala Pala* traditional wrestling, *Bakweri* language and names, rites of passage with regard to marriage and the chieftaincy. Key informant interviews reveal that over two decades ago, *Bakweri* local communities were predominantly exposed to traditional Christian mission churches which were the Catholic, Baptist and Presbyterian churches. To a lesser extent, there were a few mosques, though Christianity constituted and still constitutes the majority of religions in the District. Statistics indicate that while about 40% of Cameroonians are Christians, 20% are Muslims while 40% practise African indigenous beliefs (CIA World Factbook, 2015). However, even though most *Bakweri* participants identified themselves as Christians, they also acknowledged that they recognise and widely practise their traditional beliefs and customs.

Relations between the government and religious groups are governed by the Law on Religious Congregations. It requires all religious groups to apply to, get approval from and be registered with the Ministry of Territorial Administration and Decentralisation before they can legally operate. However, the law does not require the registration of indigenous groups, making *Bakweri* traditional groups to freely and legally operate. Religious tolerance in Cameroon is evident in the proliferation of mostly Pentecostal churches over the past decade and the government's nonchalant attitude towards the exponential growth of these churches in the country (Fombad, 2013). Most of them, however, are not

registered due to the lengthy procedures involved and the absence of punitive actions for operating without being registered. Due to its economic and political relevance, Buea and its environs have witnessed a fair share of the growth in Pentecostal churches. These include: God's Act of Covenant Ministries; Wisdom Ministries; Christ Embassy; Winners' Chapel International; Transformer Ministry; and even sects such as the Ancient Mystical Order Rosæ Crucis, commonly known as the Rosicrucian Order.

As Weno *et al.* (2013) note, "They often start in small houses, garages, dilapidating or uncompleted structures as prayer groups. Suddenly, the founders and its foremost converts start using megaphones and other loud sounding gadgets to attract other souls that need to be saved." These convert-seeking Pentecostal churches mushrooming in Buea, challenge the existing order through crusades and door-to-door preaching. They claim to performing miracles such as delivering people from demon possession, healing the sick, praying for prosperity, husbands for unmarried women, children for the barren and jobs for the unemployed. As part of the modernisation process, an increasing number of people attend these churches. It was observed during the study that there was even an exodus of people from established mission churches (such as Baptist, Catholic and Presbyterian), whose methods of preaching were considered by converts as monotonous and boring, to these Pentecostal churches. One respondent, commenting on the proliferation of Christian churches, stated as follows:

"It was first Brother Paul, Brother Peter, Sister Ruth; then Pastor John, Pastor Peter, Pastor Dora; then Apostle Ezekiel, Bishop Festus,

Archbishop Ezeulu, Cardinal Tumi, Pope Francis, Ambassador Theo, Primate of Zion David, Overseer Samson, Wiseman John, Prophetess Cynthia, Prophet TB, Evangelist Thomas; to each his own. Then I run into this: Jesus Holiness Saint Daniel Dikeji Miyerijesu, the Demon destroyer also known as Osuakpeje (world leader) and Bishop of the world.”

The researcher observed that some of the new churches operated television and radio stations which ran programmes that condemned African traditional customs and practices, such as the elephant dance and traditional healers, referring to them as devil worship. These created conflict situations between *Bakweri* traditional practices and the new churches. At times, the conflict arose due to the persistent noise and even all-night prayers generated by these churches. In an instance observed in Buea, three different churches were located in the same building. Since they are highly unregulated and are tax-free organisations, some have been transformed into money-making schemes. Evangelists promised church members deliverance and heaven on earth and extorted money from unsuspecting or gullible converts with the latter hoping that miracles would be performed. There were even instances whereby, the sick were advised to refrain from taking medication and “trust in the Lord for divine healing”.

One critic observed that “they preach deliverance and miracles without salvation. Ironically, the more churches are formed, the more crime, corruption, alcoholism and promiscuity prevail in the society. So what is the point?” While

critics considered these churches as merely opportunists and businesses that prey on the vulnerable and hopeless by preaching a gospel of “double-double”, followers maintained that it is written in the Bible that the children of God will be persecuted, just like Jesus Christ was. There was thus, conflict between some of these Pentecostal Christians and the other which constitutes the agnostics, the atheists and the followers of African traditional religions.

4.2.4 Corruption and Associated Conflicts

Corruption refers to behaviour that deviates from the normal duties of a public role as a result of private interests and pecuniary gains. It includes conduct that violates rules against the exercise of influence (Nye, 1967:419). Corruption is endemic in Buea, in particular, and Cameroon as a whole. It is evident in all facets of public and private life and manifests in bribery, fraud, nepotism, graft, kickbacks, favoritism and misappropriation of state funds. In 1998 and 1999, the anti-corruption watchdog, Transparency International, ranked Cameroon as the most corrupt in the world. The 2014 Corruption Perception Index ranks the country as 136 out of 176 countries in a ranking from least corrupt to most corrupt in ascending order (Transparency International, 2014). It is an institutionalised vice that is widespread across *Bakweri* communities given its economic and political significance in the country. Being a highly centralised state, “the civil service, army, police, customs, judiciary and even the health and education sectors are heavily politicised...the dividing line between party and the state is blurry” (Ferim, 2012:101). It was found that corrupt practices within *Bakweri* communities and the district of Buea as a whole, were glaring and very obvious. One of the most pronounced corrupt practices was in relation

to the procurement of land amplified by the CDC land surrender programme. There were numerous narratives involving fake signatures, fabricated stamps, sale of land to several buyers and a generally corrupt state administrators acting as accomplices in the process.

Focus group discussions revealed that besides land disputes, there was a generally corrupt state administration wherein bribery and corruption were the order of the day. The researcher observed that the easiest way to obtain prompt service from any state department was either through bribery or nepotism. The rich and influential people, more often than not, trample on the masses since they are, along with state employees, bosses in a system dominated by patronage. There are usually many police road blocks throughout Buea District. These are meant to check among others, the road worthiness, registration and insurance of vehicles, including the infamous identity card inspection of all occupants. They typically include a nail-riddled plank, attached to a rope and thrown across the road with a couple of police officers flashing a touch light at on-coming vehicles during night patrols. This check is often waived if a police official or some high-ranking state administrator was one of the occupants of the vehicle. Initially meant to ensure road worthiness of vehicles and enhance regional security, these frequent and numerous checks are openly a money-extortion scheme by the police. Depending on the degree of the offence, a minimum bribe of 500 francs (about one US dollar) could easily exonerate the crime.

Bribe-able offences usually include driving without a driver's license, expired insurance, no identity card document and overloading. However, in some instances, where all of these requirements were complied with, charges are then extended to absence of a spare wheel, malfunctioning hooter and even a rude driver, all in a bid to extort a bribe. As one participant maintains:

“It is pointless to pay any of these vehicle fees because at the end of the day, all the police want is a bribe, with or without proper documentation. Besides, they insist that insurance is compulsory but it takes forever for an insurance claim to be processed.”

These corrupt activities create discontentment among the citizenry and is a breeding ground for conflict. As a form of structural violence, corruption in Buea and Cameroon as a whole remains latent in that it “rarely produces clear cut events such as victories, triumphs and disasters; it simply lingers on as a slow torture for victims. However, this should not create the illusion of its capacity to escalate suddenly and viciously. When that escalation occurs, it often seems to international observers to have come out of a clear blue sky” (Smith, 2004:5).

4.2.5 Crime

As indicated earlier in this chapter, Buea, the home of the *Bakweri* people, is one of the main economic hubs and capital city of the South West region of Cameroon. Buea is not only a town with extensive banana and tea plantations, but is home to one of the only two English-speaking state universities in the country. Information obtained from observational studies reveal that most parts of the district which can be classified as semi-urban are heterogeneous due to

the influx of migrants from other parts of the country and even beyond (either for studies or for work purposes in the region). This is coupled with a growing university population, the proliferation of small businesses such as cyber-café, clothing and retail shops, barbecue joints and taverns. There is also a mushrooming of privately-constructed accommodation, mostly for students, commonly referred to as *mini-cités*. As is characteristic of Africa's emerging cities, the dynamic blend of business activities and a vibrant population in an increasingly urbanised environment is a fertile ground for the upsurge of crime (Cities, 2002).

It was revealed that some unemployed university graduates engage in cyber-crime, commonly referred to in the study communities as *fayman* or 419 scammers. It involves duping unsuspecting people out of usually huge sums of money through internet fraud. The term originates from Section 419 of the Nigerian Criminal Code which outlines the penalty for "advanced fee fraud". One of the internet scams which the researcher came across (circulated in the study communities) was as follows:

Subject: Nigerian Astronaut Wants To Come Home
Dr Bakare Tunde
Astronautics Project Manager
National Space Research and Development Agency (NASRDA)
Plot 555
Misau Street
PMB 437
Garki, Abuja, FCT NIGERIA

Dear Mr Sir,

REQUEST FOR ASSISTANCE-STRICTLY CONFIDENTIAL

I am Dr Bakare Tunde, the cousin of Nigerian Astronaut, Air Force Major Abacha Tunde. He was the first African in space when he made a secret flight to the Salyut 6 space station in 1979. He was on a later Soviet spaceflight, Soyuz T-16Z to the secret Soviet military space station Salyut 8T in 1989. He was stranded there in 1990 when the Soviet Union was dissolved. His other Soviet crew members returned to earth on the Soyuz T-16Z, but his place was taken up by return cargo. There have been occasional progress supply flights to keep him going since that time. He is in good humor, but wants to come home.

In the 14-years since he has been on the station, he has accumulated flight pay and interest amounting to almost 15,000,000 American Dollars. This is held in a trust at the Lagos National Savings and Trust Association. If we can obtain access to this money, we can place a down payment with the Russian Space Authorities for a Soyuz return flight to bring him back to Earth. I am told this will cost 3,000,000 American Dollars. In order to access the trust fund we need your assistance.

Consequently, my colleagues and I are willing to transfer the total amount to your account or subsequent to disbursement, since we, as civil servants are prohibited by the Code of Conduct Bureau (Civil Service Laws) from opening and/ or operating foreign accounts in our names.

Needless to say, the trust reposed on you at this juncture is enormous. In return, we have agreed to offer you 20 percent of the transferred sum, while 10 percent shall be set aside for incidental expenses (internal and external) between the parties in the course of the transaction. You will be mandated to remit the balance 70 percent to other accounts in due course.

Kindly expedite action as we are behind schedule to enable us include down payment in this financial quarter.

Please acknowledge the receipt of this message via my direct number 234 (0) 9-234-2220 only.

Yours Sincerely, Dr Bakare Tunde

Astronautics Project Manager

tip@nasrda.gov.ng

<http://www.nasrda.gov.ng/>”

Other scams involve pretending to sell a rare animal online to a foreign buyer and convincing an investor of the availability of a machine that can be used to print money. In addition, the thousands of students residing in the *mini cités* in Buea are usually equipped with gadgets such as cell phones, laptops and tablets. Their rooms are thus a target for criminals to break in and steal both their personal effects and their money, as it is customary for people to keep huge sums of money in their rooms (it is not common for people to have bank accounts). Feelings of insecurity were so high within certain segments of society that mob justice is a common practice in Buea and Cameroon as a whole. Orock (2014:409) demonstrates how “anxieties associated with the nature of insecurity and related incidents of violent crime animate such frequent incidents of mob justice in Cameroon”. There were numerous instances whereby a mob took the law into their own hands. This is usually because they perceive the judicial system either as corrupt accomplices to criminals, or as not competent enough to mete out justice. Suspected thieves were thus either beaten to death or tortured until rescued by security officials.

4.3 SUMMARY OF CHAPTER

The main objective of this chapter was to identify and discuss the most conspicuous types of conflicts inherent in contemporary *Bakweri* communities, specifically in the District of Buea. According to the findings (using both primary and secondary data), the main conflicts in the study communities are land disputes, marital disputes, corruption and the proliferation of churches. The major causes of land disputes include the growing economic importance of Buea which is the capital city of the South West Region of Cameroon. The establishment of the CDC in 1946, the University of Buea in 1992, coupled with the District's favourable climatic conditions made Buea a key hub for businesses to flourish and non-natives to settle. The CDC land-surrender to *Bakweri* chiefs has exacerbated land conflicts in Buea. These chiefs collude with state administrators in order to obtain and illegally sell land meant to be distributed to the *Bakweri* people to non-natives. There are thus conflicts between the *Bakweri* people, *Bakweri* chiefs, state administrators and non-natives.

Marital disputes in *Bakweri* communities are largely due to a number of factors such as patriarchy, polygamy, the emancipation of *Bakweri* women in the age of gender equality and the presumption that *Bakweri* women are generally promiscuous. Bribery and corruption (which is inherent in Buea) is a reflection of a generally corrupt state. This has resulted in a disillusioned citizenry and is a breeding ground for a social uprising by the masses against the state. Moreover, it was also found that the generally lax regulations and enforcement mechanisms governing religious congregations in Cameroon has led to the

proliferation of Pentecostal churches in Buea. These churches challenge the ritualistic teachings of established mission churches, preach to the populace through loud music and all-night prayers, make promises of deliverance and miracles to its followers and condemn indigenous practices such as spiritual doctors and the elephant dance as devil worship.

Given the prevalence of conflicts in the study area, in particular, and Cameroon in general, there is a need to x-ray the efficacy of existing mechanisms used to transform such conflicts. This is important as far as establishing the extent of the sustainability of peace or the advent of war is concerned. After all, as Howard (2003:29) argues, conflict is a phenomenon which if we fail to abolish, it might well abolish us". This task is thus the focus of the next chapter.

CHAPTER FIVE
INDIGENOUS AND CONTEMPORARY CONFLICT TRANSFORMATION
MECHANISMS IN *BAKWERI* COMMUNITIES

5.1 INTRODUCTION

There is a general consensus among scholars and activists of peace and conflict studies that the overarching goal of peace building is to enhance the indigenous capacity of a society to manage conflict without violence (Canadian International Development Agency, 2002; Galtung, 1996). This is not to say non-indigenous mechanisms cannot efficiently and sustainably transform conflicts. However, neo-colonial institutions, for instance, which are usually associated with the liberal peace model, should be utilised with caution in the resolution of African conflicts. Ewusi (2014) advocates that a bottom-top approach which upholds African customs and values, offers a more sustainable solution to African conflicts. This approach falls in line with the theoretical framework of endogenous development offered by Makwere and Mandonga (2012) and the postcolonial theory adopted in this study.

Most local communities in Africa have had and still utilise indigenous structures in transforming conflicts and enhancing sustainable community livelihoods. These structures have been instrumental in addressing local community issues such as land disputes, epidemics, pandemics, disaster management, forest conservation, animal husbandry, agriculture and even transitional justice. These indigenous structures also involve the role of women in peace-building within and between local communities. For instance, Tadese (2010:95) argues that in Somalia, “only a woman can bring two separate clans together. When

two clans are connecting through marriage, it is the married woman who forms the backbone of the newly established community”.

Due to the negative consequences of any form of conflict, especially within local communities, societal structures such as neighbours, community leaders, clan heads, women organisations and state authorities usually play an important role in addressing conflicts. “These mechanisms may be formal or informal, violent or peaceful, equitable or not. While specific mechanisms vary, communities rely to varying extents on the same basic procedural modes to handle disputes: avoidance, coercion, negotiation, mediation, arbitration and adjudication” (Castro and Ettenger, 2000). With this notion in mind, the next section investigates IKS of the *Bakweri* people of the South West region of Cameroon.

5.2 INDIGENOUS KNOWLEDGE SYSTEMS OF THE BAKWERI PEOPLE

It was argued in Chapter Four that there are a variety of conflicts, ranging from land and marital disputes, to corruption and the proliferation of Pentecostal churches in the study area. It is argued that the fact that these conflicts have not escalated into violence or outright war is a possible indication that there is the existence of mechanisms to either manage and / or resolve them. Moreover, since conflict is part and parcel of human existence, all contemporary societies, including the *Bakweri* communities, have structures and processes that are instrumental in transforming them. Having been exposed to western forms of administration since the colonial era, *Bakweri* communities in Buea have for long utilised state-based structures to resolve

conflicts. This, however, does not mean that their indigenous mechanisms to prevent, manage and resolve conflicts have been lost or abandoned.

Information gathered from in-depth interviews and participant observation revealed that there is a wide usage of IKS in conflict transformation which involves indigenous institutions and rituals used in preventing, managing and resolving conflicts among *Bakweri* communities. These communities just like other ethnic groups across Cameroon, have for long had indigenous structures in place used to transform conflicts and enhance social peace. For instance, there is the *Liengu* female cult wherein, initiates invoke water spirits to enhance the role of women in procreation, motherhood, conflict resolution, mentorship and the conservation of *Bakweri* culture. There is also the *Nganya* male cult which performs exclusively nocturnal rituals and dance to rid *Bakweri* villages of evil spirits. There are even indigenous games such as the *Pala Pala* traditional wrestling, whereby *Bakweri* youths demonstrate their physical prowess and dexterity through public wrestling competitions. This is important to maintain social cohesion and prevent conflict escalation as conflict transformation mechanisms should not only be reactive but also proactive.

