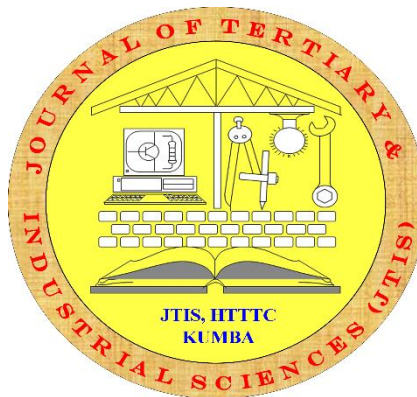


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## Land Surrender and Post-Surrender Problems in Buea Sub-Division: The Case of Muea Court Area

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### Abstract

Land issue that began originated from the German colonial period in Cameroon was succeeded by the post-colonial state with significant ramifications on the inhabitants of Buea sub -division in diverse ways. The local inhabitants and victims of colonial land appropriation and grabbing, had developed a sense of nostalgia about their land and this pushed them to galvanize themselves together in order to mount pressure on the government and the CDC to retrocede some parcels of the land to them. This has resulted in partial surrender of the disputed lands to some identified villages in Buea sub-division including Muea and its environs. The central objective of the paper is to examine the rationale of the land surrender, the processes of land surrender and the problems associated with land surrender and resultant impacts it has created over time. The paper contends that land surrender has created social and political problems of significant dimension that are still negatively affecting the people of Muea Court Area today. The paper followed a mixed research methodology to mine the sources for the study. In this regard, primary and secondary data for the study were exploited in the Buea National archives, the university of Buea library and other private libraries and research centres in Cameroon. In these research centres or venues, I consulted books, articles in journal, magazines and petitions written by parties were consulted. These were complemented by oral interviews conducted randomly with resource persons in the area of study.

**Keywords:** Land Surrender, Muea Court Area, German Rule, Appropriation, CDC, retrocede.

### 1. Introduction

What has historically become known as the “Bakweri Land Problem” could be traced to the period of German colonial administration from 1884 to 1916, through the British and French Mandate/Trusteeship periods. Colonial activities in Cameroon orchestrated incessant demand for land for different land uses especially the opening up of plantations in various areas, notably, in the former Victoria Division of German Cameroon (Epale, 1985; Mbapndah, 2011; Nkome, 2021; Eno and Fombe, 2016). They acquired land through the following methods: outright appropriation, which entailed the use of force to dislodge the local inhabitants from their ancestral land and fraudulent purchase. Irrespective of the method used, the impact was far reaching on the indigenes as they became landless and often predisposed to various land use conflicts. The impact created by German land expropriation policies raged till the end of German administration and the beginning of British and French Mandate in Cameroon.

According to a 19<sup>th</sup> century colonial source, the German expropriated about 250 hectares of fertile lands from the Bakweri who traditionally occupied Buea and surrounding communities in present-day Fako Division alone and later converted the lands into large commercial plantations (Rudin, 1938; Epale, 1985; the BLCC 1994/2000; Mbapndah, 2011).

By the 1920s, the British had taken over the administration of Cameroon and re-appropriated the former German plantations as war booty and by powers conferred upon

Britain, she decided to auction the plantations in 1924. Auctioning the plantations without the consent of the dispossessed communities meant that the British had continued the policies of its predecessor, Germany, by tightening up expropriation policies and further reinforcing the notion of colonial land grabbing in Cameroon.

Faced with this situation, pressure and resistance developed among the masses and it continued to accumulate overtime as their demand for land began to increase vividly as a result of population expansion in the villages. This was partially triggered by the influx of migrants into regions from the hinterlands of Cameroon. These immigrants started to compete for land use in native occupied settlements and farmland, thereby creating tension between them. Indeed, other land uses made the demand for land particularly intense and competitive among the locales. The need to repossess their land back, spurred the indigenes to write several petitions to the colonial authorities asking for partial or total land surrender.

Regrettably, in spite of the petitions filed by some Bakweri villages through their chiefs to the British colonial authorities and the United Nations Visiting Missions, these however, fell on deaf ears as the situation remained practically unchanged. The seemingly indifferent nature of the British colonial authorities emboldened the dispossessed village groups in Buea and environs to remain determined to fight to recover their lands and therefore petitions were used as a catalyst through which colonial land appropriation was radically attacked.

The Cameroon Development Corporation (CDC) was formed following three ordinances passed by the Nigerian Legislature in November 1946, in accordance with the Ex-Enemy Lands (Cameroons), Ordinance No. 38 of 1946 (File No. Ba/1948/3). The ordinance approved the sum of 850.000 pounds for the purchase of the ex-German plantations from the Custodian of the Enemy Property. The ordinance also authorized the Governor to lease all or any part of these lands to the CDC on an annual rental basis for a period of thirty-five (35) years. From the texts of its creation, it seems clear that British influence on strengthening her grip, exploitation and possible appropriation was already well calculated and set in motion. Two other ordinances nailed the deal creating the CDC and giving it a legal status. These included, the Cameroon Development Corporation Ordinance (CDC) No. 39 of 1946 and Ex-enemy lands (Likomba Estate), Ordinance No. 22 of 1947 which provided for the functioning of the corporation (Ngoh, 1995). These ordinances led to the creation of the CDC in December 1946 and it went operational on January 1<sup>st</sup>, 1947 (Ardener *et al.*, 1996).

The formation of the CDC without taking into account the historical grievances of the Bakweri and neighbouring groups of people who were victims of German land expropriation caused the Bakweri to become increasingly militant in their demand. This gradually popularized their stance towards recovering their ancestral lands. As a consequence of this grievances, the Bakweri Land Committee was formed in 1946. The aim was to press for the recovery of the Bakweri land from the colonial and later the post-colonial state, through peaceful means. In spite of their mobilized actions, the British and French trusteeship administration came to an end without the land problem being resolved (Nkome, 2021). This led the post-colonial state to inherit the very land problem. As the problem remained unresolved, the BLCC continued seeking redress to the problem but without any satisfactory results. In the belief that the post-colonial state was unwilling to redress the land issue with the BLCC, that was mandated to represent the

victims of colonial land expropriation, they were spurred to adopt a legal approach at the national and regional levels. The BLCC, thus engaged in a heated legal contest with the government of Cameroon over ownership rights of the CDC lands (BLCC Report, 1994/2005; Nkome, 2021). This legal confrontation ensued because the government failed to enter into meaningful discussions with the aggrieved groups of people in order to resolve the problem. This caused the problem to protract for so many years without justice rendered to the BLCC. After costly legal battles at the Human Rights court in Banjul, The Gambia, the government in the face of the confrontation with the BLCC, decided to adopt hypocritical selective approach called the 'land surrender' without literally involving the BLCC in the process.

By land surrender, connotes a situation where selected Bakweri villages were considered as immediate and future beneficiaries of some parcels of the CDC surrendered or would-be surrendered land, formerly or currently managed by the CDC. When land surrender began, many complaints arose from among the local populations to whom land was meant. This created a situation of inequality due to administrative lapses leading to hyper corruption and systemic administrative highhandedness in the processes. All these have had a considerable negative effect on the people. The paper consists of four parts which addresses the following sub themes: the historical synopsis of land surrender, the conceptual clarification, land surrender in Muea Court Area and lastly, the role of stakeholders and post-land surrender problems in Muea Court Area (MCR) and impact.

## **2. Materials and Methods**

### **Brief Description of the Study Locale**

Buea municipality is one of the largest and fastest developing sub-divisions in Fako division of Cameroon. The municipality which plays host to several important administrative and educational establishments since the German colonial period. It is situated between longitude 9°16 E and longitude 4° 9'N (Ekane *et al.*, 2018). The area is bounded to the north by Buea, to the East and South East by Muyuka Sub-Division, to the West by West Coast Sub-Division, to the south West Limbe I and II sub-divisions and to the south west by Tiko Sub-Division. The town also shares boundaries with other towns like Muyuka to the South East, to the East and West, Idenau and to the South West, Tiko. The area enjoys an equatorial and montane climate which favour moderate temperature, with a slight seasonal variation in the wet and dry seasons (Ekane *et al.*, 2018). The economy of Buea is moderate with the following: agriculture, tourism, administrative, business, educational and financial sectors taking the central stage of the town.

As far as the relief is concerned, the area is characterized by volcanic cones, dry valleys and gentle low lands with rocks and gravels found in many parts of the division due to past volcanic activities. The volcanic activities have left imprints on the soil texture of the area and this has created a positive impact on soil types. Broadly, the soil types consist of basalts which were formed as a result of volcanic activities in the area. These soils have been weathered and partly covered by more recent deposits; consequently, the soils are black in colour and this favour the growing of various crops.

According to the Population and Housing Census results of 2005, the population of Buea municipality was estimated at about 131, 325 people of whom two-third (2/3) live in urban and semi-urban areas of Buea, Muea, Tiko, Mutengene, Ekona, and Muyuka, for

example; while the rest of the population live in villages. The settlement pattern of Buea municipality has long been influenced by colonialism especially with the establishment of plantations there in the 19<sup>th</sup> century. The settlement was dictated by colonial influence and recent urbanization, thereby forming clustered settlement at the CDC plantation camps and linear settlements along major road axis (Epale 1985; Ardener and Warmington, 1960; Rudin 1938; Nkome, 2021; BLCC, 1994/2000).

The original inhabitants or indigenous people in the area include: the Bakweri, Bamboko, Balondo, and Bakolle. Since the 19<sup>th</sup> century, alien Cameroonian groups from different regions of the country have been living peacefully with locals. Other foreigners, mainly comprise of Nigerians (Igbos, Ijaws and Ibiobio, Beninese) are also living in the major towns, notably, Buea, Tiko, Muyuka, and Muea (Nkome, 2024). There is a noticeable expansion of the population in almost all the villages in the area due to natural increase and immigration.

The main economic activity here is agriculture, with the CDC employing a sizeable portion of the labour force which is largely composed of people from the Bamenda grassfields. Since 1998, the area has been witnessing a sharp increase in population growth and urbanization due to presence of the university of Buea, other professional higher institutions of learning and more importantly the availability of the CDC surrendered lands. It should be reiterated here that the availability of lands has acted as a pull factor in the sense that many people (both indigenes and non-indigenes) have taken advantage of the available land to invest in real estate business in the municipality. However, demand for more land and the resultant land uses have often led to diverse conflicts in the area in recent years. Some authors like Eno et al (2016) have blamed this phenomenon on immigrants and government policies for orchestrating these conflicts for various reasons. The land surrender scheme in Buea sub division in particular and Fako division in general has been a mixed blessing for the people for various reasons.

### **Data Collection Strategies**

The study relied on the mixed – research approach, but in its practical and structural scope, it deplored the historical approach to mine the sources for the study. The study utilized both the primary and secondary sources. The primary data consists of oral interview, oral histories and archival data. The archival data were obtained from the national archives in Buea, the Presbyterian archives at the Synod Office in Buea as well as other private libraries and websites. The sources gotten from the national archives for example proved useful and were largely files on German and British colonial period in Cameroon. These files had information about early colonial activities in Cameroon like land expropriation, the various German plantation companies and the hectares they acquired, indigenous resistances as well as other facets of colonial relations up to post-colonial period.