Another very significant institution that is culturally relevant to the ethos of the *Bakweri* people is the *Maalé* cult. Cults and secret societies are part and parcel of *Bakweri* society in particular and African indigenous societies as a whole. Their secrecy has aroused a lot of suspicion and speculation from outsiders, perpetuating guesses, conspiracy theories, exaggerations and even myths about their activities. Much of these conspiracy theories arise primarily because

in addition to the fact that these cults are secret with very restricted membership, their *modi operandi* often involves a certain degree of spirituality, rites and rituals. Their *raison d'être* usually cuts across political and cultural agenda though at times these societies pursue economic and even criminal activities (Tanga, 2006). Even though secret societies among the *Bakweri* people such as the *Nganya* male nocturnal cult and the *Liengu* female cult are fast withering away, these structures can be instrumental in unifying the *Bakweri* people and offering them a culturally more relevant alternative to state structures in resolving disputes and maintaining social cohesion and peace (Ngoh, 1996). However, the most prominent and unifying of all *Bakweri* traditional cults is the *Maalé*.

Focus group discussions and in-depth interviews with community knowledge holders revealed that the *Maalé* (which means gathering of villages), evolved from the *Nganya* cult, following the need to perform certain rituals and cleansing ceremonies during the day. Membership of the *Maalé* is open to all *Bakweri* men who have been initiated to the cult through a secret ceremony in a shrine, following the payment of an initiation fee which is typically a goat or a pig. At the epicenter of the *Maalé*, is the elephant known in *Bakweri* as *Njoku*. The elephant personifies the gracefulness and pride of the *Bakweri* culture and is deeply rooted in the hearts and psyche of the *Bakweri* people. Eko (2004) concurs that “the creature’s sheer strength, size, loyalty to its (family) troupe, its calm, yet unpredictable temperament, proud indifference, and graceful demeanour are, to the *Bakweri*, the picture of physical and psychic behavioural perfection. It is, therefore, no surprise that the *Bakweri*, have a secret society

that venerates, imitates and personifies the attributes of the elephant. Members who have been initiated into the cult, are sworn to secrecy and as one participant maintained, “we are so loyal and proud of being members of this society that we swear by nothing else than by the elephant”.

It was also found that what particularly makes the *Maalé* cult so famous and central to *Bakweri* culture is the *Maalé* elephant dance. This is clearly the most prominent and famous indigenous dance of the *Bakweri* people. It consists of a two-day celebration typically between January and March, wherein teams of participants from neighbouring *Bakweri* villages meet at a shrine of the host village to demonstrate their mystical powers. Throughout the entire ceremony, a witch doctor is tasked with withholding the rain which can easily disrupt festivities. On the day before the actual dance, representatives of the visiting villages arrive with their faces smeared with red earth or charcoal. At night, they demonstrate their mystical powers by competing to expose the host village's secret, hidden somewhere around the shrine. Whichever village exposes the hidden secret, emerges victorious otherwise, the host village retains the trophy. Later that night, *Maalé* members dance around a bonfire next to the shrine and for some mysterious reason, neither a single trace of the fire nor its ashes would be found the following morning as the grass upon which it was lit remained evergreen!

The day of the *Maalé* dance is usually characterised by a lot of flair with the dancers demonstrating their dexterity. There are four hierarchical levels of the *Maalé* cult which in ascending order are the *Lova*, *Vejuka*, *Tamba* and *Vekpa*.

Members of the *Lova* and *Vejuka* (which are the lower levels), have limited abilities and privileges. They are only permitted to eat and dance at the general festival. Members of the *Tamba* and *Vekpa* (which are the upper two prestigious classes) are believed to possess mystical powers and abilities to handle the more sophisticated practices of the *Maalé* group. The dancers normally feed on raw cocoyams and plantains, crops whose toxicity normally cause irritation and are potentially fatal when eaten raw. However, due to their state of affinity with the spirit world, these plants have no effects on the dancers. During the dance, the dancers unleash the spirit of *Njoku* (the elephants that reside on the slopes of Mount Cameroon). Key informants maintained that some members at the highest level of the *Maalé* have elephants in the forest. The narrative goes that the elephant is rooted in the psyche of the *Bakweri* people as some of these elephant men do transform into elephants which they own. There is a close affinity between the psyche of these members and their respective elephants in the forest. Their fates are inextricably interlinked and as an informant remarked, “it is commonly known that if your elephant is killed in the forest, you will also die”.

The *Maalé* traditional festival is not merely a dance. It is an embodiment of the spiritual unity of *Bakweri* cultures and people. The elephant represents the resilience of the people and during the two-day festival, the spirit of the *Bakweri* mountain god (*Epassa Moto*), who is believed to be half man, half stone, is invoked to enhance unity and social peace among the *Bakweri* people. Libations are traditionally poured to the ancestors and *Epassa Moto* is called upon to protect the *Bakweri* people from among others, natural disasters like

volcanic eruptions which occasionally occur and lava emitted by the Buea Mountain. During the festival, evil spirits are also driven from the village and children possessed with evil powers and mysterious illnesses are cleansed and healed. With the consent of their fathers, some are initiated into the cult. The paramount chief and other chiefs from represented villages usually grace the *Maalé* traditional festival and they all call upon unity and peace to prevail among the *Bakweri* people.

An attempt was made in the study to establish the limitations of these indigenous structures in contemporary conflict transformation. Focus group discussions revealed that the *Nganya*, the *Liengu* and the *Maalé* have become anachronistic due to their incapacity to transform contemporary conflicts and enhance social peace in the study communities. Their reliance on supernatural forces is increasingly losing appeal and relevance in the increasingly cosmopolitan and heterogeneous subdivision of Buea. Moreover, the proliferation of Christian churches in the sub-division has led to new converts demonising these cults as devil worship with the consequence being fewer *Bakweri* indigenes being associated with them. Fewer *Maale* festivals are being organised and as these cults wither away, they are slowly reduced to myths and legends and consequently, overshadowed by state-based structures. There is thus a wide usage and dominance of state-based structures in resolving disputes in *Bakweri* communities. This is due in part to the heterogeneity of Buea, its political role as the provincial capital of the South West region of Cameroon, the encroachment of 'modernisation' and attempts by the government to maintain a highly centralised state hence, overshadowing

the country's rich indigenous structures (Nkwi and Nyamnjoh, 2011). In spite of this apparent neglect of the indigenous systems of the *Bakweri* by the state, one institution that still stands tall as far as contemporary conflict transformation is concerned is the chieftaincy.

5.3 THE BAKWERI CHIEFTAINCY AND CONTEMPORARY CONFLICT TRANSFORMATION

The legal framework governing traditional communities in Cameroon is Decree No. 77/245 of 15th July 1977. However, the Decree has been modified twice (Decree No. 82/241 of 24th June 1982 and Decree No. 2013/332 of 13th September 2013). The Law organises traditional communities, dividing them into First Class, Second Class and Third Class chiefdoms. This classification is based on territorial, demographic, economic and social importance. According to Chapter I, Article 7 of the Decree, chiefs are appointed by a hierarchy of state administrators depending on the class. It states that "First class chiefdoms shall be set up by order of the Prime Minister, second class chiefdoms by order of the Minister of Territorial Administration and Decentralisation and third class chiefdom by the Divisional Officer".

Although the law stipulates that traditional chiefs shall be chosen from within families traditionally called upon to exercise customary authority, the state may override the village's choice and select a candidate it believes will better serve the interest of the administration. This makes chiefs auxiliaries of state administration. As state administrators, the Law provides for chiefs to be reprimanded, suspended or deposed by the relevant state administrator. As

auxiliaries of the state, chiefs play an important role in publicising state directives, which is particularly important in rural areas characterised by low literacy levels. Within the context of the study, the role of the chief is underscored by the need to harmonise the diverse ethnic groups that are characteristic of Buea.

Decree No. 77/245 of 15th July 1977 empowers chiefs to “transmit the directives of administrative authorities to their people and to ensure that such directives are implemented”; “helping as directed by the competent administrative authorities, in the maintenance of law and order and in the economic, social and cultural development of the area under them”; and also “collecting taxes and fees for the State and other local authorities, under conditions laid down by regulations. In addition to the aforementioned duties, chiefs must also carry out any other mission that may be assigned to them by the local administrative authority”. The Decree further states that “chiefs shall wear a distinctive badge and, if need be, an attire, the design of which shall be determined by order of the Minister of Territorial Administration”. Additionally, Decree No. 2013/332 of 13th September 2013 provides for a monthly allowance of 200 000 FCFA (approximately 320 US dollars) for First Class chiefs, 100 000CFA (approximately 160 US Dollars) for Second Class chiefs and 50 000FCFA (approximately 80 US Dollars) for Third Class chiefs.

The chieftaincy in the Buea sub-division is divided into three classes. There is a first class chiefdom which was under the paramount chief of Buea, Chief Samuel Lifafa Endeley who reigned from 1982 (but passed away on 7th July

2015). By the time the data collection process was completed, a new paramount chief of Buea had not yet been selected. Other villages in the Buea district such as Muea and Great Soppo are categorised as second class chiefdoms while there are scores of villages in Buea that fall under the third class chiefdom. The selection of *Bakweri* chiefs is done along patriarchal lines. Information sourced from community knowledge holders revealed that it is a norm for succession to the throne of a village to be passed from the father to the eldest son in the family. A woman can neither be crowned a chief, nor can a chief be chosen from the family of the woman. Therefore, if a chief dies without a male child, or if the king makers feel that none of a late chief's sons is fit enough to be crowned a chief, then the chief's brothers and their sons would be considered to fill the vacant throne. Moreover, neither can an adopted child nor a child born of a mother who was not of *Bakweri* origin become a chief. If an under aged son of a late chief is selected to succeed his father, he will be given due respect by the elders of the village. In fact, in the absence of the chief, a direct son of his inherits the throne no matter the age. The village traditional council would assist in managing the village until (he reaches) maturity (18 years).

The *Bakweri* chieftaincy is very central to all cultural, social and even political events within the village and is the custodian of tradition and customary law in the village. Besides, customary law is recognised by law No. 2006 / 015 of 29 December 2006 on the organisation of the judiciary in Cameroon. A chief is known as *Sango'a Mboa*, loosely translated as "father of the village". Village traditional councils are thus the first point of call in resolving civil disputes within

local communities. Typically, a chieftaincy is subdivided into 'quarters', comprising of key elders and a few influential and respectable men in the community. Marital disputes, for instance, are presided over by elders or married men who have some experience in terms of relationships. This is contrary to the principle in the courts of law whereby divorce cases can be presided over by any magistrate, irrespective of their marital status. The quarter head is appointed by the chief and the former, upon consultation with the latter, selects the members of the quarter council. Quarters in the study communities comprise of key individuals from the different but main ethnic groups residing within the community. The fact that some of the quarter heads are non-*Bakweri* natives, attests not just to the heterogeneity of the study communities, but also to the hospitable nature of *Bakweri* indigenes. A key feature of the role of the village in resolving disputes is that the jurisdiction of boundaries is limitless in *Bakweri* tradition. Any quarter within the village, for instance, can resolve any dispute that occurs within the village.

Findings from participant observation revealed that cases brought before the quarter are on a voluntary basis and can be submitted by any one or both parties involved in a dispute. Such are usually related to debts, petty theft, divorce, quarrels and land disputes. These cases were registered and parties were thereafter, summoned to the office (typically, the house) of the quarter head for arbitration. Though no costs were involved in the registration and arbitration of cases, parties found guilty of an offence were required to abide by the ruling and pay a fine to the quarter for mediating in the case. Fines typically involved common items such as beer, chicken(s), goat(s) and pig(s) though

sometimes, it could involve a modest amount of money. The essence of judgements is usually to restore relationships and ensure sustainable peace at the communal level. Parties to a dispute were thus usually called upon to consume the fine meted out to the guilty party. Cases not resolved to the satisfaction of parties concerned could be petitioned to the chief who has the authority to make a final ruling on the matter at the village level.

Article 13 of Decree No 2005/481 of 16 December 2005 empowers traditional leaders to serve on the Land Consultative Board. Rochegude and Plancon (2009) maintain that chiefs play an important role in terms of proposing uses for rural spaces, giving their opinions on land concessions, interpreting the law and adjudicating complaints over land titles. They also choose land for collective village property and make recommendations on the management of land governed by the national domain. The primary concern with regard to settling land disputes by the chieftaincy is to establish rightful ownership. Since some of the cases may involve fraudulent sale of land, disputes over family land and encroachment into boundaries, the chief, along with the village elders, play a key role in ascertaining rightful ownership and proper boundaries. Information gathered from participant observation revealed that the process involves inspection of boundaries and interviewing neighbours farming or residing around the land in dispute. Relevant documentation such as receipts of payment, attestations and land certificates were also scrutinised by the chief's council and witnesses cross-examined. Effective occupation is important in determining who the land in dispute will be finally awarded to. This implies that any party that had initiated some form of construction and development on the

disputed land, stood a better chance of the ruling being made in their favour. However, he/she might be required to pay damages and / or pay the rightful owner if it is established that the occupier is not the rightful owner of the land.

It was observed during the study that it is generally more advantageous to utilise village structures to resolve disputes. These structures resolve disputes faster and at a far lesser cost compared to state administration. Obtaining land, for instance, through *Bakweri* customary law is cheaper than through the state. All that is paid is the amount agreed upon between the seller and the buyer, including a modest registration fee at the chieftaincy. Belaunde *et al.* (2010) argue that this is in sharp contrast to the statutory system, where land titles involve local, regional and state officials and unofficial fees throughout the registration process. Moreover, customary contracts cut down on the amount of time taken to obtain land, as opposed to the bureaucratic registration process which, despite recent efforts at streamlining the process, it may take up to five years. At times, cases taken directly to state structures were referred back to the village council for arbitration. As a general principle, however, it was noted that it is always advisable for all land transactions, for instance, to be witnessed and approved by the chief in order to avoid problems in the future. Besides, the resolution of conflicts is aimed at maintaining peace among community members.

5.4 THE INTERFACE BETWEEN INDIGENOUS AND CONTEMPORARY CONFLICT TRANSFORMATION MECHANISMS IN *BAKWERI* COMMUNITIES

As discussed in Chapter Four, Buea serves as the political capital of the South West region of Cameroon and the seat of the paramount chief of the *Bakweri* people. In addition, Buea is the seat of one of the only two English-speaking universities in the country and also hosts numerous banana plantations and tea estates run by the CDC (an agricultural corporation established in 1947). The commune's political and economic prominence, coupled with its fertile volcanic soil and favourable climatic conditions, thus account for the influx of migrants, resulting in a quite diverse and heterogeneous population. Due to its political and economic significance, there is a growing interface between traditional / indigenous and contemporary, including state institutions in preventing, managing and resolving conflicts. These state-based structures are also prominent in Buea as indigenous structures were either lost in the era of colonisation or considered as inferior to Western ones and hence, marginalized (Kiwauka, 1970). Moreover, due to the nature of contemporary conflicts such as crime and corruption within the study area, state-based structures appear to be better equipped to deal with such challenges than indigenous structures. Besides, the jurisdiction of customary law does not cover criminal cases.

It is within this context that Jeffries' (1999) concept of integralism is relevant as it seeks to establish an interface between the local / indigenous and the global / Western. The relevance of integralism to this case is that it underscores the fact that *Bakweri* communities cannot make progress without global knowledge.

Similarly, contemporary state institutions cannot sustainably transform conflicts without inputs from indigenous *Bakweri* institutions. There are thus no absolute truths for instance, in conceptualisations of truth and morality, as they exist only in relation to the context in which they are applied. Since reality does not exist in bivalence, especially given the heterogeneity of *Bakweri* villages and towns, a more sustainable path moving forward is a multicultural and integral paradigm to conflict transformation. This should take into consideration the relevance of the *Bakweri* chieftaincy and associated indigenous knowledge systems, as well as contemporary state institutions.

As far as state structures are concerned, Decree No. 2004 / 320 of 8 December 2004 to organise the Government, as amended and supplemented by Decree No. 2007 / 268 of 7 September 2007 ushered in a new era for administrative and financial autonomy for local government in Cameroon. Decentralisation in Cameroon has its origins in the 1996 Constitution with Article 55 mandating the formation of regional and local authorities. The Decree empowers structures which are elected through direct universal suffrage even though administrative oversight is still being exercised by presidentially appointed officials. As Cheka (2007:186) notes, “the creation of a Ministry of Territorial Administration and Decentralisation (MINATD) by Decree No. 2002 / 216 of 24 August 2002 seems to translate the will of the state to advance the process of decentralisation while at the same time, taking into account imperatives of preserving national unity and social cohesion in a country characterised by social and cultural diversity”. However, there is a multiplicity of legislation that

creates and outlines the functions of decentralised state structures which all have a role to play in conflict transformation.