Also important here are petitions written by the BLCC which contains useful information about the origins of the land problem and the complexities that poor management has caused to this date to the people. Secondary data was also gotten from libraries where books, journals and newspapers were exploited. Only works related to the topic were exploited and used in the study. The materials mined were both published and unpublished in nature but pertained to the study. The availability of these sources made the author to critically analyse the intricacies that accompany colonial, and post-colonial

land appropriation policies in Fako Division, especially the question of land surrender that has had severe repercussions on the local people over time.

The data collected were relevant by comparing and cross checking of facts and issues through simple narration, description and content analysis of issues. This brought clarity and new perspectives on issues that had doubts or lack sufficient clarification of either dates or other material issues in time and space. In spite of the diverse issues under study, it utilized the chronological and thematic approach in presenting its findings and this necessitated the use of quantitative and qualitative research designs where appropriate.

### 3. Results

Based on qualitative review of sources, through a mixed research approach, the study reveals that several villages in Buea sub – division especially those belonging to the Muea Court Area like Wokaka, Moli, Wonjia, Mavio, Bomaka and Liongo, for example, have benefited from the CDC land surrender at different periods. The quantity of the land allocated to these villages and the methods of sharing or distributing the land also varied sharply from one community to another. Although these villages may have presented the same objectives for wanting land surrender, the end results of this scheme seem to have diverged significantly. This suggest disparities in successful and problematic cases of surrender and redistribution of land in the area for which it is important to demonstrate some case – studies for proper analysis of the situation in Buea sub- division.

#### **A) Case – Study I: Case-Study I: Land Surrender to Wonjia in Muea Court Area**

Wonjia is one of the villages that went extinct during the colonial period in Cameroon and thus qualified to apply for land surrender in post-colonial Cameroon. Several discussions were held leading to proper arrangements for the revival of the village. The first approach was seeking administrative recognition as well as causing members of the village to engage actions that would help make the village habitable. This is because the parcel of land was uninhabited and completely bushy and thus needed to be completely cleared. This alongside other measures, were intended to make the newly surrendered piece of land into habitable. Following the administrative consultative talks and eventual coronation of the chief of Wonjia by the DO of Buea, in 2008; the DO reminded the Chief to invite sons and daughters of Wonjia to revive the village. To overcome the challenges associated with opening up an abandoned settlement, the chief requested all his subjects to contribute the sum of 50.000 Frs for village development, specifically, for cutting down trees and opening up of streets in the village.

However, the development plan that was presented by the chief quickly antagonized his subjects into two rival camps, each holding a paralleled view about the surrendered land. According to oral sources consulted in the field, a *defacto* group wanted part or all of the surrendered land sold out and the dividends shared among them. This led to disagreements between them. Some members of the community wanted the parcel of land controlled by the chairman of the traditional council, Mr. Mingeley, be sold out to potential buyers. The other rival faction proposed that all occupied lands within the habitable area of the village be given to the indigenes settle on.

It seems clear from the foregoing discussion that at the very early stage of this surrender, many beneficiaries and especially some key members of the traditional council were in favour of selling some of the land. The fear or rejection of not wanting to build at the site brought disgrace to the chief amongst his peers because his village was without any

human head count or buildings. As a result of this undesirable situation, the chief was poised to take proactive measures that would cause the sons and daughters of Wonjia to embrace constructive sustainable development.

**(B) Case-study II: Land Surrender to Moli Village in Muea Court Area**

Moli, a small chiefdom in Buea sub – division under the traditional authority of chief Kinge E. Molombe also received parcels of land within the framework of the CDC land surrender. Like in other cases of land surrender in the sub-division, the situation of Moli village was not very different from previous cases. Sources claim that after the enthronement of the chief, he convened an inclusive meeting that brought together sons and daughters of the village (Esembe, 2018). During the gathering, sons and daughters were informed of the imminent land surrender and plans were nursed on how the surrendered lands would eventually be shared into plots of land. At the meeting, the village agreed to give special considerations to those who, like the chief himself, had championed the outcome of the land surrender to Moli village.

The redistribution of the plots amongst members of the village was satisfactorily done by the constituted committee or the traditional council, which was overseen by the chief. The distribution or sharing of the plots amongst regular members of the village followed a natural pattern of family or lineage representation as well as by individuals. This was done to avoid confusion or missing out some individuals or families in the village. With this method, every member of the community received at least a plot of land for either construction or put up for sale. However, those who championed the project of land restitution, were given some special consideration in the form of an additional plot of land. Esembe (2018), argues that in spite of the fairness observed in the distribution of the plots in Moli, like in Wonjia, and Bwiteva, for example, some members of the village were not satisfied because the plots given to them were insufficient to realize any desirable development projects. This sometimes led to tensions within the village. The problem of uneven distribution was often raised as the associated deficit of actual surrendered land received from the CDC by the applicant community.

**(C) Case-study III: Land Surrender to Bwiteva in Buea Sub-Division**

Historically, accounts of well managed or problem-free land surrender schemes were/are infrequent in Buea in particular and Fako Division in general (Nkome, 2021). In contrast, most informants indicate that several hindrances enveloped the process for almost three decades of conspicuous mismanagement of land surrender deals. It was as a result of frequent demands for additional land surrender coupled with poor and lack of accountability in previous land surrender in Fako Division in August 2014 that at the behest of the BLCC defenders, the then Minister of State Property and Land Tenure, Jacqueline KOUNG a Bessike tried to re-assert the 2003 process, by issuing a *Ministerial Order* that suspended all applications for land surrender. However, the effect of this ministerial intervention was limited or short-lived.