For instance, Law No. 2004 / 018 of 22 July 2004 lays down the rules applicable to councils. According to Article 2 of the law, a council is created by presidential decree. The law further states that the main objective of a council is local development and the amelioration of the standard of living of its inhabitants. Decree No. 2008/377 of 12 November 2008 outlines the powers of administrative units and the organisation and functioning of their services. The creation of municipal councils falls within the legal framework of the 1996 Constitution which was designed with one of the primary objectives to decentralise the erstwhile highly centralised state in Cameroon. According to Article 55 (2) of the Constitution, “Regional and local authorities shall be public law corporate bodies. They shall have administrative and financial autonomy in the management of regional and local interests. They shall be freely administered by councils elected under conditions laid down by law. The duty of the councils of regional and local authorities shall be to promote the economic, social, health, educational, cultural and sports development of the said authorities.” However, Article 55 (3) states that “the State shall exercise supervisory powers over regional and local authorities, under conditions laid down by law”.

Yanou (2009:690-691) asserts that “the vesting of these enormous responsibilities for managing the development of local affairs in the hands of local administrators means that their actions impact directly on grassroots

peoples”. In support of this view, Mbuagbo and Fru (2011:355) argue that “the practice of having local governments that are elected directly by universal suffrage theoretically implies that locally elected leaders such as mayors will be accountable and answerable to their local constituencies. The provisions of the guidelines are important benchmarks for democracy and good governance so much embraced in official circles in Cameroon”. However, given the different types of conflicts discussed in Chapter Four, the most relevant state-based structures involved in transformation of these conflicts are the following: the Land Consultative Board; the Senior Divisional Office; the State Counsel; the judicial police; and the courts of law.

5.4.1 The Land Consultative Board

Since land disputes are the most protrusive form of conflicts in Buea, the Land Consultative Board is perhaps one of the most important state-based structures as far as the transformation of land disputes is concerned. It is the first point of call as far as the registration of land for the acquisition of a land certificate from the state is concerned. The Board was established by Ordinance No. 74-1 of 6th July 1974. As Fonjong *et al.* (2010:160) argue, this Ordinance was designed to “ensure by way of legal enactment, a system of land registration which provided security of tenure to customary land owners”. Section 16 (2) of this Ordinance states that “Consultative Boards presided over by the administrative authorities and necessarily comprising representatives of the traditional authorities shall be established for this purpose”. It is thus the main legal instrument that regulates the acquisition and ownership of land in Cameroon.

However, Section 12 of Decree No.76/166 of 27th April 1976 spells out the composition of the Board. It includes the Divisional Officer who acts as the chairperson of the Board, representatives from the Department of Lands and Survey, a chief in the area where the land is situated and two village elders. The state, therefore, recognises the importance of traditional authorities in governance. The functions of the Board includes: making recommendations to the Senior Divisional Office on the allocation of land for agriculture and grazing purposes; assessing applications for the issue of land certificates; and settling land disputes referred to it by the courts. Instruction N°000006/Y.18 MINDAF/D300/ of 29 December 2005 to guide the functioning of the Land Consultative Board also empowers the Board to conduct adequately publicised field visits to lands under investigation and or assessment and investigating any contested claims to land. The local chief and members of his council are members of the Board thereby, giving importance to indigenous structures of the *Bakweri* in the transformation of land conflicts.

Chapters II and III of Decree N° 76 -166 of 27 April 1976 which establishes the terms and conditions of management of national lands, requires applications for a land certificate made to the Board to include an official application, certified copies of identity card or birth certificate and a site plan of the piece of land. Article 13 states that the Board shall convene at least once every three months and the agenda shall be posted on the notice board of the sub-divisional office. Instruction N°000006/Y.18 MINDAF/D300/ of 29 December 2005 requires minutes to be taken during the Board's sessions and for such minutes to be signed by all members of the committee. The surveyor member is also required

to produce a cadastral report which accurately captures the findings of the Board and signed by all members. The Instruction also compels the findings of the Board to be forwarded to the relevant authority no later than 30 days after the cadastral survey. Decree No. 2005/481 of 16 December 2005 supplements certain provisions of the decree No. 76/165 of 27 April 1976 which outlines conditions of getting a land certificate. These include structures such as the Ministry of Land Affairs, the governor of the province, the office of the divisional officer, the department of land affairs, the Land Consultative Board, the village chief where the land is situated and concerned residents. The chieftaincy, therefore, plays an important role in land disputes, both at the level of the village and at the level of the state (evident in this symbiotic relationship between traditional structures and the state). This interface is important as it recognises the fact that being knowledge holders and community leaders via traditional structures, are an important aspect in the sustainable resolution of conflicts.

5.4.2 The Senior Divisional Officer

According to Article 3 of Decree No. 2008/376 of 12 November 2008 on the administrative organisation of Cameroon, the Senior Divisional Officer (also known as the Prefect) is the administrative head of the Fako Division of the South West region of Cameroon, while the sub-division of Buea is under the authority of the Assistant Prefect. The Prefect is under the authority of the governor of the province. Both the appointments of the prefect and sub-prefects are made by presidential decree. The Prefect is tasked with ensuring the daily running of the security, economic, social and cultural echelons of the division.

Article 36 of the Decree outlines that the prefect is tasked with the maintenance of law and order and also the execution of development programmes in the division. S/he presides over or is represented in all meetings or commissions within the department which concern the state. Article 40 of the Decree entrusts the prefect with the powers to deploy the police force, the gendarmerie or the army to ensure public order and / or the security of the division. In addition to the maintenance of social peace and ensuring the smooth administrative functioning of the division, the prefect can be tasked to execute any other functions or tasks as is deemed appropriate by a relevant superior authority.

Also, both the Prefect and assistant prefect are members of the Land Consultative Board and assist in the resolution of land disputes in the division and sub-division respectively. At the level of the state, the office of the prefect is thus the first point of call in the resolution of land disputes. This is common in Buea because of its heterogeneity. Parties to a conflict often resort to the state in the resolution of conflicts. However, in conducting its investigations regarding land disputes, the prefect engages local chiefs who are also members of the Land Consultative Board before making a judgment. The office of the prefect, therefore, has the powers to make judgments regarding land disputes albeit with inputs from the chieftaincy. Moreover, being auxiliaries of the administration, chieftaincy disputes are directly mediated upon and resolved by the office of the Prefect, especially in the case of third class chiefs who are directly appointed by the Prefect. Even in the case of first class chiefs (who are appointed by presidential decree), it is the responsibility of the prefect to make

a recommendation to the higher authority on any succession disputes regarding the institution.

5.4.3 The Judicial Police

Traditional structures did not have any jurisdiction over criminal matters as their powers were limited to civil cases. Investigations related to criminal matters were the exclusive jurisdiction of the judicial police. However, the chieftaincy and other traditional structures such as the village council and quarter heads could furnish relevant information to the judicial police to assist in an investigation. This was because traditional structures were more in touch with the people than state administrators. Part II, Chapter I of Law No. 2005 / 007 of 27 July 2005 outlines the functions of the Judicial Police in Cameroon. Section 78 of the law states that “the duties of the judicial police shall be performed under the supervision of the State Counsel by judicial police officers, judicial police agents and all other civil servants or persons to whom judicial police duties are assigned”.

The law also outlines a rather wide category of officials who shall have the status of judicial police. These include officers of the gendarmerie, police superintendents and public servants temporarily performing the functions of head of an external service of national security. Sections 82 to 91 outline the duties of the judicial police. They include the following: investigating offences; collecting evidence; identifying offenders and accomplices and bringing them before the legal department; executing warrants and court decisions; checking the identity and situation of any suspected person and where necessary may

detain him in a special police custody for no longer than 48 hours; forwarding daily, a list of persons detained at their police stations to the competent State Council; and conducting search and seizures.

Regarding the procedure for police investigations, the law requires that the judicial police may begin investigations following a written and / or oral complaint made to a relevant competent authority. Where a crime was committed, a judicial police officer is required to visit the crime scene and take measures to ensure the preservation of evidence. A judicial police officer has the right to summon and question any person whose statement is likely to lead to the discovery of the truth. Section 92 (b) of law No. 2005 / 007 of 27 July 2005 states that “the person summoned for questioning shall appear and answer any question and if he fails to appear, the judicial police officer shall inform the State Counsel who may issue a writ of *habeas corpus* against him. Such person shall be brought before the State Counsel”. Judicial police investigations also involve search and seizures on premises and to remand suspects in police custody for no longer than 48 hours renewable once. Investigators could also request the services of experts capable of providing assistance in an investigation. Section 122 of the law states that a “suspect shall not be subjected to any physical or mental constraints, or to torture, violence, threats or any pressure whatsoever, or to deceit, insidious manoeuvres, false proposals, prolonged questioning, hypnosis, the administration of drugs or to any other method which is likely to compromise or limit his freedom of action or decision, or his memory or sense of judgement”.

All judicial police case files are required to be forwarded to the State Counsel without delay.

5.4.4 The State Counsel

The State Counsel is a magistrate in charge of all criminal investigations in a sub-division in Cameroon. S/he exercises oversight over and is superior to the judicial police. Sub-Chapter III of Law No. 2005 / 007 of July 2005 outlines the functions of the State Counsel in Cameroon. The law empowers the State Counsel to direct the judicial police to carry out all investigations or any additional investigations which s/he considers necessary, issues warrants of arrests against persons suspected of having participated in the commission of a felony and if necessary, directly request the assistance of the forces of law and order. However, when a felony is committed *flagrante delicto* (where a criminal has been caught in the act), the State Counsel is the competent authority to carry out the investigation. In this case, the powers of the judicial police cease immediately the State Counsel arrives at the crime scene, unless decided otherwise by the latter. Moreover, the State Counsel could at any time, visit a police post or a gendarmerie brigade and verify the conditions of persons in custody. During such visits, Article 137 (3) of the law stipulates that “the persons whose release he orders of his own motion or by virtue of an order of *habeas corpus*, must immediately be set free, under pain of prosecution for unlawful detention against the judicial police officers in charge of the police post or gendarmerie brigade where custody takes place”.

Section 111 of Law No. 2005 / 007 of July 2005 requires judicial officers to report to the State Counsel and get authorisation before carrying out investigations in the sub-division. The public can directly access the office of the State Counsel either through written information, oral complaint or written report by a competent authority. Once an arrested suspect is brought by a judicial police officer before the State Counsel, the latter shall proceed to check the suspect's identity, interrogate him and if need be, place him under temporary detention or release him on bail with or without sureties. Section 118 of the law also states that "no person may be remanded in police custody for the purpose of criminal investigation without the written approval of the State Counsel". In the case of criminal cases, Section 141 of the law provides for the "State Counsel to refer the matter to a judicial police officer for investigation", "decide to close the matter and inform the complainant of his decision" or "decide to institute criminal proceedings against the suspect". In the case of the latter, charges will be brought against the suspect and the matter referred to a court of law.

5.4.5 The Courts of Law

Cameroon is both a bilingual and bi-jural state, with the latter defined by Marie-Claude and Maries-France (2014) as "the coexistence of two legal traditions within a single state". As a bilingual state, Cameroon operates under a bi-jural system, comprising of both the French civil law and the English common law (which arose out of the ashes of Cameroon's colonial experience). Following the defeat of the country's first colonial power (the Germans in 1919), Cameroon was divided between the British and French, with both colonial

powers implementing different administrative systems. While the French implemented the policy of assimilation and the French legal system of civil law, the British implemented the policy of indirect rule and the legal system of common law. Following the independence of French-speaking Cameroon in 1960, a plebiscite was held in 1961 whereby the English-speaking section of Cameroon (which had been administered as an integral part of Nigeria), opted to gain independence by joining French Cameroon (Mbaku, 2004). The reunification of the French and British Cameroons in 1961 gave birth to the bi-jural system.

Article 37 of the 1996 Constitution of Cameroon maintains that “the Judicial Power shall be independent of the executive and legislative powers. Magistrates of the bench shall, in the discharge of their duties, be governed only by the law and their conscience. The President of the Republic shall guarantee the independence of judicial power. He shall appoint members of the bench and for the legal department”. The functions, power and privileges of the judiciary in Cameroon is further enshrined in law No. 2006 / 015 of 29 December 2006 on the organisation of the judiciary in Cameroon. Article 3 stipulates that the organisation of the judiciary consists of the following: Customary Law Courts; Courts of First Instance; High Courts; Military Courts; Lower Courts of Administrative Litigation; Lower or Regional Audit Courts; Courts of Appeal; and The Supreme Court. Article 6 of the law states that “justice shall be administered in public and judgments delivered in open court”.

However, the same section also provides for private hearings by stating that “any court may, of its own motion, or on the application of one or more of the parties, order a full or partial hearing in camera of a given matter where any publicity thereof may undermine State security, public or morality. In such case, hearing shall not be opened to the public and mention thereof shall be made in the decision which shall be public”. The Ministry of Justice exercises oversight over the judiciary in Cameroon. Article 8 of the law maintains that “justice shall be administered free of charge, subject only to the fiscal provisions concerning stamp duty and registration and those concerning the reproduction of the records of proceedings for appeals”.

There is a multiplicity of courts that deal with different categories of cases depending on their gravity. At the level of the sub-division, there is the Court of First Instance, with the High Court and Court of Appeal at the divisional and regional levels respectively. The sub-division of Buea thus, has one Court of First Instance which is in line with Article 13 of law No. 2006 / 015 of 29 December 2006. It is the most commonly used court in Buea due to its relative accessibility and affordability. Chapters II and III of the law outlines the jurisdiction of these courts. According to Article 294 of Law No. 2005 007 of 27 July 2005 on the Criminal Procedure Code, the court of First Instance has jurisdiction over a case when it is “the court of the place of the commission of the offence; or the court of the place of residence of the accused; or the court of the place of arrest of the accused”. Also, the Court’s jurisdiction covers criminal matters with punishable offences of between 10 days and 10 years in jail. It also has the jurisdiction to hear civil, commercial and labour matters with

damages not exceeding 10 million Francs (approximately 20 000 US dollars). Conventionally, judgments in a court of First Instance are delivered by a single magistrate.

It was revealed that lawyers play a key role in court cases regarding representing their clients. Where a party to a dispute is unable to afford a lawyer, s/he could apply to the Legal Aid Commission and based on the merit of the application, a lawyer could be appointed to represent the individual. However, the law provides for legal aid to be provided in criminal cases to any accused who cannot afford legal counsel. When one is appointed in cases where an accused cannot afford, the appointed lawyer is paid by the state. Article 8 of the law, therefore, states that “statutory fees and expenses of counsel and other auxiliaries of justice, the cost of prosecution and the execution of court decisions shall be advanced by the party for whose benefit they are incurred. They shall be borne finally by the party who loses the action, except where there is a contrary reasoned decision of the court”. Lawyers, therefore, play an important role in, among others, defending their clients accused of criminal offences, representing clients involved in land disputes, drawing up deeds of sale, defending clients accused of corruption and representing others involved in civil suits.

5.4 SUMMARY OF CHAPTER

This chapter has presented the role of both *Bakweri* indigenous knowledge systems as well state-based structures in conflict transformation in the study area. It was observed that the most resilient *Bakweri* IKS given the

encroachment of modernisation and state dominance, is the chieftaincy. These indigenous structures play an important role in resolving land and marital disputes, the preservation of some *Bakweri* customs and the consolidation of social peace and cohesion among *Bakweri* people in particular, and the district of Buea as a whole. It was also revealed that given the nature of contemporary conflicts and the limited jurisdiction of customary law in Cameroon (which does not cover criminal cases), state-based structures play a more dominant role in conflict transformation in the study area. These institutions include the Land Consultative Board, the Senior Divisional Officer, the State Counsel, the judicial police and the courts of law.

Therefore, community members involved in conflicts within the study area have a wide range of structures and avenues for conflict resolution. They select a particular structure largely based on “their knowledge about the options available to them, their perceived likelihood of success, and their relationship with an opponent” (Castro and Ettenger, 2000). However, it is imperative to evaluate the efficacy of both these indigenous as well as state-based mechanisms in transforming conflicts in the study area. This is the focus of the next chapter.

CHAPTER SIX
CHALLENGES OF INDIGENOUS AND STATE-BASED MECHANISMS IN
TRANSFORMING CONTEMPORARY CONFLICTS IN *BAKWERI*
COMMUNITIES

6.1 INTRODUCTION

As discussed in Chapter Five, there is an abundance of both indigenous as well as state-based mechanisms of transforming conflicts within *Bakweri* communities. It was found out that due to the political and economic relevance of Buea, the city, in particular, and the region as a whole have over the years, witnessed an influx of migrants from other parts of the country and even beyond. *Bakweri* villages and towns are thus characterised by an assortment of cultural and linguistic groups, making the region a melting pot of cultures. As a result of this, state-based structures such as the Land Consultative Board, the Senior Divisional Officer, the police and the courts of law, have played an important role in the transformation of conflicts. That notwithstanding, *Bakweri* indigenous mechanisms such as the chieftaincy and the *Malay* have also played an important, albeit a lesser role in transforming community conflicts. However, several challenges were identified in this interface of both indigenous and state-based mechanisms in the process of transforming contemporary conflicts within *Bakweri* communities. These are examined in the sections below.

6.2 CHALLENGES OF THE CHIEFTAINCY AND ASSOCIATED INDIGENOUS MECHANISMS IN TRANSFORMING CONTEMPORARY COMMUNITY CONFLICTS

As discussed earlier, the chieftaincy remains the most resilient traditional institution in contemporary Cameroon and *Bakweri* societies in particular. It was revealed that the strategic role of this institution is generally recognised and respected by both the *Bakweri* as well as non-*Bakweri* people. That notwithstanding, it was also found that the nature of the state in Cameroon, coupled with the heterogeneous nature of Buea, in particular, and the entire region as a whole, have diluted the sacredness of the *Bakweri* chieftaincy. There are inherent weaknesses in the institution alongside other *Bakweri* indigenous mechanisms as a whole. These weaknesses greatly hamper the ability of these mechanisms to transform contemporary community conflicts.

6.2.1 Appointment of Chiefs by State Administration

A point of departure to these inherent weaknesses of the *Bakweri* chieftaincy is the fact that though the villagers of each *Bakweri* village are responsible for selecting a chief, the final arbiter in the appointment process is the state. Decree No. 77/245 of 15th July 1977 which governs traditional authorities in Cameroon grants powers to the Divisional Officer to appoint third class chiefs, while second class chiefs are appointed by the minister of Territorial Administration and Decentralisation. First class chiefs, on the other hand, are appointed by order of the Prime Minister. To further exacerbate the problem, once appointed, chiefs do not act independently of the state as they are considered auxiliaries of the administration. The relevant state authority could,

therefore, relieve traditional authorities of their powers as and where they deem necessary. *Bakweri* chiefs are thus inferior to and in some cases, puppets to state administrators. This reduces the social and cultural role of traditional leaders to merely a government institution (Mthandeni, 2002).

Equally, customary law in Cameroon is subservient to common law which guides the operations of the state. Land titles, for instance, are considered a more legitimate claim to land before the justice system than ownership under customary law. It was revealed during focus group discussions that this lack of independence and the inferior status of *Bakweri* traditions vis-à-vis state laws, compounds the ability of *Bakweri* chiefs to perform their functions without fear or favour. This is because they can only survive if they operate within the dictates of the political elite. This is particularly applicable in the highly politicised system in Cameroon with deeply entrenched patron-client networks (Orock *et al.*, 2015). Nyamnjoh (2003) maintains that as auxiliaries or administrative extensions of many post-colonial governments, chiefs have become 'vote banks/brokers' for politicians keen on cashing in on the imagined or real status of chiefs as true representatives of their people. During the focus group discussions, it was also revealed that the level of cooperation between *Bakweri* chiefs and state officials greatly determined the level of powers wielded by chiefs.

This was particularly applicable in the case of third class chiefs whose enthronement has to be endorsed and legalised by the Divisional Officer to whom they report. It was also discovered that there were instances where

some individuals were crowned as *Bakweri* chiefs by state administrators even though they did not qualify according to customary law. As one participant maintained, “much of the land allocated through the CDC land surrender programme to *Bakweri* chiefs is shared between these chiefs and the administrators who appointed them”. This reinforces perceptions that the institution is corrupt and incapable of transforming contemporary conflicts. Focus group discussions and key informant interviews revealed that there were several instances where *Bakweri* chiefs sold land to non-*Bakweri* natives. There were also allegations and even newspaper reports of *Bakweri* chiefs colluding with state administrators to sell CDC land meant for *Bakweri* indigenes. This created conflict between the chieftaincy, the state and the *Bakweri* people and undermines the capacity of these institutions to act as arbiters in land disputes.

6.2.2 Educational Level of Members of *Bakweri* Traditional Authority

The low educational level of most members of the *Bakweri* Traditional Authority has further compounded the efficacy of the institution to transform community conflicts. It was revealed that most quarter heads had not gone beyond primary school. Some of them, however, had extensive experience working for the government albeit with a standard six certificate. Most of the chiefs, however, had considerably higher levels of formal education (some of them have university degrees). There seems to be no correlation between levels of education and the interpretation of customary law. However, the fact remains that within contemporary *Bakweri* communities, there is a thin line between traditional institutions and state-based institutions. Since the two complement

each other, it is important for administrators in the traditional council to have a good understanding of the complexities of state administration.

It was also revealed that most of the conflicts in the study area come from university students, university graduates, civil servants and business people. These people are very familiar with the functioning of state-based institutions. It was noted during the focus group discussions that most people, sometimes, tend not to resort to the *Bakweri* traditional authority for conflict transformation because it is constituted of 'old' people who have limited knowledge of the law. Most of the participants during the focus group discussions maintained that a great majority of quarter heads were not familiar with modern information communication technologies. In other words, they were functional illiterates who possessed inadequate skills necessary to interpret and function in the rapidly modernised *Bakweri* society. As Phillips and Schweisfurth (2007:60) maintain, "there is a positive relationship between an educated population and national development in all its forms, and that education can be used as a 'weapon' against poverty and other forms of underdevelopment". The chieftaincy was thus, perceived as an archaic institution that was not conversant with the evolving developments of the modern world.

6.2.3 Limiting Practices with Regards to Natural Justice of Equality and Fairness

It was revealed that some aspects of *Bakweri* customary law are at variance with contemporary norms of natural justice. As stated by a key informant, polygyny, for example, is allowed in *Bakweri* customs on condition that the first

wife consents to it. Customary marriages are also expected to be registered at local councils run by the state for purposes of succession. Most of them, however, were not registered and people got married over and over under customary law without being divorced from earlier marriages. Moreover, if a *Bakweri* man marries a woman and later divorces after having about five children, custom requires this woman to refund the bride price. This practice is repugnant to modern principles of natural justice, good conscience and equity.

Closely linked to the sexist nature of some aspects of the customs of the *Bakweri* is the fact that women are not, according to *Bakweri* tradition, allowed to be chiefs. It was observed during data collection that all the local chiefs and quarter heads were males. There was no woman who occupied any of these positions throughout the local communities. This reinforces perceptions that *Bakweri* customs are patriarchal and sexist and thus not in sync with contemporary values with regard to gender equality. Given this context, all female participants in the study maintained that they preferred the resolution of marital disputes through state institutions such as the court of law. This is due largely to the perception that *Bakweri* traditions on marriage practices are sexist and patriarchal. Participants maintained during the focus group discussions that this patriarchal nature of *Bakweri* customs generally prompted the majority of *Bakweri* women to seek recourse in state-based mechanisms as they believed that the latter is guided by the rule of law. As Boege (2011:451) maintains, “custom is often pitted against women’s rights and seen to be in conflict with women’s aspiration for more equality and self-determination in many traditional societies”.

6.2.4 Rent-Seeking in the Bakweri Chieftaincy

The political and economic significance of Buea has transformed the region into a hub of business opportunities where rent-seeking and profit maximisation have become the norm. These changes have paved the way for the *Bakweri* chieftaincy to become a particularly profitable institution. This is particularly so because of the central role it plays in the transformation of conflicts related to land (land is a much sought after commodity in the region). Since the conflict resolution process has become an increasingly profitable exercise, it was found that at the community level, the outcome of the resolution of cases were largely determined by the size of one's pockets. One of the participants in the study maintained that "*Bakweri* chiefs have become stooges to foreigners due to money".

Focus group discussions revealed that problems were either settled based purely on pecuniary interests or on what is commonly referred to as a "man-know-man" basis. The latter refers to a nepotistic system in which the chief and his counsel would make judgements that were favourable to their cronies. This is compounded by the fact that Quarter heads do not receive any allowance or stipend for their role in conflict transformation. Instead, they rely on fines and donations from community members to sustain and enhance their offices. This also paves the way for rent-seeking. This personalisation of the conflict transformation process at the community level undermined the efficacy of the *Bakweri* chieftaincy, resulting in disgruntled parties resorting to recourse or arbitration in state-based institutions such as courts of law.

Numerous narratives were also advanced by participants during the focus group discussions outlining how *Bakweri* chiefs abuse their institutions and jurisdiction over community land to make profits and enrich themselves. It was also revealed that there were instances where chiefs had sold vast amounts of land meant to be distributed to *Bakweri* indigenes under the CDC land surrender programme. Participants also disclosed how Cameroonians in the diaspora would import sports utility vehicles and trade them in exchange for land. It was revealed that there were instances where land that had been sold to an individual, was resold to another party who offered to pay higher than the first buyer. In some cases, the money of the first buyer was refunded while in some cases, another plot of land would be given to the first buyer to compensate for the loss of the initial land. It was also revealed that there were situations where disgruntled parties took the matter to court.

A case was reported of the chief of one *Bakweri* village who suddenly died after collecting millions of francs CFA from potential land buyers. It was revealed by participants during the focus group discussions that most of the potential buyers who had been promised land by the deceased chief had no verifiable receipts as proof of payment and they subsequently lost their money. These narratives are evidence that *Bakweri* chiefs and associated traditional institutions were keen on cashing in on their status as land brokers, making the institution a source of symbolic capital. This form of corruption is an entrenched flaw of the chieftaincy as it indicates that governance at the local level is not sufficiently guided by principles of accountability, transparency, rule of law and

genuine citizen participation (Kyambalesa, 2006). This practice of land sale undermines the cultural worth and sacredness of the *Bakweri* chieftaincy since the institution is generally perceived as merely a gateway to self-aggrandisement and self-enrichment. This has greatly undermined its capacity and potential as a neutral and sacred arbiter in contemporary conflict transformation.

6.2.5 The Impact of Community Heterogeneity on Bakweri Culture

It was revealed that the efficacy of the *Bakweri* chieftaincy in transforming contemporary conflicts is compounded by the heterogeneity of local communities in Buea. As discussed in Chapter Four, the encroachment of globalisation into local *Bakweri* communities has made the district a melting pot of cultures. As a key informant noted, the *Bakweri* people are so few that some of their villages have been taken over by non-indigenes. For instance, it was revealed that *Bakweri* people only make up about 20 per cent of one of the villages known as Tole. As a result, the local chief of Tole does not have authority over the majority of the people. It is the majority that may decide to respect the chief or not. This has diluted *Bakweri* indigenous knowledge systems. One participant even maintained that “civilisation has impregnated *Bakweri* culture”. As postulated by the modernisation theory, African indigenous knowledge systems would fade away and Western science and logic will replace African customs and traditions (Chazan *et al.*, 1999). It was noted during the focus group discussions that there was a general agreement among participants that *Bakweri* customs and traditions are not as influential in contemporary times as they used to be.

For instance, key informants revealed that in the past, it was a taboo to shake the hands of a *Bakweri* chief as they were customarily greeted with a bow. It was observed that this was no longer the case as even the researcher shook the hands of some *Bakweri* chiefs. This practice is still strictly observed in the more conservative chiefdoms in the neighbouring North West Region of Cameroon, which still predominantly retains a strong adherence to traditional practices. Furthermore, the *Bakweri* chiefs were expected to maintain a certain demeanour and always to dress in traditional attire when in public. The traditional attire consists of a loincloth called *sanjah*, which is tied around the waist, a white long sleeve shirt and a specially designed traditional cap weaved with fibrous materials and adorned with beads.

According to the key informants interviewed during the study, the loincloth and white shirt (which are the traditional attire of the *Bakweri* people) were introduced during the advent of European imperialism. This is in sharp contrast to the neighbouring North West Region of Cameroon whose people still retain a traditional wear which is distinctive to their indigenous culture. This is an indication that colonisation eroded certain aspects of the culture of the *Bakweri* people. Some participants also lamented what they considered a corrosion of *Bakweri* indigenous knowledge systems, citing examples of how *Malay* traditional dancers at times consumed alcohol on the night of the dance, which was contrary to the spirit of the *Malay*. The efficacy of the people's indigenous knowledge systems such as the chieftaincy, the *Malay* and the *Pala-Pala* dance have thus been greatly eroded by modern state-based structures.

Due to the heterogeneous nature of the study area and the encroachment of globalisation, it was revealed that non-*Bakweri* people would prefer to resort to state-based institutions for conflict transformation. Most of these non-indigenes were of the view that the role of the *Bakweri* chieftaincy should be limited to traditional or cultural matters only. This is rather surprising as some of the quarter heads were non-*Bakweri* people. When probed further, participants declared that even in cases where some quarter heads were non-*Bakweri* people, they still have to report to the chief who is always a *Bakweri* person. The non-utilisation of indigenous structures was particularly obvious in conflicts between *Bakweri* people and non-*Bakweri* people. It was revealed during the focus group discussions that where the financial status of the parties to a dispute was equal, non-*Bakweri* people would always prefer to seek recourse in state-based institutions. As a key informant remarked, “it is highly unlikely for a non-native to win a case against a *Bakweri* man if the matter is handled by a *Bakweri* chief. After all, it is in the nature of men to give preference to their own ethnic group”. It is with such common perceptions among the majority of non-*Bakweri* people in the study communities that courts of law, for instance, are usually flooded with cases on land disputes.

6.2.6 The Impact of Pentecostalism

The efficacy of *Bakweri* IKS in transforming contemporary conflicts and enhancing social peace has also been compounded by the spread of Christianity. Information obtained from key informants (including local chiefs and quarter heads) revealed that all participants identified themselves as

Christians. This was not a surprise to the researcher given the proliferation of Pentecostal churches and established mission churches such as Baptist, Catholic and Presbyterian in the study area. It was also observed that there was widespread religiosity within the study area and an almost standard response to a question like “How are you doing?” would elicit a response like “I’m fine by the grace of God”. This piousness was also evident, especially on Sundays with the massive church attendance in most of the Christian churches in the study area.

Participant observation (through interaction with community members) revealed that labelling oneself as anything other than a Christian could easily result in an individual being branded as a follower of Satan. Even participants who admitted to practising indigenous traditions such as those who occasionally partook in the elephant dance, also maintained that they were Christians. This view is supported by Eko (2004) who argues that the *Maalé* secret society survives in less than ten Bakweri villages because the Christian missionaries who started missions in Bakweri land (Baptists, Catholics and Presbyterians) generally considered the *Maalé* and the *Nganya* as heathen cults that were sending their adherents straight to hell. Within this context, it was noted through focus group discussions that such indigenous practices are gradually fading away as they were increasingly associated with demon worship, due to their metaphysical nature.

This widespread religiosity and steadfastness in church-going within the study area is actually an irony as it was observed that it was not necessarily

translated into virtues such as tolerance, compassion, forgiveness and peace. The researcher noted that the vast majority of participants had been involved in some sort of illicit activity such as fake documentation, bribery and cheating. It was also noted that Internet scams, the sale of fake land as well as the proliferation of taverns where alcohol was drunk until stupor and transactional sex were very common in the study area. When questioned about the low levels of spirituality in the area despite the fact that most people attend church, one participant remarked as follows: “a church is not a fellowship of saints but a hospital for sinners”. It was thus deduced that the church was not necessarily perceived as an avenue for reform and positive transformation within the study communities. Rather, it was perceived as a platform wherein tithes were paid on Sundays, and “men of God” would pray for forgiveness of sins and performance of miracles without any form of atonement, repentance or deliverance. It was thus observed that in spite of the proliferation of churches, crimes such as robbery, Internet scams and forgery were still widespread in the study area.

6.2.7 The Upsurge of Contemporary Forms of Crime

The upsurge of contemporary forms of crime challenges the traditional capacity of Bakweri indigenous mechanisms in transforming contemporary community conflicts. Decree No. 77/245 of 15th July 1977 which outlines the powers conferred by law on *Bakweri* traditional authorities, limits the jurisdiction of the chieftaincy to civil cases. Though traditional authorities in Cameroon were required to assist the state in resolving conflicts, they, on their own, are not allowed to pass judgments on any party to a dispute. In this light, the *Bakweri*

chieftaincy could only make non-binding rules and recommendations which could be easily ignored or challenged by parties to a conflict. The only forms of punishment that could be meted out were fines such as alcohol, goats, chickens and requesting an individual to be absent from certain social or cultural events. The complex nature of some conflicts such as cyber-crime, armed robbery and murder within the study area were outside the legal jurisdiction of the *Bakweri* chieftaincy.

It was noted that contemporary forms of conflicts were on the rise in the study area. As discussed in Chapter Four, the economic and political significance of Buea has transformed the region into a strategic location for businesses to flourish. This has also come along with both blue and white collar crimes such as armed robbery, corruption and cyber fraud. Due in part to the localised nature of *Bakweri* traditional authorities and their limited jurisdiction to civil cases, they are not capable of transforming such conflicts. It was noted that armed gang attacks on business premises and on private university hostels were common in the study area. An interview with a key informant revealed that the chieftaincy is not equipped with the forensic technology and investigative skills required to tackle such complex forms of contemporary conflicts. It was noted during the interviews that most quarter heads were elderly people with low levels of formal education and limited knowledge of modern information communication technologies. Due to the upsurge of such cases in the study area, the *Bakweri* chieftaincy was by and large, an irrelevant mechanism in the transformation of these forms of contemporary conflicts. These cases fall within the jurisdiction of the state.