Unfortunately, this initiative was short-lived because by January 2019, the Minister herself was sacked from her position and banned from leaving the country. The dismissal of Minister Bisseke convoluted the initiative and made it sterile in the sense that succeeding ministers had a different and somewhat relaxed approach to the problem. The case of Bwiteva is tied to the success story of a clean sheet of land surrender and redistribution in Fako Division at least within this period.

With regards to the broader scope of land surrender, sources suggest four reasons for the success of land surrender scheme in Bwiteva. The key actor, the chief, was a retired senior police officer who had served in the diplomatic service and as such was already well to do and educated. The chief did not have to borrow any money in advance to help pursue the land claim. Again, because the chief had some authority, he was not afraid to challenge state bureaucracies who were trying to take advantage of the lands that had been surrendered to the community. Moreover, there was effective collaboration between the village traditional council and external legal advisors. Similarly, the protection of the water catchment gave the demand for land from the CDC a germane point over making money from the sale of the land. As concerns the redistribution proper at the village level, it was done through a logical and methodical manner that took into account the collective needs of the people. However, it was not without its own problems.

#### **4. Discussion**

##### **Conceptual and Theoretical Reviews on Land Surrender in Historical Perspective**

The return of some parcels of the CDC exploited land to some villages in Fako, Meme and Kupe (Tombel sub-division) Divisions in the South West Region has been described as "land surrender". This concept is rooted in history and social theory since the mid-19 century in Africa and was reformulated after the independence of most African countries like Tanzania, South Africa, Cameroon, Algeria and Zimbabwe (Lobulu, 2002; Lee, 2003; Kanyinga, 2000). As a result of social and political differences in addressing the colonial dialectics, it was described or known differently in different countries and contexts. In some countries like South Africa, it was called 'land redistribution' or 'land reform', and names are attributed to the same process elsewhere in Africa.

As far as Cameroon is concern and specifically the case of South West Region where the CDC has recently surrendered some parcels of land to some villages, it is known as 'land surrender.' The land surrender scheme was initiated by the former General Manager of the CDC and later the Prime Minister of Cameroon, Mr. Peter Mafany Musonge between 1996 and 2004, amidst community setbacks. The scheme was conceived as a practical attempt to retrocede some parcels of occupied land by the CDC to some needy Bakweri villages, but without relegating the central economic interest and viability of the CDC and its dependencies.

In trying to implement and operationalize land surrender, differences broke out between the BLCC, the government and the Prime Minister Musonge over the operational approach to land surrender. The differences between the BLCC and Musonge arose because the BLCC was advocating for the return of Bakweri land and compensation for exploiting their lands. The net consequences of this scheme were the weakening of the BLCC opposition. As a result of the complexities of the land surrender, it emerged that it created avenues for some gullible individuals to make money out of the complex situation in a number of unorthodox ways, money that was used to settle or satisfy civil and judicial government officials at local and national levels in Buea and Yaounde at different periods. This process has economic, legal and historical implications for the people in various ways.

Closely linked to the conceptual framework is the theoretical consideration. In brief, the study has adopted the "*the Tragedy of the Commons Theory*" which was developed by William Forster Lloyd (1794-1952) and popularized by Garrett Hardin (1915-2003),

(Hardin, 1968). The Tragedy of the Commons Theory is an economic theory that describes how people often utilize natural resources to their own advantage without considering the interest of the entire population or society to which the resource belongs. The theory asserts that when some individuals tend to consider only their interest in the distribution of natural resources, it leads to negative outcomes for everyone, as the natural resources end-up becoming depleted.

In the context of our study, the theory underscores the impact of colonial and post-colonial states in the appropriation and management of natural resources like land, water and timber for example. A key problem that confronts post-colonial Fako Division today is the problem of poor management of the CDC surrendered lands in the study area for which much of the surrendered lands have ended up being mismanaged by chiefs, local councils and civil government authorities operating in the area. Hence, land which is a common property for all locals, has sadly been mismanaged to the detriment of the masses, consequently leading to conflict and social tensions amongst the actors in the community for a long time now. This explains the relevance of the theory to this paper.

#### **The Legal and Socio-Economic Basis for Land Surrender in Buea Sub-Division**

The history of land surrender and resettlement in Africa has often shown complexities and stale outcomes which invariably implicates several actors and networks involved at different stages of the land surrender scheme. The outcomes often vary from one area to another. Reflections on this phenomenon in Southern African countries show that the process is guided by political and economic considerations, however, political motives often override the economic undertones. The experience is true in Kenya, Zimbabwe and Southern Africa. But again, the situation in Zimbabwe was aimed at righting colonial wrongs in ways that saw land withdrawn from whites' landlords, as a corrective reform by the government of President Robert Mugabe. While in Kenya, the process saw government officials and elites snatching the land that ought to be shared equally by masses. In most cases, poor land management policies often create fertile grounds for conflicts between cultural groups and the state at different periods. This has therefore made the process of land retrocession very complicated.

Besides, a lot of energy and time is required for compiling legal papers to lay claim on the anticipated land. As regard Fako Division and adjacent peripheries within the CDC formerly occupied lands, land surrender takes a complex process, which warrants a number of legal and administrative acts, decrees, *arretes* or *Ministerial Order*, especially that of 2023. This entailed a lengthy and intricate procedure that started earlier in the 1960s when the CDC initiated the process of surrendering land to some villages in Fako Division (Esembe 2018; Eno and Fombe, 2016), but it was in 1998 that land return claims became very obvious, perhaps because of the announced privatization of the CDC by the state in the midst of the economic crisis of the 1990s. The first early villages to benefit from land surrender, at least, in the early 2000s were Muea and Liongo which received 23 hectares and 110 hectares each respectively.