6.3 LIMITATIONS OF STATE-BASED MECHANISMS IN TRANSFORMING CONTEMPORARY COMMUNITY CONFLICTS

As noted in the previous section, *Bakweri* indigenous mechanisms are handicapped by the multiplicity of challenges in their attempts to transform contemporary community conflicts. Given these challenges, it was observed that state-based mechanisms play an important and more dominant role in the transformation of contemporary conflicts within *Bakweri* communities. This does not mean, however, that they are without challenges. Several challenges were identified that taint the state's capacity to effectively and sustainably transform conflicts in the study area. These challenges are discussed below.

6.3.1 Multiplicity of Administrative Regimes

A point of departure to these inherent weaknesses of state-based mechanisms is with regard to the state itself in Cameroon. It was noted during focus group discussions that state-based structures such as the police, the courts of law and the office of the Divisional Officer were laden with extreme administrative red tape. Participants, for instance, explained that due to numerous adjournments, cases in a court of law, for example, could easily take up to five years to be resolved, reinforcing the maxim that "justice delayed is justice denied". This government bureaucracy is rooted in the highly centralised state apparatus in Cameroon. The government operates under an administrative-hegemonic regime type characterised by a centralised executive bureaucracy. Rule by decree emanating from the presidency is common and all political

operations and decision-making are guided by the executive. This government bureaucracy has led to duplication of functions, waste of time and resources and consequently, inefficiency. Evidence of administrative red tape was noted in the complicated and cumbersome process of obtaining a land certificate, for example. Javelle (2013) maintains that government departments are characterised by poor record-keeping and document management in responsible government departments, incomplete geographic information, and the use of different spatial referencing systems. This has resulted in overlapping land titles which were often challenged in the court, resulting in the cancellation of titles.

This centralisation of powers around the executive stationed in the capital city of Yaounde is thus a hindrance to the state's capacity to efficiently transform conflicts within the study area. It also undermines attempts to advance an endogenous approach to conflict transformation as indigenous structures are dominated by the state. It was revealed through focus group discussions that in a country where the president ruled by decree, most instructions affecting all spheres of government were issued from the centralised bureaucracy. The powers of the centralised state are wide-ranging from conducting elections to the appointment of all civil servants, including local chiefs. This has left *Bakweri* traditional structures with little or no powers to effect any meaningful change at the community level. This situation has transformed the country into a neo-patrimonial and authoritarian state (Konings, 2011). This red tape is evident in the multiplicity of state-based structures in transforming conflicts in the study

area. Their roles are often interwoven, duplicated and consequently, not understood by the majority of community members.

For example, a key challenge raised by participants during the focus group discussions as well as by key informants during interviews was the multiplicity of law enforcement regimes in the study area in particular, and the country as a whole. With regard to opening a case docket for investigation, complainants had the option of either resorting for recourse at the police station or the gendarmerie. The police force is almost exclusively for the maintenance of domestic law, order and administration. The gendarmerie is a Para-military force that has the dual mandate of being both a military and a civilian force. Key informants revealed that about 30 per cent of the gendarmerie is made up of a civilian division as the force is often tasked with investigating criminal cases. The other 70 per cent is the defence force which is responsible for border patrol and wars. Following investigations, both the gendarmerie and the police are required to obtain a warrant from the state counsel before any arrests could be made. It was also noted that another Para-military force (known as the Rapid Intervention Battalion commonly known as BIR), was also involved in the maintenance of law and order. Key informants indicated that the force was created in 2001 to tackle criminal gangs and highway robbers in the Northern parts of the country. However, the researcher noted that the Battalion conducted regular patrols in the study area during the data collection phase.

Given the above, it was noted during focus group discussions that there was a lack of understanding and uncertainty among community members regarding

which state mechanisms to use in the transformation of community conflicts. Even though one key informant argued that the jurisdiction of the gendarmerie was limited to criminal cases (where firearms were used), some participants argued that it was entirely up to a complainant to choose which structures to use. It was also noted that complainants sometimes directly obtained warrants of arrest from the office of the State Counsel, thereby bypassing both the gendarmerie and the police. This ambiguity and duplication of functions of these state structures undermined their capacity to sustainably transform community conflicts.

6.3.2 *The Cost of Red Tape*

Bozeman (2000:12) highlights the corrosive effects of bureaucracy on government's performance and argues that red tape involves "rules, regulations, and procedures that remain in force and entail a compliance burden but [do] not advance the legitimate purposes the rules were intended to serve". As noted above, the entire civil service in Cameroon is laden with extreme red tape. This has led to waste of time and consequently, more expense incurred by parties to a dispute as per the maxim "time is money". For instance, it was revealed by key informants that the process of obtaining a land certificate involved time-consuming processes from the cadastral survey by the Land Consultative Board, through the office of the Senior Divisional Officer to the chief of the Provincial Service of Lands and the Central Service of Land in Yaounde. It was revealed that this process could take up to five years for such certificate to be issued. This process involves considerable cost to the applicant as on numerous occasions, state officials in the relevant offices have to be

bribed to “facilitate” the processing of the application. This is in sharp contrast to traditional *Bakweri* structures where registration of land simply involves the chieftaincy. Key informants also revealed that in order for an employee to be integrated into the Civil Service, the individual has to compile relevant documents and send to Yaounde, the political capital, for processing. It was common knowledge that these documents could take several years to be finalised during which time the concerned individual would be working without pay. The same procedure is applicable for the payment of pensions where retired civil servants spend years, frequently travelling to Yaounde to “chase” the release of their pension money.

Additionally, a particularly costly practice which most participants in the study area considered as attempts by a predatory state to milk its citizens of income is the requirement to certify documents for all official purposes. Certified documents are needed, for instance, for applications to all state institutions, including public examinations. They are also required to be affixed on birth certificates, certificates of non-conviction, application for vehicle licencing, identity cards, passports, the issuance of land certificates, among others. At times, applicants are required to certify documents from a birth certificate to copies of all degrees, including a “certificate of attestation of a true copy of all certificates”. To certify each document, an applicant needs to purchase a fiscal stamp which ordinarily, costs 1000 FCFA (which is approximately two dollars) each, if purchased at the Treasury. These processes make compiling documents in Cameroon a particularly costly exercise. Due to the high costs involved, the certification exercise is often shrouded in corruption. It was

observed that some government officials at police stations and in the office of the Senior Divisional Office, for instance, sell fiscal stamps to the public at higher costs. Key informants also maintained that lawyers, for instance, would at times, request for cases to be adjourned, with the expectation that their fees would increase the longer a case takes to be resolved. This high expense involved in utilising state structures was a drain of financial resources and thereby, not a sustainable solution to the transformation of community conflicts.

6.3.3 Dominance of the French Bureaucratic System

The centralised bureaucracy of Cameroon is dominated by the French system even though *Bakweri* local communities are English-speaking. It was noted that several French-speaking administrators were appointed to work in the study area. For instance, key informants maintained that there were several French-speaking judges with little or no knowledge of the English language working within *Bakweri* communities. On numerous occasions, they delivered judgments in French to parties to a dispute who had little or no understanding of the language. This has usually elicited severe criticisms from local community members who argue that these are attempts by the French-dominated government to assimilate the English-speaking community. Such concerns have long been reiterated by a secessionist group called the Southern Cameroons National Council (SCNC) (formed in 1995 with the aim of restoring the Federated state or the secession of Anglophone Cameroon from the Republic) (Jua, 2004:327).

It was noted during focus group discussions that this is a decades-old perception which authors such as Konings (2003:80) have referred to as an “onslaught by the Francophone-dominated post-colonial state on Anglophone identity and colonial heritage”, including associate indigenous institutions. There have even been moves from the Ministry of Higher Education to harmonise all academic programmes at state universities in the country, including those of the University of Buea. Key informants also reiterated that there were attempts underway by the government to subvert the English common law system within *Bakweri* communities in favour of the French civil law system. Differentiating between civil and common law, Yanou (2009:693) argues that “the absence in civil law practice of oral testimonies by witnesses, cross examination of witnesses and rules against hearsay evidence which provide safeguards for the proper determination of cases under common law, devalues civil law practice in the eyes of English-speaking litigants”. It was noted during data collection that top ranking politically-appointed state administrators in the study area such as the state counsel, the Divisional Officer and even the Governor of the region were all Francophones. Coming from a different linguistic and cultural context, these individuals had insufficient knowledge and understanding of the customs and traditions of the *Bakweri* people.

Information gathered from focus group discussions revealed that this absence of culturally-relevant state administrators undermined the community’s trust in the state’s capacity to transform contemporary community conflicts. This was partly the reason behind an ultimatum given by Anglophone lawyers to the

head of state in 2015, urging him to return the country to a two-state federation (Cameroon Postline, 2015). Anglophone lawyers argue that they were forced to make some submissions in French within English-speaking communities. They have also lambasted the appointment of French-speaking administrators with no working knowledge of English, to work in English-speaking communities. Some of these French-speaking administrators make speeches in French even though *Bakweri* communities are English-speaking. This goes against one of the maxims of sustainable conflict transformation which maintains that mechanisms of resolving conflicts should serve communities in a language which they understand.

6.3.4 Big Man Syndrome and Nepotism in the Civil Service

The nature of the Cameroonian Civil Service is also another key challenge to state mechanisms in transforming conflicts within *Bakweri* communities. It was observed that the civil service is characterised by the “big man” syndrome. Hyden (2006) considers it as a highly personalised form of autocratic rule with little restraint from democratic institutions. It was observed in the study area that state officials generally exude an aura of self-importance and arrogance, leading to a culture of impunity in the civil service. Instead of working for the welfare of the communities, they have become bosses in their respective areas of jurisdiction and ordinary community members have to submit themselves to the dictates of these state officials. Officials in government departments, at times, snub and insult community members who generally queue outside government offices requesting for services. The masses were trampled upon

and attention was promptly given to the rich, influential or those who had the relevant connections.

Middle and top-ranking police officers for instance, were observed driving around in police cars meant to be used for police business. On several occasions, the researcher observed police cars being used to transport children from schools and women from markets. Key informants informed the researcher that these were family members of police officers. The researcher also found police officers in police uniforms, consuming alcohol in bars in the study area. There was a general agreement during the focus group discussions that the private cars of these “big men” were never checked during road traffic inspections. It was common for these cars to drive around without any form of documentation. This ‘big man syndrome’ is very common in the study area and it has become standard practice for bus drivers to reserve a front-row seat in the vehicle for any law-enforcement officer. The presence of a uniformed officer of the law automatically prevents the vehicle from being checked by road traffic officers, who would simply offer a salute and wave for the vehicle to drive on. Such nepotistic system commonly referred to as “man-know-man” within the local communities, is definitely a flaw in state-based structures.

6.3.5 Underequipped and Low Pay Leading to Low Morale and Corruption in the Civil Service

Inadequate infrastructure, it was revealed, constitutes another obstacle in discharging official duties in the study area. Even though a key component of a state-based mechanism such as a court of law in conflict transformation is to

establish proof beyond reasonable doubt, it was observed that police stations in the study area lacked Western scientific equipment such as DNA testing and finger print machines. It was also observed that very few government offices, including police stations had computers, not to talk of internet connection. Finger print samples for instance, were highly centralised and collected at police stations and sent to the capital city (Yaounde) for processing. This time-consuming process renders the state largely inefficient in transforming contemporary community conflicts.

Moreover, due to the absence of a computerised data base, certificates of non-conviction (referred to in South Africa as police clearance) were simply issued to all applicants immediately upon payment of the prescribed fee. No attempt, whatsoever, is made to verify the criminal status of the applicant. This underequipped nature of civil service was also observed in terms of the number of police stations in the study area. There was no police station in an area called *Bonavada* (an area comprising of about 13 *Bakweri* villages). During the focus group discussions, a participant remarked that on several occasions, where the police were phoned to urgently address conflicts in some *Bakweri* villages, the callers were told by the police that there was no petrol in their cars to dispatch officers to the crime scene.

This lack of adequate infrastructure is further exacerbated by the low pay rates among police officials. Key informants revealed that the salary of a police constable in the country is less than \$200 per month. The low pay is translated into disgruntlement and low morale in the civil service, leading to widespread

corruption. A key informant maintained that some of the reasons for the endemic corruption in the study area in particular and Cameroon as a whole, were the low salary scales and low morale of civil servants. This view is supported by Kyambalesa (2006:108-19) who attributes the causes of corruption not only to governance not sufficiently guided by principles of accountability and transparency, but also to low pay, low morale and bureaucratic red tapes. These features were starkly evident in the study area in particular and Cameroon as a whole.

Government bureaucracy was thus characterised by a patron-client network where state officials abused their offices for personal gain. Bribery and corruption were widespread from the office of the Divisional Officer, throughout the police force and associate state institutions. All participants maintained that state-based structures were mechanisms for extorting money from community members. For instance, there were widespread allegations of bribes being paid to government officials in the office of the Divisional Officer, either for the issuing of land certificates, or to influence the outcome of land disputes. Participants also maintained during the focus group discussions that it was common for rich and influential people to bribe law enforcement officials and request certain individuals to be arrested and detained. It was also a common phenomenon for law enforcement officials assigned to regulate traffic and ensure compliance with the rules of the road, to extort bribes from motorists. This is very glaring in the study area as the researcher personally observed road traffic officials soliciting bribes from motorists on several occasions. This endemic corruption by government officials is indicative of the fact that if the

situation is not addressed, state institutions will remain inefficient with regard to the transformation of community conflicts.

6.4 SUMMARY OF CHAPTER

This Chapter has identified challenges to both *Bakweri* indigenous mechanisms as well as to state-based contemporary mechanisms of transforming conflicts in the study area. The multiplicity of challenges that impede the role of these structures in conflict transformation was discussed in the Chapter. With regard to the *Bakweri* chieftaincy, it was revealed that the appointment of *Bakweri* chiefs by a politicised state administration, coupled with the low levels of education of quarter heads in the study area, constitute obstacles to efficient conflict transformation. It was also revealed that some aspects of *Bakweri* customs (for instance, the treatment of women during divorce) could be considered as repugnant to contemporary principles of natural justice. Other obstacles to the role of the chieftaincy in conflict transformation include the heterogeneity of the study area which undermines *Bakweri* culture and the perception that the *Bakweri* chieftaincy has been reduced to a rent-seeking institution. The spread of Pentecostalism and the upsurge of crime were also identified as obstacles to the capacity of the *Bakweri* chieftaincy to transform contemporary community conflicts.

In spite of these shortcomings of *Bakweri* indigenous mechanisms, the numerous challenges faced by state-based structures in transforming contemporary conflicts in the study area were also discussed. It was observed that several administrative regimes have been put in place resulting in the

duplication of functions and wastage of state resources. Also, these state-based structures were dominated by French-speaking administrators, who often operated in the French language (which is not properly understood by most community members). In addition, the politicised civil service was largely characterised by the “big man” syndrome wherein power and wealth were abused for personal gains leading to nepotism within state-based structures. Moreover, the underequipped state structures were staffed by lowly paid staff, resulting in low staff morale, corruption and an overall high cost for parties seeking recourse in state-based structures. Given these challenges, it is imperative to advance recommendations in this study on how the *Bakweri* chieftaincy and associated indigenous mechanisms could be interfaced with state-based contemporary institutions to effectively and sustainably transform contemporary conflicts within the study area.

CHAPTER SEVEN

CONCLUSION AND RECOMMENDATIONS

7.1 CONCLUSION

The aim of this study was to investigate the relevance of African Indigenous Knowledge Systems (AIKS) in Contemporary Conflict Transformation with specific reference to the chieftaincy of the *Bakweri* people of the South West Region of Cameroon. The specific objectives were to: investigate the types of conflicts among *Bakweri* communities of the South West region of Cameroon; analyse the role of the *Bakweri* chieftaincy in the transformation of contemporary conflicts; examine state-based structures and mechanisms used to transform these conflicts; and discuss the limitations of the *Bakweri* chieftaincy and associated indigenous mechanisms as well as state-centred mechanisms in transforming contemporary community conflicts.

It was revealed that even though there were various contemporary conflicts within *Bakweri* communities, the most prominent among them is land dispute. The centrality of land to conflicts within these communities is due to the fact that the socio-economic and traditional values of the communities are hinged on agriculture. Even contemporary business activities were based on land issues. The region attracts not just economic migrants seeking to cultivate the region's fertile volcanic soils and work in plantations, but also civil servants deployed by the state to work as administrators within *Bakweri* communities. In addition, Buea also plays host to one of the country's only two Anglo-Saxon universities, thereby, attracting students from across the country and beyond. The city is a key hub for business opportunities, with numerous investors

procuring land to construct hostels for the growing population. Moreover, the CDC land surrender programme, led to the release of thousands of hectares of land to *Bakweri* chiefs meant to be distributed to *Bakweri* people. Due to the small number of *Bakweri* people vis-à-vis the surrendered land, coupled with the profitability of the sale of land (which was a hotly sought-after commodity), most of the local chiefs have embarked on an unscrupulous sale of land to non-*Bakweri* people. Conflicts, therefore, arose between the *Bakweri* people and the local chiefs due to the sale of land meant for distribution to *Bakweri* people. Conflicts also emanate from the fraudulent sale of the same piece of land to multiple buyers and the sale of land by illegal owners who are out to dupe unsuspecting potential investors.