The reasons advanced by village communities for land surrender were varied and no single factor was solely considered, however, it appears that economic, political and socio-cultural factors have served as driving factors for land claim amongst different ethnicities across the world (Nkome, 2023). As regard socio-economic factors as motivating drivers behind land claim or surrender, it has been argued that between 1884 and 1914, the German colonial administration, through coercive instruments

expropriated more than 250000 hectares of indigenous land around the foot of Mount Cameroon alone (Esembe, 2018; Nkome, 2021; Ekema, 2014). This was consequential because the Bakweri, Balong, and related groups of people were dislocated or uprooted from their ancestral lands by force and gave way to large commercial plantations straddling from the Atlantic coastline of Bimbia right to the slopes of Buea.

It was on this very ancestral land that they cultivated their crops, hunted games, and buried their deceased family members. The introduction of neo-money economy in Cameroon alongside the opening of many plantations hastily sparked up the scramble for land in the area especially as the newly created plantations needed large labour force to settle and work in the plantations. The influx of immigrant labour force into the plantation areas, did only usher in new cultures, but also reinforced the quest for land by the immigrants who squatted on the fringes of the plantation, thus reducing the land size of most indigenes. It is against this historical framework of needs, that we find the rationale for land surrender premised and economically tenable.

As in many parts of Africa, land holds economic, cultural, and spiritual values (Nkome, 2021), and that is why land is believed to be collectively owned and could not be alienated by false pretence. Requesting for land by the formerly colonized people of Cameroon was to justify the claim that land is sacred and is needed for not only economic productive goals, but also socio-cultural motives and here lie the over irking claims for land returns by the Bakweri and related groups in Cameroon since the second half of the 19<sup>th</sup> century (Ekema, 2013; Ndiva, 2011). Therefore, application or demand for land return in Fako Division required amongst other things, prove of an existing or extinct village during the colonial or post-colonial period. Villages without chiefs that had break away from a parent settlement were also considered after satisfying the necessary supporting documents for their claim. This included showing a map of the extinct or existing village and names of the community members.

Application for land restitution by supposed beneficiary villages follows a legal and administrative procedure at various levels. Beginning at the local level, the chief of a village community or applicant village, local NGO or state department contacts one of the divisional officers (D.Os) in Fako or other Divisions within the South West Region for lands located within Fako Division. Next, the D.O provides the applicants with relevant information on producing the application documents which amongst other things, include: i). a cadastral survey of the parcel of land requested, ii), a feasibility assessment from a representative of the CDC, and (iii), a clear reason for application often based on the needs of the community. Furthermore, the Senior Divisional Officer (SDOs) of the concerned divisions (Fako, Meme, Kupe Muanenguba) for example, then assembles a Site Board Commission to visit the proposed site and make recommendations to approve or reject the request, which then is transmitted to MINDCAF in Yaounde (Nkome, 2021; Esembe, 2018; Eno and Fombe, 2016). This is followed by the Site Board Commission and combined with representatives from the applicant villages, the CDC, and various services of the government such as (the SDOs office, the DOs, MINDCAF, Ministry of Agriculture and Rural Development and the local council).

To Esembe (2018), the process of filing often required enormous funds for registration, through certification, purchase of fiscal stamps, and cadastral surveys. The registration of field survey was crucial in order to lay the ground work for an effective and conflict-free restitution. However, not all cases required these formalities because, there are

differences between settled villages and unsettled villages. The work done in settled villages was less cumbersome than unsettled or extinct villages. This also entailed differences in cost and procedural aspects.

From every intent, the CDC often want to retain the productive fields, but as a state entity they sometimes defer with the government agenda. This perspective of the CDC is discernible from the following remarks made by the corporation: *"we can reject applications, but if the SDO requires us ...we have to oblige."* If the CDC rejects specific sites, they are often asked to find another suitable piece of land for the community instead. As a result, the land surrendered maybe miles from the applicant village claiming it or asking for it (Nkome, 2021; Sunjo and Page, 2018).

The same procedure concerns the Ministry of State Property and Land Tenure in Yaounde, here, the Minister studies and where necessary approves the individual or village application for land surrender. At this point, it is the chiefs and his council of elders proceed with sharing the surrendered land into individual plots allocated to different families of the applicant village. This process often takes several years and sometimes ignore initial agreements between community members, thereby creating conflicts of interests which usually results in land use conflicts or land re-alienation in villages, causing post-land surrender crisis in most villages. A key example of this kind of land surrender related delay occurred in 2003 when a landmark *Ministerial Order* was carefully followed in a land surrender case concerning Bwiteva, a village in Buea sub division.

In a study conducted by Sunjo and Page (2018), findings reveal the process of surrender varies from one village to another in terms of success based on transparency, equity and fairness in distribution. Using the case of Chief Linonge Francis Kinge, these authors said that the objective of chief of Bwiteva village was to apply for land surrender from the CDC in order to resettle villagers who had encroached into the Village Water Catchment (VWC). However, the chief also wanted to put an end to aerial spraying of banana crops which affected the health of the inhabitants of the village negatively. Our results show that in the end, they were allocated 28 hectares on the borders of the village, which was then subdivided into over 200 individual plots. To guarantee security of tenure, the village later registered the land and obtained one collective communal land certificate.

The plots in Bwiteva were allocated first to community members who had been displaced from the village water catchment area, then the village youths, and finally to other members of the village irrespective of gender. Each household was given three plots of land. Sources claim that other non-indigenes of Bakweri and stranger-populace from other ethnicities in Cameroon were also allocated land. Although the chief claimed that the process of sharing the land was transparent and free from any form of corruption and influence-peddling, it however, appears that some form of corruption, by way of bribery and payment of undue sums had been done in the process at various stages. This comes out clearly from the statement made by the chief where he intimated that: *"at the end of the process, however, I did allocate some plots for people in the administration, who had helped us to acquire the land...we had to satisfy people who helped us."* (Sunjo and Page, 2018:3).

Owing to the fast development in the Division caused by urbanization, most of the surrendered land was quickly sold out to individuals who needed it for different economic uses. Thus, the demand for land in Bwiteva as elsewhere in Buea sub division has surged sharply in recent years because of the proximity of the village to Molyko and

its fairly well watered nature, thus making land here relatively more attractive. One negative impact of the speedy development in the area is that many beneficiaries of the surrendered land quickly sold their plots, but as Sunjo and Page (2018) posited, it was done to foil the poverty levels among families.

By explaining how the land surrender and distribution unfolded in the Bwiteva, the study offers us an exemplary situation in which the surrendered land was fairly well shared among the beneficiary families as opposed to other cases of land surrender in Buea subdivision like in Molyko, Wokaka, Mavio and host of other communities in Fako Division where undemocratic sharing of the surrendered lands have culminated into bloody conflicts and rising tensions thereby putting to question the fairness in the process till date (Nkome, 2021; Ngongi, 2016, Sunjo and Page, 2018). In addition to the above, Sunjo and Page (2018) asserts that some members of Bwiteva village who sold plots attributed to them to third parties, were obliged to report same to the chief of Bwiteva to have the plot removed from the community land certificate., an approach which further corroborate the plainness in the redistribution of the surrendered lands in Bwiteva, a practice which was uncommon in many villages in Fako Division during this period.

#### **Implications of CDC Land Surrender and Post-Surrender Problems in Buea-Subdivision**

Like in any social structure where commodities are shared amongst members of a given community, land resources have attracted diverse responses or reactions from members of the public for different reasons. This explains why the impact is often dimensional and may attract mixed reactions from different groups for different reasons. Some may heartily appreciate the processes emanating from the centre while others may reject it for obvious economic, political or cultural reasons. A courtesy review of land surrender and redistribution in many parts of the world has shown that members of the public hold diverse interest and perceive the gains from dialectical perspectives (Nkome, 2021; Yanou, 2008). This was the situation of land reforms in the Robert Mugabe's led Zimbabwe and also the land redistribution scheme in South Africa where the white minority group who had illegally acquired land in colonial Zimbabwe and Apartheid-South Africa held contrary opinions about the land resettlement projects (Yanou, 2008; Hall, 2011).

A critical review of the implications of land surrender and post surrender in Buea is not different from the aged-old experiences in Tanzania, South Africa, Zimbabwe and elsewhere in Kenya (Nkome, 2021). However, for a proper understanding of the situation let us situate the context of this impact by examining in brief, the socio-economic and political implications of land surrender in Buea sub-division in order to critically evaluate the processes and outcomes from a positivist and developmental perspectives.

#### **Socio-Economic and Political Impact**

From the social and economic standpoints of human development, the CDC land surrender appears to bear positive fruits of development on the one hand, and instigated social and political conflicts of varying degrees (Sunjo and Page, 2018, Nkome, 2021). From the macro-economic development perspectives, land surrender in Fako Division in general and Buea sub-division in particular has to an extent alleviated the livelihood of the local inhabitants especially those in Muea community. For example, the availability of the land surrender has influenced the expansion of the Muea market which now attract

traders from far off places in Cameroon and neighbouring countries like Gabon and Equatorial Guinea and this has significantly boosted the social image of the place.

The surrendered land has brought or attracted other projects and infrastructures in Buea sub-division, like government and private schools as well as other social services of the state. The development of some infrastructural projects in many parts of Buea sub-division like the Ministry of Forestry and Wildlife Post/office between Upper Muea and Moli is built on the allocated surrendered land. Some land was also allocated to the Penitentiary and Prison Department of Buea, where they intend to construct a prison training institute. Other beneficiaries include the Native Baptist Church (that began its evangelical work in Muea area since 1800s and opened a church in Muea was also allocated some of the surrendered land) as well as institutions like the Nigeria Consulate and the Catholic Church all bought land from the chief of upper Muea following the availability of the surrendered lands (Nkome, 2021).

Land was also reserved for a Muea community cemetery, and the building of a community hall for the purpose of village gatherings. Apart from these projects some of which have already been undertaken, other projects have been realized thanks to the land surrendered in many of these areas. In a general sense, most of the villages that benefited from land surrender have been experiencing significant urbanization with commercial and residential buildings sprouting from all directions. Among these are both public and private institutions which are emerging from all corners. It is important to note that prior to the realization of land surrender in the area, most rural areas within Buea sub-division were stagnant in terms of development. These areas however, began to experience social transformation to sub-urban areas with modern amenities like electricity, markets, schools and health centres. These developments have created significant social and economic impact in Muea and environs in recent years.