Another type of conflict within *Bakweri* communities has to do marital disputes. It was revealed that the patriarchal and sexist nature of *Bakweri* traditions are some of the major causes of disputes within the study area. *Bakweri* women were customarily, not allowed to be chiefs while the men were allowed by custom, to get married to more than one wife. Moreover, the payment of a dowry upon marriage made most *Bakweri* men to perceive women as their property. Within this context of patriarchy, most *Bakweri* men either tended to involve in polygyny, or had multiple concubines, paving the way for infidelity and consequently, marital conflicts. These conflicts were further exacerbated by the fact that in contemporary times, *Bakweri* women, who were generally perceived as having a penchant for promiscuity, now have access to economic opportunities to take care of their needs. As a result, these women generally challenge the dominance of men and engage in promiscuous relationships.

Within the context of the patriarchal society, this was a sure recipe for marital conflicts such as divorce.

Another key finding of this study is the fact that there were conflicts within *Bakweri* communities which arose as a result of the proliferation of Pentecostal churches. It was revealed that the majority of *Bakweri* people still observe customary practices such as language, dance and rites of passage with regard to marriage. However, it was observed that in spite of this, most community members still identify themselves as Christians. Key informants revealed that traditional Baptist, Catholic and Presbyterian mission churches which used to dominate within *Bakweri* communities had been overshadowed by the upsurge of Pentecostal churches. These convert-seeking churches condemned *Bakweri* traditional practices such as the elephant dance and traditional healers, as demon worship. They conducted night vigils and ministered through the streets with loud speakers. Since they operated in a highly unregulated environment, some of them extorted money from followers in return for promises of miracles. There were thus conflicts between these Pentecostal churches and those who are not swayed by their preaching.

Another glaring and obvious form of conflict in the study is corruption. Considering the political and economic significance of Buea, corruption is endemic in the study area in particular and Cameroon as a whole (corrupt practices were evident in all facets of public life). There was a generally corrupt relationship between most local chiefs and state administrators in the procurement and sale of land surrendered by the CDC. It was also found that

road traffic officers extorted bribes from non-compliant motorists for offences such as driving un-roadworthy vehicles, driving without a licence and overloading. Also, services in all government departments were promptly delivered if the concerned official was offered a bribe. The widespread corruption has resulted in discontentment among community members as it is a form of structural violence, making these communities a breeding ground for conflict.

Crime was identified as another type of conflict inherent within the study area. This is largely due to the fact that Buea is a hub of economic activities as well as the political capital of the South West region. Besides, the town also attracts thousands of students seeking to study at the University of Buea (one of the two Anglo-Saxon universities in the country). The growing and heterogeneous population, coupled with the proliferation of small businesses such as bars, cyber-café's and clothing shops have become breeding grounds for criminal activities. Information obtained from key informants and through focus group discussions revealed the proliferation of online scams conducted within the numerous Internet café's in the study area with the aim of duping unsuspecting investors of their money. Another form of criminal activity in the area was house robbery. It was very common for the rooms of university students to be broken into and their personal effects such as laptops, cell phones and money stolen. It was common practice for the public to take the law into their hands and commit crime (such as beating up suspected criminals, sometimes to death).

With regard to the mechanisms used to transform these conflicts in the study area, it was found out that both *Bakweri* indigenous mechanisms as well as state-based mechanisms play an important albeit unequal role in contemporary conflict transformation. It was revealed that *Bakweri* indigenous structures such as the *Liengu* female and the *Nganya* male cults, as well as the *Maalé* played an important role in the conservation of *Bakweri* culture and in enhancing social peace. However, it was found out that these indigenous structures are increasingly losing their relevance as mechanisms of transforming contemporary community conflicts. This is largely due to the heterogeneity of Buea and the upsurge of Pentecostal Churches that demonise *Bakweri* traditional intuitions. In spite of this, it was revealed that the chieftaincy remains the most resilient and relevant *Bakweri* indigenous institution in terms of conflict transformation.

It was further revealed that the law governing traditional communities in Cameroon entrusts the powers to appoint chiefs on a hierarchy of state administrators depending on whether they were first, second or third class chiefs. This classification is based on territorial, demographic as well as socio-economic importance of the area of jurisdiction. The appointment, however, is done following the selection of the desired chief by the king makers of the village, usually according to the dictates of *Bakweri* customary law. Following the official endorsement by the relevant government official, the chiefs would then serve as auxiliaries of the state, and receive a monthly salary according to their categories. They are tasked with implementing state policy in terms of economic, social and cultural development at the level of the community. Their

roles also include assisting the state in the maintenance of law and order, collecting taxes and fees and to perform any other task as assigned by the relevant state authority.

The selection of *Bakweri* chiefs is done along patriarchal lines implying that women are not allowed to be chiefs. It is customary for the throne to be passed from the father to eldest son. As custodians of customary law in the village, *Bakweri* chiefs play a very central role in all cultural, social and political events within the village. In order to facilitate this role, the chieftaincy is divided into quarters headed by influential and respectable men within the community and appointed by the chief. It was revealed that some of the quarter heads are non-*Bakweri* people largely due to the heterogeneity of *Bakweri* communities. These indigenous institutions play a key role in the resolution of conflicts, especially with regard to marital disputes and land conflicts, as well as lesser issues such as quarrels, debt repayment and petty theft. Community members generally utilise these structures to resolve conflicts as they were speedily and timeously resolved. Besides, there is little cost involved, which typically, involves payment of fines such as beers, chickens and goats, or a modest amount of money. Moreover, decisions taken by the *Bakweri* chieftaincy are usually aimed at restoring relationships as it was common for parties to a dispute to be called upon to consume the fine meted out on the guilty party. This is also to ensure sustainable peace at the community level. Cases not resolved to the satisfaction of any concerned party at the quarter level, could be petitioned to the chief of the village, who would then make a final ruling on the matter at the village level.

On the role of state-based institutions in resolving community conflicts, it was revealed that there is an abundance of structures and that they play a more prominent role in resolving conflicts than the *Bakweri* chieftaincy and associated indigenous institutions. This is partly due to the nature of contemporary conflicts such as cyber-crime and armed robbery which are beyond the jurisdiction of the chieftaincy. It was also noted that the prominence of state-based institutions over the *Bakweri* chieftaincy is due to attempts by government to centralise political power around state bureaucracy. State-based structures are thus, more superior to indigenous structures. Within the context of the study, these structures include the Land Consultative Board, the Divisional Officer, the Judicial Police, the State Counsel and the courts of law.

It was also found out that the Land Consultative Board is one of the most important state-based structures involved in the transformation of land disputes as it is the main legal instrument in the regulation and acquisition of land within *Bakweri* communities. The Board works closely with local chiefs in initiating the process of the acquisition of land certificates as well as adjudicating land disputes at the level of the state. The Board is headed by the Divisional Officer who is the administrative head of the Fako division. The students revealed that Divisional Officers, (who are all appointed by presidential decree), are tasked with the daily administration of the Division. They perform duties such as the appointment of third class chiefs, settlement of land disputes, the maintenance of law and order and the execution of developmental programmes within the division.

Another key state-based structure that is instrumental in the transformation of community conflicts is the judicial police. It was found out that the judicial police, which include the gendarmerie, police superintendents as well as certain categories of public servants, have exclusive jurisdiction over criminal matters. The judicial police are tasked with collecting evidence, compiling case dockets, conducting arrests and bringing suspects to the courts of law for prosecution. The line manager of judicial police officers is the State Counsel who acts as a magistrate in charge of all criminal investigation and state prosecutions in the sub-division. The State Counsel is in charge of issuing warrants of arrest, ordering the release of detainees and referring cases to the courts of law for prosecution. With regard to the courts of law, the administration of justice within the study area at the state level is vested in the Court of First Instance, the High Court and the Court of Appeal. It was revealed that both private and state-appointed lawyers (through the Legal Aid Commission) play a key role in representing their clients.

One of the major findings of the study is the fact that in spite of the important role which both the *Bakweri* chieftaincy as well as state-based institutions play in the transformation of contemporary community conflicts, these structures have a multiplicity of limitations, thereby, compounding their efficacy. One of the inherent weaknesses of the *Bakweri* chieftaincy is the fact that the appointment of chiefs in the study area and Cameroon as a whole, is done by the state. This makes third class *Bakweri* chiefs, for instance, subservient to the Divisional Officer who is tasked with endorsing their appointments and thus,

impacts negatively on their ability to act independently. The efficacy of the *Bakweri* chieftaincy is further compounded by the fact that customary law is inferior to common law in Cameroon. It was thus noted that the generally corrupt Divisional Officers collude with most *Bakweri* chiefs to sell CDC surrendered land, thus undermined the role the chieftaincy as a credible indigenous institution in contemporary conflict transformation.

Also, it was revealed that the low levels of education of members of the *Bakweri* traditional council compounded its efficacy to transform contemporary conflicts. Most participants maintained that quarter heads, who are the first point of call with regard to dispute resolution at the community level, have not gone beyond primary school education. It was revealed that these indigenous structures were not a preferred alternative for conflict transformation among the vast number of functional literates within the community such as university students, graduates and civil servants. This non-preference for *Bakweri* traditional institutions among this category of people was partly because these institutions were perceived as being run by 'old' people who had little knowledge of the law and inadequate understanding of the complexities of the modern world.

This situation was exacerbated by the general perception among participants that some aspects of *Bakweri* customary law are repugnant to the natural justice of equality and fairness. Specific traditional practices with regard to marriage are perceived as gender biased as they give privileges to men at the detriment of women. For instance, it was found that under *Bakweri* custom,

men are allowed to marry as many women as possible and upon divorce, a woman is expected to refund the bride price. Moreover, women are not allowed to be chiefs since the *Bakweri* chieftaincy is hereditary along patrilineal lines. It was also found out that the majority of female participants resorted to state-based structures for conflict transformation thereby, undermining the *Bakweri* chieftaincy and associate indigenous institutions.

Another key limitation of the *Bakweri* chieftaincy in transforming community conflicts is the fact that the institution is very corrupt and has been transformed into a rent-seeking organisation. The profitability of land procurement, coupled with the central role played by *Bakweri* chiefs in all land transactions, corrupted the chieftaincy and reduced it to an institution for self-enrichment. Participants disclosed that there were numerous cases of land transactions and land dispute settlements based predominantly on pecuniary interests and to a lesser extent, on nepotism. This inherent weakness of chiefs has further been aggravated by the impact of community heterogeneity on *Bakweri* culture. *Bakweri* local communities have become so heterogeneous that some villages are now made up of more non-indigenes than *Bakweri* people themselves. In this contemporary era of globalisation, this diluted *Bakweri* customs undermine the powers of *Bakweri* chiefs as modernisation replaced AIKS with Eurocentric institutions. It was noted that some practices that were traditionally considered as taboo, had become a norm within *Bakweri* communities. These undermine the value of *Bakweri* traditions with most community members resorting to state-based institutions for conflict transformation.

Moreover, the relevance of *Bakweri* IKS in transforming contemporary conflicts is compounded by the impact of Pentecostal churches. These churches demonise *Bakweri* indigenous practices such as the *Nganya*, labelling them as heathen cults. It was also found that since the majority of community members identify themselves as Christians, it undermined *Bakweri* indigenous practices as most community members resort to churches for miracles and deliverance. This neglect for *Bakweri* IKS is further impaired by the fact that contemporary forms of crime such as armed robbery, murder and cyber-crime are outside the jurisdiction of traditional authorities. These make state-based structures to overshadow *Bakweri* indigenous institutions in the search for sustainable solutions to contemporary conflict transformation.

However, this dominance of state-based structures is not an indication that they are more effective in transforming contemporary community conflicts than *Bakweri* ingenious structures. In fact, it was revealed that state-based structures have a multiplicity of limitations in resolving conflicts within the study area. Primary among them, is the excessive administrative red tape characteristic of the civil service in Cameroon. The lengthy process involved in the adjudication of cases in the courts of law, the centralisation of political power, rule by decree and a multiplicity of law enforcement regimes as flaws in state-based structures to effective and sustainable conflict transformation were discussed in the study. These lengthy processes and centralisation of power have also led to significantly higher costs incurred by community members.

To further compound matters, it was further revealed that the civil service in the study area was largely dominated by employees from the French sub-system even though *Bakweri* communities are predominantly English-speaking. At times, French-speaking judges, for instance, delivered judgments in French. There are calls for the state to harmonise all academic programmes in the country's state universities. This has led to concerns among community members that these are attempts by the French-dominated state to undermine and eradicate Anglophone identity and heritage. The absence of culturally-relevant state-based mechanisms is not a sustainable approach to contemporary conflict transformation within the study area.

Another limitation of state-based structures identified in the study is the personalised and nepotistic nature of the civil service in the study area. The study explored how government officials abuse power and state resources and generally exude an aura of arrogance and self-importance at the detriment of those whom they are supposed to serve. This is further compounded by the fact that state-based structures were generally characterised by underequipped infrastructure resulting in low morale and corruption in the civil service. Inadequate police stations, the absence of DNA testing equipment, computers and lack of internet connection were common scenes in almost all government offices in the study area. It was also revealed that the low salaries of government officials usually translate into widespread corruption in the civil service and the surest means of obtaining prompt services was through bribery. These underpaid government officials, generally extorted bribes from people they are supposed to be serving, resulting in widespread disgruntlement among

community members. State-based structures have thus become inefficient mechanisms in the sustainable transformation of conflicts within the study area.

In conclusion, it is important to note that the *Bakweri* people of the South West Region of Cameroon have a rich history of indigenous knowledge systems which they have used in the past to transform conflicts. Cults such as the *Nganya*, the *Liengu*, the *Malay* along with its renowned elephant dance, have been instrumental in the maintenance of social peace and harmony within *Bakweri* communities. However, these IKS are withering away as they have been marginalised by the state in the search for sustainable solutions to transforming contemporary community conflicts. As Logan (2008:iii) maintains, “traditionalists regard Africa’s traditional chiefs and elders as the true representatives of their people, accessible, respected, and legitimate, and therefore, still essential to politics on the continent”. “Modernists,” by contrast, view traditional authority as a gerontocratic, chauvinistic, authoritarian and increasingly irrelevant form of rule that is antithetical to democracy”. However, both the *Bakweri* chieftaincy and state-based institutions have a dismal performance with regard to the transformation of contemporary conflicts within the study area. This has created a tense situation of structural violence which risks escalating into violent conflicts if not timeously addressed. However, it will be erroneous to mistake the weaknesses of chiefs as individuals for the irrelevance of the chieftaincy as an institution. It holds great potential for the protection and promotion of culture, as well as for the sustainable transformation of contemporary conflicts. This is evident across numerous parts of Cameroon such as in the North West Region and the Grand North Regions

of the country where the people have been able to retain their powerful chiefdoms. Besides, traditional leaders across Africa generally command more respect among the wide majority of people than among politicians.

However, there seems to be an increasing trend for Africa's IKS to be overshadowed by Eurocentric mechanisms in the search for sustainable solutions to conflicts. This is as discourses of modernisation have overtaken contemporary debates and dismissed AIKS as too primitive and archaic to have any relevant solution to contemporary conflicts. Even though AIKS have several limitations in terms of transforming contemporary conflicts, Eurocentric mechanisms have not offered sustainable solutions to the continent's numerous conflicts. It is for this reason that Afrocentric paradigms such as endogenous development and postcolonial theory advocate for a reassertion of AIKS as a key variable for sustainable conflict transformation on the continent. However, bearing in mind the fact that AIKS are not a panacea for the transformation of all types of contemporary conflicts, a more relevant approach should be an integral paradigm which recognises that one knowledge system should not be subservient to another. That notwithstanding, AIKS should be taken as a point of departure.

7.2 RECOMMENDATIONS

Based on the findings and conclusions drawn from the study, the following recommendations are advanced:

- It is imperative for the appointment of chiefs to be the exclusive jurisdiction of the concerned villages and relevant *Bakweri* traditional

authorities. This will give local chiefs, the flexible provision to discharge their duties without fear or favour as they will no longer be hired or fired by politicians. This will also ensure that chiefs are not left at the mercy of government officials. If this is done, it will assist in reducing collusion and the subsequent corruption between traditional authorities and the state.