However, without undermining the social and economic impact created by the land surrender in the study area, one must also show that the recent phenomenon of land return in the study area has been criticized because of the negative activities associated with land surrender in the area. Closely connected to these are our administrative and social challenges associated with land surrender, it is pertinent to point out some of the problems borne out of the land surrender. One of the greatest challenges that have confronted land surrender and possibly post-surrender in Buea municipality is the administrative highhandedness and unnecessary influence peddling of some civil administrative authorities in matters relating to land, especially the CDC surrendered land. A study conducted by Esembe (2018); Nkome, (2021); Sunjo and Page (2018) reveals the involvement and possibly consequences of the involvement of some civil administrators in land surrender matters in Buea and beyond and how their involvement affects the people till date.

A report of the Regional Office of Human Rights and Freedoms for the South West Region (*The Guardian Post Newspaper* 2023:1) implicates the offices of land and surveyors for Fako, Divisional and Senior Divisional Officers, and the Governor. The report furthers that these officials perpetuate acts of corruption, intimation and fraud in order to grab land. As a result of their roles, they often expect kickbacks from the local chiefs who benefits from the land surrender. These expectations are often soiled by the overzealous administrators, who often cause the chiefs to enter into fraudulent transactions that result

in some of the surrendered land being grabbed by these administrators for their personal aggrandizements and this is the crux of the issue.

In terms of stakeholder's roles, surveyors are of course very influential and almost indispensable when it concerns land surrender and redistribution. First, the surveyor is charged amongst other things, to demarcate the surrendered land to each village, mapping out the area and layout into measurable plots which the local chiefs or his designated council piece out into plots and share to the indigenes of the concerned village. Although the surveyors play a crucial role in land surrender, they however, have double standards which kill genuine efforts. They often manipulate the surveyed terrain against the interest of the owners.

According to Esembe (2018), some unscrupulous surveyors with the conspiracy of some chiefs and administrative authorities, even declared some parcels of land within the surrendered area as 'waste' land. By implication, any area declared as 'waste' is naturally unfit for any physical development like construction of houses or other projects. This sadly appears as a strategy to manipulate the people by carving out lots for their personal aggrandizement. Once they succeed in their fraudulent activity, they end up selling plots and sharing the proceeds amongst the surveyors, chiefs and other government officials ranking as such. This unfortunate breeds future environmental and social consequences as has been observed in many parts of Fako, Meme, and Kupe Muanenguba Divisions in recent years.

Another ominous negative consequence of land surrender especially post-land surrender in Fako Division is the problem of splitting chiefdoms and resuscitating non-existing villages and impose stooges as chiefs. The land surrender which has become very juicy today has been around with the people since the mid-1990s and it has been a real menace that is affecting the people negatively till date. This problem which is rightly blamed on the moral and political authority of the Divisional and Senior Divisional Officers, has been examined and re-examined by different actors, scholars and activists at different times. From the onset, the land problem in Fako Division was championed by the BLCC activists who vocalized the real impact of the land question following successive colonial and post-colonial regimes.

The BLCC formed a positivist bloc which advocated for complete or total land surrender and the pro-government group led by the Musonge-Endeley bloc which favoured the privatization of the CDC, a stance that contrasted vividly with the purist and positivist position led by the BLCC, who truly represented the voices of the down-trodden and the masses (interview with Mola Njoh Litumbe, Buea, 2014; Conversation with Barrister Ikomi Ngongi, Bokwango-Buea, 2016; interview with Mola Mokake Elali, Bokwango-Buea, 2016).

Realizing the constructive and indigenous stance mounted by the BLCC in opposition to the proposed privatization of the CDC, a policy which was greatly resented by the Bakweri and related groups by 1994 caused rift between the government and the BLCC which subsequently resulted in weakening of the BLCC in the negotiation with the state. In fact, the chiefs were sadly made to disregard their very own body – BLCC, which was duly mandated to speak on their behalf (BLCC Reports, 2000/1). This doubled – standards of the chiefs led to the annihilation of the BLCC and thus, made it to hibernate. It was under these stale circumstances that the chiefs succeeded to bypass the original objectives of the BLCC and paved the way for land surrender and re-alienation which is

sadly affecting many parts of Fako Division today, especially, in a context where several 'ghost' villages have been created against the backdrop of land surrender. The ulterior motive of creating these 'ghost' villages in Buea sub-division, a source intimate, is to grab land from the CDC and smoke-screened it for village expansion (CRTV – Buea Radio Program with guests, Tambe Tiku and Ngongi, 2016). The inability of the government to permanently arrest the situation has sadly made it become phenomenal with far reaching consequences on the people in various ways.

Besides, the above factors, is the stubborn and perennial problem of boundary disputes which have become a norm Fako Division since the advent of land surrender in the study area. A noticeable example of boundary conflicts is the case of upper and lower Muea in Buea sub-division. This was caused by an administrative error following the appointment of Chief Moline David as Chief of Upper Muea, the designation of the chief failed to state the boundary limit between Lower and Upper Muea (Petition Letter to the Governor of the South West Region, quoted in Esembe, 2018). This situation has remained unresolved, causing recurrent feuds between the sisterly communities especially over control of resources and landscapes.

Other examples include, the villages of Ewili, Lower Muea and Wokaka, each having their worries against one another over land. Regarding the situation of Ewili and Lower Muea villages, their conflict stemmed primarily over repeated rejection of their applications for land surrender. This rejection was linked to an unresolved border dispute between Ewili and Lower Muea. In an attempt to apply for land surrender, the Chief of Ewili village, Chief Thomas Elinge in 2013 wrote a letter to the then Senior Divisional Officer for Fako Division, Mr. Zang III, reminding him of their earlier application for land surrender. In his reply, the Mr. Zang III reminded the chief of an existing land dispute between Ewili and Lower Muea (See Letter to the SDO of Fako, April 2013). As such these unresolved claims only accentuated their differences and further strained their relationship.

Similar squabbles have animated uneasy relationship between Upper Muea and Wokaka village in Buea sub-division, it is alleged that the conflict between the two chiefdoms is traced to the colonial era, however, the immediate cause of their conflict is tied to a recent land surrender to both communities. In fact, sources claim that indigenes of Wokaka village claimed that the Upper Muea Chiefdom squatted on Wokaka territory with the conspiracy of the chief of Wokaka and Chief Moline of Upper Muea. Whether these claims were historically tenable, however, remains unanswered but continuous protests and written petitions by the indigenes of Wokaka obviously insinuates the prevailing climate of injustice committed by their chiefs against their wishes. The anger of the villagers reached its apogees in July 2016, when the indigenes of Wokaka, came together and protested before the Legal Department of the Court of First Instance in Buea, pointing among other things, the irregular activities of Chief Njoke of Wokaka village. He was accused among other things, of mismanagement of the surrendered lands and indiscriminate sale of village lands. This caused serious problems in Wokaka and coupled with the separatist conflict, the chief could no longer bear the heat as he had to escape from the village, living his palace vacant. This explains the spiral of post-land surrender problems that still remain visible in Buea sub-division today and most of these conflicts remain unresolved.

The very issue of poor management of the CDC surrendered land which had become a fertile business in Fako amongst stakeholders turned out to be a mixed blessing, one which appears to have opened the Pandora's box of serious problems that are still affecting the people today in various ways. Taking into account the interests of the actors and their roles, studies show that the indiscriminate sale of indigenous land had graduated from being a community or an individual issue to a national one, which has attracted significant public attention from concerned Cameroonians and distinguished sons and daughters of Fako Division in various ways. In fact, to reverse or correct the problems caused by post-land surrender in the Division, several petitions (verbal and written) were filed by lawyers, academics, and human right activists to government officials at various periods (*The Recorder Newspaper*, September 19, 2014). One of such petitions was written by Barrister Ikomi Ngongi, which he entitled "Land surrender by the CDC to indigenes of Fako: The Obligation and Challenges of Preserving Fako Ancestral Lands for Fako Indigenes and their Posterity" (Ngongi, 2013).

In the petition, he alleged the wanton illegal sale of indigenous lands by some unscrupulous chiefs, arguing that there was imminent danger of this practice because future generations of Bakweri would not have access to land, especially as the chiefs have sold most of the lands to non-indigenes. To him, the illegal transfer of Bakweri land to non-indigenes has diminished the original goal of land surrender scheme. The problem of irregular land grabbing has been attributed to government officials who connive with the chiefs to alienate indigenous land for their personal gains. An authoritative petition by the Regional Commission for Human Rights for the South West Region, captures this situation better in the following words:

...one of the most shameful and disgusting abuses of a people's ancestral land rights, emanates directly, apparently from our own government's appointed Agents-Divisional and Regional Administrators. The Governor of the South West, Bernand O. Bilai, the Senior Divisional Officer of Fako, Mr. Zang III, the Land Conservator of Fako, Mrs. Florence Bate...some chiefs and elites of Fako...seems to be hijacking 50 hectares of land by the Mayor of Buea, Mr. Ekema P. Esunge (late). The said Mayor is noted for trading land in exchange for vehicles...he has distributed huge portion of Wonjuku land to administrative authorities and their family members... (Tambe Tiku, 2016)

The extract above is merely an isolated example of how administrative officials, chiefs and some elites have fed and still feed fat from land surrender in Fako Division. It should be noted that such irregular land alienation often leaves the vulnerable population disadvantaged. From this perspective, one sees that personal aggrandizement, self-interest and greed have overshadowed the collective interest of the people, thereby building negative impulses in the deprived and undermined populations, who feel cheated and discriminated by their own chiefs and elites in the land surrender project.

## **5. Conclusion and Recommendations**

In this paper, our focus was to uncover the intricacies that evolved with land surrender as well as post-land surrender problems. The study set out to document this by tracing the historical, economic and social factors that have favoured land surrender in Fako

Division, using Buea Sub-division as its example. In trying to investigate this phenomenal land surrender problem, the paper adopted the case-study approach to document this contemporary issue by integrating three case-studies within Buea sub-division. The essence was to showcase the extent to which this issue has been affecting the people and the problems that have emerged with land surrender and how they were tackled.

From the study, it was observed that land surrender has offered mixed blessings to the people. It has brought socio-economic developments as well as problems. However, studies suggest that with more request being made by the chiefs for land surrender, it is glaring that more problems will surface in future thereby undermining the existence and economic potentials of the CDC. Available studies indicate that one of the problems which is linked to land surrender is the phenomena of double sales of land and the emergence of 'ghost' villages, all of which have spilled a lot of ink in the print press in recent years. Again, this has not only reduced most Bakweri chiefs to mere stooges of the administration, but has also contributed negatively in watering down the chieftaincy institution in Fako Division to an extent as chiefs are commonly found in courts for one crime or another linked to obnoxious land deals. In summary, this study asserts that the undermining of the role of the BLCC by the chiefs and the government, was the root cause of the cacophony that characterizes the land surrender and post-surrender settlements in Fako Division today.

By way of recommendation, the study reveals that, the absence of transparency, accountability and sustainable development plan by villages have made the goals of land surrender partly unsuccessful from the point of view of lack of equity and fairness in processes that involve land surrender in the study area. Therefore, there is a need to right the historical wrongs and injustices already observed in past land surrender schemes in Fako Division. Perhaps, effective corrective judicial measures against culprits involved in fraudulent and illegal deals would serve as a deterrent instrument to defaulters in future.

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