- It is important for local community members to perceive the chieftaincy as a sacred institution instrumental in maintaining peace and unity. In order to achieve this, *Bakweri* chiefs need to revisit their ethical practices with specific reference to the sale of land surrendered by the CDC and rent-seeking in the chieftaincy. Review processes could be in the form of workshops featuring eminent intellectuals and elites within *Bakweri* communities. These should be targeted at reforming local chiefs and changing negative perceptions of community members regarding the institution.
- There is a need for the *Bakweri* chieftaincy to be more reflective of the challenges of contemporary times. In order to do this, there is a need for *Bakweri* chiefs to surround themselves not just with individuals who are conversant with customary law, but also with people who are well versed with the complex structures, processes and issues of the contemporary world. These are issues related to knowledge of common law and information communication technologies. This will go a long way in ensuring that the institution becomes relevant to the current generation of youths.
- Given the heterogeneous nature of *Bakweri* communities, the chieftaincy has to focus on building a more cohesive society not just based on

customary law but also on common law. This institution should reflect the diversity of the society and serve as a key component of decentralisation. It needs to incorporate educated leaders capacitated with the powers to handle criminal cases and mete out judgments through restorative justice, taking into special consideration, the rights of women. The state needs to capacitate the chieftaincy to handle not just civil cases, but also criminal cases. In order for this to happen, the government needs to enact legislation that grants a new role for traditional authorities and empower them as a critical institution of local government and not merely as puppets of the state administration.

- The government needs to recognise and preserve the IKS of *Bakweri* communities in particular, and English-speaking communities as a whole. There is a need to promote Anglophone heritage and to recognise the equal status of English and French rather than pushing for the French bureaucratic system to dominate even in English-speaking communities. This will go a long way in forestalling violent conflicts through the upsurge of secessionist movements such as the SCNC.
- There is a need for an institutional overhaul of the entire civil service in the study area, in particular, and Cameroon as a whole. Government officials need to be held more accountable for their arrogant and apathetical work ethics through stringent monitoring and evaluation processes. This can only be possible through a commitment from senior ranking government officials from the president to cabinet ministers, to capacitate government departments with adequate infrastructure, reward public service excellence and punish dissident civil servants. These will

go a long way to foster a constructive attitudinal change in the public service and build trust and confidence in government.

7.3 CONTRIBUTION OF THE STUDY TO KNOWLEDGE PRODUCTION

The study contributes to knowledge production in the global pool of knowledge with regard to contemporary conflict transformation by advancing the theoretical premise that while it recognizes the importance of advancing Afrocentric paradigms in addressing contemporary conflicts in Africa, there is need to acknowledge that Africans live in diverse ecological and cultural environments. Under such diverse circumstances they face different life challenges including conflicts and hence develop specific knowledge systems to meet these challenges. These specific community-based knowledge systems which we categorize as Indigenous Knowledge Systems (IKS) need to be researched and shared so that they contribute to the global pool of knowledge. As already mentioned colonialism and other forms of western imperialism created a situation that Eurocentrism has dominated global knowledge and tends to universalise knowledge including experiences, practices and solutions to global issues from a western perspective. It is on the basis of this consideration that the study undertook to investigate the Indigenous Knowledge Systems the *Bakweri* People of South West Cameroon on Contemporary Conflict Transforming

Opportunities for further research are also identified in the study. There is a need to investigate why and how the North West Region of the country still

retains strong chiefdoms and functional IKS in conflict transformation whereas those of the *Bakweri* people of the South West Region are withering away.

It is also important to conduct research on the concerns raised by groups such as the SCNC and Anglophone lawyers regarding the marginalisation of the heritage of English-speaking provinces by the dominant French bureaucratic system. This appears to be one of the most potential sources of violent conflicts in the country.

Moreover, there is a need to conduct research on whether attempts at promoting IKS and the rights of indigenous people have been translated into ethnicity, racism, xenophobia and the politics of exclusion of the other. This is as world politics appears to be moving towards conservatism with the United Kingdom, for instance, voting to leave the European Union following concerns about immigration. Moreover, American president, Donald Trump, has called for a ban on all Muslims entering the United States, for a wall to be built between the United States and Mexico and for the deportation of all illegal immigrants. Even South Africa has had a fair share of xenophobic violence, especially in townships with the government launching operation *Fiela* in 2015 which saw the arrest and deportation of thousands of illegal immigrants. There is thus a need for further research to be conducted regarding whether there is a correlation between the promotion of IKS and xenophobia or intolerance.

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APPENDICES

APPENDIX ONE: ETHICAL CLEARANCE LETTER



19 January 2015

Mr Valery Buinwi Ferim (213572245)
School of Social Sciences
Howard College Campus

Dear Mr Ferim,

Protocol reference number: HSS/1636/014D

Project title: African Indigenous Knowledge Systems (AIKS) in Contemporary Conflict Transformation: A case study of the Bakweri people of the South West Region of Cameroon

Full Approval – Expedited Approval

With regards to your application for ethical clearance received on 06 December 2014. The documents submitted have been accepted by the Humanities & Social Sciences Research Ethics Committee and **FULL APPROVAL** for the protocol has been granted.

Any alteration/s to the approved research protocol i.e. Questionnaire/Interview Schedule, Informed Consent Form, Title of the Project, Location of the Study, Research Approach and Methods must be reviewed and approved through the amendment/modification prior to its implementation. In case you have further queries, please quote the above reference number.

Please note: Research data should be securely stored in the discipline/department for a period of 5 years.

The ethical clearance certificate is only valid for a period of 3 years from the date of issue. Thereafter Recertification must be applied for on an annual basis.

I take this opportunity of wishing you everything of the best with your study.

Yours faithfully

.....
Dr Shenuka Singh (Chair)

/ms

Cc Supervisor: Professor Hassan Kaya
Cc Academic Leader Research: Professor Sabine Marschall
Cc School Administrator: Mr N Memela

Humanities & Social Sciences Research Ethics Committee

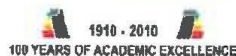
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Founding Campuses: Edgewood Howard College Medical School Pietermaritzburg Westville

APPENDIX TWO: INFORMED CONSENT FORM



INFORMED CONSENT FOR COMMUNITY KNOWLEDGE HOLDERS ON CONFLICT TRANSFORMATION AMONG BAKWERI PEOPLE – CAMEROON

Dear Participant,

My name is Valery Buinwi Ferim (213572245). I am a PhD candidate studying at the University of KwaZulu-Natal, Howard College. The title of my research is: “African Indigenous Knowledge Systems (AIKS) in Contemporary Conflict Transformation: A Case Study of the *Bakweri* people of the South West Region of Cameroon”. The aim of the study is to investigate the extent to which the indigenous knowledge systems of conflict transformation of the *Bakweri* people are relevant to contemporary conflicts in the community. I am interested in interviewing you so as to share your experiences and observations on the subject matter.

Please note that:

- The information that you provide will be used for scholarly research only.
- Your participation is entirely voluntary. You have a choice to participate, not to participate or stop participating in the research. You will not be penalized for taking such an action.
- Your views in this interview will be presented anonymously. Neither your name nor identity will be disclosed in any form in the study.
- The interview will take about one hour.
- The record as well as other items associated with the interview will be held in a password-protected file accessible only to myself and my supervisor. After a period of 5 years, in line with the rules of the university, it will be disposed by shredding and burning.
- If you agree to participate please sign the declaration attached to this statement (a separate sheet will be provided for signatures)

I can be contacted at: School of Social Sciences, University of KwaZulu-Natal, Howard College Campus, Durban. Email: ferimflint@gmail.com
Cell: +27 737 836 552

My supervisor is Prof. Hassan Kaya who is located at the Research Office of the University of KwaZulu-Natal, Westville campus. Contact details: email: kaya@ukzn.ac.za Phone number: +27 312601794

The Humanities and Social Sciences Research Ethics Committee contact details are as follows: Ms Phumelele Ximba, University of KwaZulu-Natal, Research Office, Email: ximbap@ukzn.ac.za, Phone number +27312603587.

Thank you for your contribution to this research.

APPENDIX THREE: INTERVIEW GUIDE



INTERVIEW SCHEDULE

I am a Ph.D. student in Conflict Transformation and Peace Studies in the University of KwaZulu-Natal, South Africa. I am currently doing a research project titled “African Indigenous Knowledge Systems (AIKS) in Contemporary Conflict Transformation: A Case Study of the *Bakweri* people of the South West Region of Cameroon”. This study is purely for academic purposes and thus, no harm will come to respondents from participating in this project. Your identity will remain anonymous if you desire. Also note that your participation is entirely voluntary and you are at liberty to withdraw your participation at any time you wish to do so, with or without specific reasons. Your subjective as well as objective responses to the questions below are important in the accomplishment of this study. For ease of reference, this discussion will be tape-recorded. This interview will take approximately 30 minutes.

Are there any questions about what I have just explained?

Are you willing to participate in this interview?

Interviewee

Witness

Date

Biographical information

Alias _____

1. What is your Gender?

Male	
Female	

2. What is your Age Group?

21 – 30	
31 – 40	
41 – 50	

51 – 60	
61 +	

3. What is your Marital Status?

Single	
Widowed	
Divorced	
Separated	
Married	
Cohabited	

4. What is your Educational Level?

None	
Primary Education	
Secondary Education	
Tertiary Education	
Adult Education	

5. What is your Religious Affiliation?

African	
Christian	
Muslim	
Other (specify)	

7. What is your Employment Status?

Farmer	
Teacher	
Government Employee	
Other (specify)	

B. General Questions

1. Questions on Types and Causes of Community Conflicts

- 1.1. What constitutes a conflict situation in the life of this community?
- 1.2. What are the different types of conflict which exist in the community?
- 1.3. What are the main causes of conflicts in the community?
- 1.4. How do contemporary conflict situations in your community differ from those in the old days?

2. Questions on indigenous Conflict Transformation Principles and Mechanisms

- 2.1. Who are those community members involved in handling conflicts in the community?
- 2.2. Where do they learn the knowledge and skills of handling these conflicts?
- 2.3. What indigenous mechanisms are in place to handle the different types of conflicts in the community to ensure that they do not take place again?
- 2.4. What are the advantages of utilising these indigenous mechanisms in resolving conflicts in your community?
- 2.5. What are the limitations of utilising these indigenous mechanisms in resolving community conflicts in modern times?
- 2.6. What is the perception of community members towards these indigenous mechanisms of conflict transformation?
- 2.7. How can these indigenous mechanisms of handling conflicts be improved?

3. Questions of state-centred conflict transformation mechanisms

- 3.1 What mechanisms does the government use in transforming conflicts in your community? Elaborate.
- 3.2 How accessible are these formal conflict transformation mechanisms to community members?
- 3.3 What are the advantages of these formal mechanisms to conflict transformation in your community?
- 3.4 Are there any disadvantages to these formal mechanisms to conflict transformation in your community?

4. Questions on interfacing both indigenous and modern state-centred mechanisms

4.1 In what ways can indigenous and western conflict transformation mechanisms be improved by combining them?

Thank you very much for taking your time to answer my questions.

APPENDIX FOUR: FOCUS GROUP DISCUSSION SCHEDULE



FOCUS GROUP DISCUSSION SCHEDULE

Name of community: Date:

Place of meeting: Time:

Introduction

Thank you for agreeing to participate in this focus group discussion.

The purpose of this discussion is to understand your views and experiences about the role of indigenous mechanisms and their relevance to contemporary Conflict Transformation within your community. You have been chosen to participate in this focus group discussion because you are residents of the local community which have been chosen as the case study.

Procedure:

This session will take approximately one hour. All remarks made here will remain confidential and anonymous and will not be traced to individual participants. Your honesty and specificity will be much valued as they are crucial to the success of this focus group. Please provide examples wherever and whenever necessary. Feel free to share stories and personal experiences. As facilitator, I will be asking questions to guide the discussion, but will not be participating or offering my own comments or reactions. Please refrain from repeated what others have said. Rather offer your own unique view or elaborate on what others have said. If you hear comments or ideas with which you disagree, do not hesitate to explain your own viewpoint or opposing view. The idea is to hear everyone's opinion, not necessarily to reach an agreement. There is no correct or incorrect answer. For ease of reference, this discussion will be tape-recorded. To ensure high quality transcription, it will be supportive if you speak one person at a time, and try to speak clearly and with more volume than usual so your comments are captured on tape.

Benefits:

The opinions and experiences documented in this discussion will provide empirical data on the nature and scope of conflicts within your local community. It will also generate invaluable inputs on approaches to conflict transformation and will shed light on best practice towards conflict transformation in your local community.

Confidentiality:

During the discussions and recordings, you will be allowed to use aliases if you desire to remain anonymous. All recordings and transcripts will only contain the names that you chose during the discussions. Your anonymity will be observed and respected through all stages of this research.

Compensation:

You will not be compensated for participating in this study. Light refreshments may be provided to “break the ice” if the need arises.

Freedom to Withdraw:

You are free to withdraw from the discussion at any point in time without being prejudiced by the researcher.

Consent:

If you have understood the contents of this document and wish to participate in this study, kindly fill in your initials, signature and date at the spaces provided below. You will be provided with a copy of this form.

Initials and Signatures of respondents:

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Date: _____

APPENDIX FIVE: SAMPLE OF INTERVIEW TRANSCRIPT

NB: 1 is for interviewer and 2 for respondent.

1: No harm will come to you as a result of your participation in this research. This research is being used mainly for academic reasons. Just in case you need to follow up, all the contact details of myself, my supervisor and the higher degrees committee are all on this form. This research has also obtained ethical clearance from the university of KwaZul-Natal. Let me not waste your time. Let's go straight to questions on this form. I have a checklist here that we will go through. Let me just say Respondent One. Gender? Male of course?

2. Yes

1. These days you have countries where there is bisexual, male, female, transgender but these are not allowed in Cameroon.

2. yeah, it's not allowed.

1. What is your age?

2. 27th July 1956

1. Marital status?

2. Married with children.

1. Your educational level? Primary, secondary, tertiary or adult education?

2. Primary.

1. Religious affiliation?

2. Christian.

1. Even though it is possible to be both an African and a Christian, hahaha!

Your employment status?

2. I work with the Ministry of Justice.

1. Currently?

2. Retired but I still work as part time.

1. Still with the ministry of Justice?

2. Yes, ENAP part time. That is the School of Penitentiary Education.

1. Ok. Now we are going to go through these questions. What constitutes conflict in the life of your community? This community is basically called Soppo. What are the different kinds of conflict that exist in Great Soppo?

2. We have – one of the common ones is divorce.

1. OK. Just list them.

2. Quarrelling, land matters, some issues like for example if I give you something, deed of trust, and you fail. Betray someone's trust. I think those are the simplest issues in the community.

1. Are the conflicts that exist today different from those that used to exist in the past say 20 years ago or has conflict changed over time? E.g. quarrelling and land matters, are they still the same today?

2. There are almost the same but with a bit of difference. What I mean is that the native laws and customs are not really applied again because we have now the Brigades and all those kinds of things. People trans pass to go to the Brigade without going to see the chief of the community.

1. Ok. But in terms of conflict itself, before we go to the procedures, are there the same things that used to happen or are there new forms of conflict e.g. corruption, cyber-crimes, are those things common in your community?

2. There are very common. What has stopped is the stray of animals going into people's farms. Like we used to have a village a fence and people were assigned to take care of the fence. That is to tie it up so that animals don't go to other people's farms. Now when an animal trans passes and destroys, e.g. a pig, the animal is killed then carried to the chief's compound. Then the person who has the animal has to take part. The person who has killed the animal also has to take part. The person who's area of the fence the animal has passed has to be punished for not taking care but those things they no longer exist.

1. What about witchcraft?

2. Witchcraft is something that depends on the region. It originates from men. You know wickedness too is part of witchcraft.

1. Ok.

2. Those are the things that in those days we had our herbs. When they say you have witchcraft, they will go look for those hers, the village will be seated. They will squeeze those herbs and then you will drink. When you vomit, it means you are free. If you drink then your stomach swell, you do not vomit instead, you purge, they will then go and hang you up.

1. So those things don't exist anymore?

2. No they no longer exist because the law within the community has a limit now and people's powers to judge and kill are no longer there. There are courts now, but not even the Court of First Instance. Supreme Court or High Court

judge must take a decision. Those are the only Courts that can say kill and you can go on appeal.

1. Who are the community members who are involved in handling conflicts in the community?

2. By virtue of what we call the organigram of the community, we have the Quarter and Chiefs. There is a difference between the Council and Judicial Council. You have a Quarter Council but there is a small community set aside to look into matters. For example if in judging a case of divorce, I will not take a person who has not been married. Traditionally, we do not take people who are not married. We need people with experience. But in court, you can meet a magistrate who is a bachelor or a spinster and will still try your matter. But locally we don't do that because we need your experience

1. Ok. So basically within the community, those are the structures that are in place?

2. Yes. Quarter heads and chiefs. Quarter heads try simple matters for example, if there is quarrelling or house rents, trespasses, you go to the Quarter head. If the Quarter head is unable to solve your matter, you can go to the Chief.

1. So the highest structure is the chief?

2. Yes, the chief who works together with the DO

1 How many chiefs are there in Great Soppo?

2. One and thirteen Quarter heads.

1. These people who resolve these conflicts, where do they learn the skills in handling these conflicts?

2. I like that question. The question is like when you go to the Court of First Instance, you can meet the magistrate who refuses to hear your matter because he is taking sides. Likewise too, in the quarter, being a quarter head does not give you the knowledge of procedures of matters or cases. So the *Bakweri* man has the choice of choosing where he has to go. For example, a women can divorce in Great Soppo and go to Ekona Lelu to sue the husband to come take his dowry. So the issue of divorce was in Great Soppo but the issue of taking the dowry was refunded in Ekona Lelu. So jurisdiction of issues does not matter to the *Bakweri* man. But in the Court of First Instance in Buea, for example if someone stole plantains in Buea, you cannot go and judge him in

Tiko. They will say the jurisdiction of the crime is in Buea. But with the *Bakweri* man, you can go anywhere of your choice. So the *Bakweri* man within the community for example you can be in Quarter 12 and you come and due your matter here, it will go. It's your choice but you cannot make an appeal in another Quarter. It has to go to the chief. You cannot leave the Court of First Instance with the same matter then you go to Tiko. You must go to a higher court if at all you are not satisfied.

1. How are the Quarter heads appointed?

2. They are appointed by the chief.

1. Is it based on seniority, skill or is it up to the jurisdiction of the chief? Are there any criteria?

2. There are criteria, the chief cannot appoint a drunkard, the chief cannot appoint a chief, the chief cannot appoint a *banga* (marijuana) smoker. You must have a good standing. You must be well known in the community and the community must also love you, otherwise when you call them for a meeting, they might not even come. You must be helpful to your community. Don't be too proud. You must be able to also judge cases fairly. You see a lady coming inside here. This lady was because of 1000FCFA, they nearly fought. Instead of the lady returning the money that she was given to plait a child, she took the money and ate it and was insulting the women. All attempts of taking back the money were in vain. So they had to approach my territory.

1. That is the betrayal of trust that you were talking about earlier.

2. Yes, that is right. I insisted that the money must be paid today and I had to remain with her phone so she should go and look for this money. That is the money in front of you. She tested the phone in front of you and I gave here back her phone. So that is how we operate on minor issues.

1. Ok. Are there any advantages of using these local structures, indigenous mechanisms in resolving conflicts within your community? Are they advantages of going to the Quarter head of chieftaincy?

2. When I say Quarter heads are the arms of the chief, that is to reduce his work. If you take Great Soppo with 22.000 inhabitants and maybe 1000 people have matters within the chief, we will be unable to solve the problem. So if the matters are within the Quarters, it reduces the work of the chief. If the person is not satisfied he could go up.

1. So it's some sort of decentralization and it can solve matters speedily.

2. Yes.

1. So do people prefer going to these structures or going to court?

2. Sometimes if you go to court, they will send you back. If you start at the State Counsel or gendarmerie or DO, they will ask if the village has tried this matter before.

1. Ok. So the preference is for you to start at the local level but there are obviously more complex cases that go to the courts straight.

2. Very, very. We have cases that are above local level. We do not try criminal matters though sometimes we do. For example if a boy steals a banana in a farm, it's criminal though the case is not so strong. We can try it at the village, the problem is paying for that banana three times what he would have paid if he sold it at the market and then stop him from doing all those types of nonsense.

1. So it's about correction?

2. That's right.

1. What are the perceptions of the community members about these indigenous structures?

2. It's ok for them, you know. You think if there is an election today in this village, I will have 100 per cent? I am sure some people here today lost their cases and they hate me for that, hahaha.

1. That's true. But just for the fact that they keep on using these structures means they appreciate.

2. Yes, it calms down the atmosphere.

1. Are there any problems say with the utilization of these indigenous structures as far as resolving conflicts is concerned?

2. There are some colleagues who are not good in solving matters. They try but! You see, when you try a matter, try to look at the important matters. Give chances for cross examination, give chances for statements. What I am trying to say is intimidation. Maybe you forgot to. It's like that person only came to listen to you or the verdict which is bad by human rights. Give chance for someone to air out and ask him a few questions so that by the time they say it does not favour you, you yourself know where you went wrong. By the time the time you go to court, the examining magistrate will say I tried and picked one of

two points in my verdict and I will be proud. More especially the set-up of my work.

1. What I want to find out is what are those problems? Is it that some of the people are not well-equipped with solving matters?

2. That is right. If they go to the chief, their rulings are off set. But when you see a ruling that goes to the chief, maybe instead of 10.000FCFA, they have to put 5.000 on top, it means I was good. I did something good.

1. Ok. Besides the people who are not well equipped, are there any other problems that you think these structures are facing?

2. Yah. They are facing some challenges. It is like a mockery when the chief changes their decisions. It means you did not know, you are not mature. What we are trying to do is to call all Quarter heads let us be together and learn one common system so that Great Soppo is one. I am not proud to be better than my colleagues that way.

1. What about things like funding? Do you get any funding to run these Quarters?

2. Not actually. Like you see, as a budget from the Council? No. You budget yourself, you know how to play your cards. Certain fees are fines.

1. So how are the Quarters run financially?

2. There a fines, sometimes contribution from the community members. That is why I said the Council must have mature people. Like when you talk to someone in the community to contribute, give sweet talk then you will get something. You don't just talk to someone rudely.

1. Ok. So you don't get any grants from the state?

2. No. It's only the chief who has a salary from the state if he is not a civil servant as per category of his rank. Maybe he is a first class, second class or third class.

1. So the chief has a salary but the palace does not send any grants to the Quarters?

2. No, they don't. Sometimes they give what is called incentives for cleanliness or the way he handles his Quarter. The chief might say this Quarter is good and gives them maybe 30.000FCFA and a diploma (award certificate) so that other Quarters can also do the same.

1. Since you are more versed with the indigenous structures, let's just quickly run through this other section. What mechanisms does the government use to resolve conflict in your community?

2. We have the brigades whether they are police or gendarmes, DO customary courts which is equivalent to the Court of First Instance, the Court of Appeal, High Courts, State Counsel office for convocations.

1. Do people also choose any of these structures?

2. Yes they do. Sometimes they blame them. What you are taking your friend up there is too small. When they bring the convocations here for me to go out and give, I call the two people back and ask the complainant do you accept me to try the matter between A and B, if the complainant says yes, I withdraw the disc and if the matter goes well they will not go up. If it does not go well according to his taste, he has the right to continue.

1. So these state mechanisms, the police, courts of law, etc, are they accessible to the community members?

2. Not actually as you think. You see corruption is everywhere. You see sometimes if you go to the police, somebody is owing you 150.000FCFA and the money is paid there, you hardly get the totality of that money back. Maybe the person is not willing to take a token, what I have done for you is good and maybe comes with a whisky than him to say I have worked for you so I have to take 25.000FCFA and you will take the balance because had it not been for me, you won't have got your money. Sometimes, after the bribe, they will put you in a cell to discredit you and come back to form a story. So that is some of the disadvantages of the government. Because the police have cell, they have the power no looking at the crime. Us here we say first to complain has the advantage.

1. Are there any advantages of using the government?

2. There are. Sometimes when a driver causes an accident then he disappears, it is for his safety. You go an meet him in a cell otherwise the community can use the jungle justice and hang him. Sometimes I also lock people in my parlour until I call the police to come and seize them so that the population does not attack. So we do something with a bit of knowledge and we are appreciated by the government.

1. So both the indigenous mechanisms and the state, do they work hand in hand?

2. Exactly.

1. Are there any possible ways to combine the two as a means of improving them or are they already combined, both state and indigenous?

2. They are combined because we don't use jungle justice. If we use jungle justice, it means we have taken our decision and maybe that person is no longer alive. The government comes to say take him to the mortuary. No civilian will take the person to the mortuary because you will be questioned where you got this person from. So the police can do it not the civilian. So like me, when issues of either a thief comes here, no person has a right to touch that individual again. If you wanted to do it, do it where you were. Before me, I will not accept. Sometimes when you carry people here beaten by civilians, police refuse to take them that they must be treated first because they might die in police custody. So you carry the problem of treating him, either you take him to the hospital or treat the wound.

1. So there is that collaboration?

2. Yes there is that collaboration.

1. Are there any areas which need improvement?

2. Yes there are areas which need improvement because sometimes the population is above me, then I call the forces of law involvement. They don't come in time. I don't know whether we lack so many vehicles or elements. It is not me to recruit. We say that let them recruit. So many elements, the brigade should have many people working for them. If you go to these brigades on weekends, it's just two gendarmes or three. It is not proper.

1. Those are all my questions. Thank you very much for taking your time to participate in this study.

APPENDIX SIX: SAMPLE OF LAND CONFLICT RESOLUTION CASE

REPUBLIQUE DU CAMEROUN
PAIX-TRAVAIL-PATRIE

MINISTERE DE L'ADMINISTRATION TERRITORIALE
ET DE LA DECENTRALISATION

REGION DU SUD-OUEST

DEPARTEMENT DU FAKO

SOUS-PREFECTURE DE BUEA

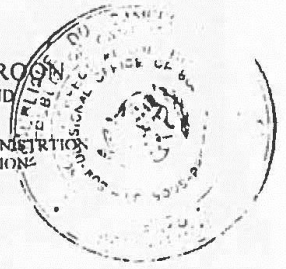
REPUBLIC OF CAMEROON
PEACE-WORK-FATHERLAND

MINISTRY OF TERRITORIAL ADMINISTRATION
AND DECENTRALISATION

SOUTH WEST REGION

FAKO DIVISION

SUB-DIVISIONAL OFFICE BUEA



Buea, the 28 JAN 2009
Le

Ref. No. : G.37/04/F.2/1/S.1/E7/C9

Subject:.....
Objet

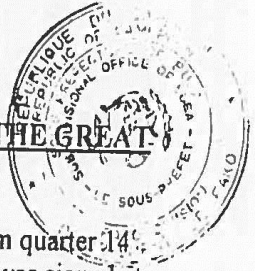
The Divisional Officer
Le Sous-Prefet

To M.....
A

**SETTLEMENT OF LAND DISPUTE BETWEEN
MRS [REDACTED]
AND
MR [REDACTED]
ALL OF BAKWERI TOWN GREAT SOPPO BUEA SUB DIVISION**

Reference to letter No.PRB13/W/49.1123 dated 19th February 2008 from the State Counsel Buea in connection with land matter between Mrs [REDACTED] (plaintiff) and Mr [REDACTED] (Defendant) all of Great Soppo Buea, situated at Yangamia Bulu and measuring 30 meters by 30 meters.

After carefully studied the entire file, we can say without prejudice that the document signed on the 10th March 2006 appear to be fake, therefore null and void because there's no evidence to identify the law enforcement officers stated in the said document nor identify their office department. The land is neither located nor identified. The plaintiff's signature on the document is quite different and leave the impressions that she was under pressure. It's deplorable for our young nation to have such elements amongst the forces of law because the plaintiff clearly declare that the document were signed at the Gendarmerie Post can a Gendarmerie post functioned without even official seal? Do the gendarmerie office competent in land matters? The doubt expressed by this office derive from the foregoing analysis.



ANALYSIS FROM QUARTER 14 GREAT SOPPO AND THE GREAT SOPPO CHIEFDOM RESPECTIVELY

1. **QUARTER 14 GREAT SOPPO:** following analysis from quarter 14 council Great Soppo the document dated 10th March 2006 was signed at un-identified Gendarmerie Post and the two witnesses signed later-on at the defendant's residence.

From the foregoing we find this document null and void as regards the matter at hand (quote)

Mindful of

- The human right's declaration for every Cameroonian to settle wherever it deems appropriate and our national policy of integration.
- Blind persons on the high way as well as illiterates to documents.
- This matter under review is hereby channeled to the Chief's Palace for a more critical examination and eventual ruling. (Signed 17th June 2006)

2. ANALYSIS OF THE GREAT SOPPO CHIEFDOM

From the declarations of the parties and their witnesses we came out with the following:

- The plaintiff had been farming for over 17 years with permission from the land lady (██████████) with the full knowledge of defendant who even introduced her to the farm.
- The defendant was only a dependant of the landlady and could not lay claim to any of her property except he was granted authority by her. In this case he has no such authority.
- That the land was eventually sold to plaintiff by her land lady at 300.000 frs (three hundred thousand francs CFA)
- The defendant started agitating only after the land lady ██████████ died because he felt he was the inheritor. Unfortunately it wasn't the way he taught not even the letter of administration he presented pertained to ██████████'s property more especially the land in question.

With the aforementioned points it's clear that the land in dispute rightfully belongs to plaintiff. (signed HRH ██████████ 29th October 2007).

Parties were invited at the Divisional Office Buca on the 27th March 2008 at 10.a.m, defendant failed to come. Convocations were issued for May 7th 2008 at 10 a.m. Both parties responded with the following witnesses:

- Madam [REDACTED] (Plaintiff)
- Mr [REDACTED] (Defendant)
- [REDACTED] (Chief's Representative)
- [REDACTED] (Quarter 14's representative)
- [REDACTED] (elder in town)



The meeting started at 10:30 a.m. precisely under the chairmanship of the Assistant Divisional Officer Buca. A word of prayer from the Chief's representative followed by a word of welcome by the ADO.

Mrs [REDACTED] (plaintiff)

I have been chase away from my farm situated at Yamgamia Bulu by Mr [REDACTED]. Not only he harvested the crops. I had in my farm but also took me to the Gendarmerie were I was tortured and forcefully signed a document without knowing the content. First of all I am an illiterate, I never go to school, I don't read neither write.

The case has been in Great Soppo Chiefdom and the decision was in my favour. Since : Mr [REDACTED] has been threatening my life and the children, keep on putting notices on my farm indicating "this land is not for sale, Name [REDACTED] Tel. 74 15 92 50".

He is not ready to respect the terms of the Great Soppo village council's decision dated 29 October 2007. He never make an appeal to challenge the decision. I am beseeching the almighty God to pour his blessings onto the authorities of this command unit so that the decision should be respected by either defendant or whosoever.

Mr [REDACTED] (Defendant)

Madame [REDACTED] handed over to me my land she was farming so I don't have anything to do with her. I acknowledge the fact that the lady had been farming for Mama [REDACTED] but she was just my caretaker of the land since I was then a child.

ADO's Question to plaintiff

Question: Madam are you an illiterate?

Answer : Yes I cannot read nor write

Question: When did you note that you cannot work in that farm?

Ans: He put notices on the land. So I called on a student to come and read on my behave. I even remove one of the notices to take as evidence for his complain to the Great Soppo Village council



ADO's Question to Defendant

Question: Where were you at the time Mama Tiko Mokake give this farm to Madam Etoh Julie and then later-on sale it to her?

Ans. I was around but a kid by then.

Question: You say Mama Tiko was your caretaker; who was the caretaker of your caretaker?

Ans. My grand-father; so Mr DO you want this woman to own my land?

Question: Are you and orphan?

Ans Of course Mama Tiko is no more

Question: When did you own that land?

Ans: After the death of Mama Tiko

Question What is the situation now?

Ans I am farming there.

Question: So you harvested this woman's crops and then started farming on the land? From now henceforth you would not carryout any farming on the land and this woman should harvest what you have planted also.

REMARKS

Mr [REDACTED] was born on the 9th August 1950 which make him 59 years by now. A man born in 1950 declare himself to be a kid under someone's care in such a way that his purported caretaker gave out for rentage his farm land for up to 17 years then sale it without any challenge.

It is only after the defendant's caretaker's death that he started agitating. Madam [REDACTED]'s signature onc the fake document signed at the Gendarmerie post in quite different and give the impressions that she did it under pressure as stated in her complain

The Gendarmerie Brigade is incompetent in land matters.

CONCLUSION

The statement of acknowledgment signed by Mr [REDACTED] (who is presently bed ridden) dated 9th June 2006 is acceptable as evidence where as the temporal receipt dated 16th March 2004 presented by plaintiff and signed amongst other by Mr [REDACTED] Representing the land lady.

MINDFUL of :

- The number of years (17) Madam [REDACTED] has been farming on the piece of land;
- Temporal receipts amounting to 300.000 FCFA (three Hundred thousand francs CFA)
- Paragraphs (3) and (5) of decision dated 29th October 2007 from HRH [REDACTED] chief-in-council at the Great Soppo Village council.

HEREBY DECIDES AS FOLLOWS:

1. It has been establish beyond reasonable doubt that the rightful owner of this piece of land is Madam [REDACTED] (Plaintiff)
2. Therefore Mr [REDACTED] (defendant) should desist fortu with having any confrontation with the plaintiff over this piece of land.
3. The land is henceforth plaintiff's. Defendant should abstain from going into the piece of land for any reason whatsoever.

SECRETARY

[Handwritten signature]

CHAIRMAN

[Handwritten signature]
DANSIAMA DEPTER
BUEA
[Handwritten signature]
Kouimo Simon
Administrateur Civil Principal

28 JAN 2009