

Civil Society Organizations and Support for Women's Access to Land Ownership: Approach and Constraints

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Abstract:

In Cameroon and Fako in particular, a majority of women enjoy very limited rights to land and still struggle to secure their rights to land, whereas, land remains an important source of livelihood for a majority of them. To address this difficulty, some pro-woman organizations elaborate and implement strategies to support women own land. However, their action is slowed down as a result of the constraints they encounter. This paper examines the different approaches implemented by CSOs in supporting women have access to land ownership. It goes ahead to highlight the constraints these organizations encounter in carrying out this support mission. Qualitative data were collected in Fako division through the theoretical lens of the Functionalism theory. The methods used to collect our data were direct observation, semi-structured interviews, case study, life stories and casual discussions. Findings reveal three main approaches implemented by CSOs in Fako to facilitating women's access to land ownership. In spite of this, the actions of CSOs are considerably slowed down as they encounter obstacles connected to legislative framework and customary practices, the reticent behavior of women, collaboration and lobbying for policy reforms and, the financing of their activities. Empirical investigation to the study also reveals the reluctance of women to publicly denounce acts of land injustices to which they are victim, and financial constraints which make CSOs more vulnerable, as the priority constraints to facilitating a greater access to land ownership by women.

Key words: Civil Society Organizations, Women, Land Ownership, constraints, approaches.

Introduction:

Cameroon like most countries in Africa is experiencing new societal dynamics and increasing standard of living that is felt right in rural milieus (Ela, 1990). These dynamics such as increasing rate of female headed household coupled with high rate of widowhood, and financial constraints brought about by expanding capitalism have huge challenges on households and couples (Ela, 2006;

Kasimbazi, 2017; Agrawal, 2002). As reckon by Konings Piet (2012), the situation has imposed a paradigm shift and new ways of life different from the old established social order, where women considered as “dependent” housewives are henceforth obliged to paly a double role-that of reproduction and production in other to contribute to family sustenance.

To assume these new responsibilities, women solicit more of land ownership than access in order to guarantee and secure investments. However, in their struggle to secure land ownership, women encounter obstacles including the weight of tradition and cumbersome land laws. Faced with these constraints, women need support that can facilitate and secure land ownership. It is therefore from this perspective that some actors of social change, such as civil society organizations, elaborate and implement actions to assist women have power and control over land. Nevertheless, the assistance of CSOs encounter some obstacles that slowdown their actions and keep women in persistent land vulnerability.

This paper presents the different approaches implemented by CSOs in supporting women have access to land ownership in Fako division. It as well examines the constraints they encounter in this mission. The first part of the paper presents the methodological framework and the second part examines the results of the study. We first and foremost present the different approaches implemented by CSOs in supporting women, and secondly, the constraints they encounter which may justify the limited scope of their actions.

Methodology:

To operationalize and acquire a deeper knowledge of this social phenomenon, we employed some theoretical and methodological frameworks which permitted us to construct reasoning in a scientific manner. Notwithstanding, a brief presentation of Fako is necessary to understanding the representation of land to them.

Socio-Cultural Presentation of Land to the Fako People

Fako division is one of the five divisions (Meme, Manyu, Ndian, Koupe Manengouba) that make up the South West Region of Cameroon. Fako has five subdivisions (Limbe, Buea, Muyuka, Tiko and Idenau) with an estimated population of about 470,000 (Nojang, 2015, p. 35). Known for her rich and fertile volcanic soil, the people of Fako have a long history and relationship with land that

dates as far back as pre-colonial era where land was owned by the community until the coming of the Germans in 1884. The Germans exploited the rich and fertile volcanic soil for large tropical plantations leading to the creation of the Cameroon Development Corporation (CDC) in 1947 after the departure of the Germans. These plantations in addition to the very fertile volcanic soil have being the pull factor of the massive influx of other non-natives in search of job opportunity as laborers.

Land has an important representation to the Fako people and Fako woman in particular. Land is perceived as a *deity* because it connects them to their ancestors through the performance of traditional rites and practices such as the *Maale dance*, *Nyanga dance*, *the Motio dance* and *the Ewinja srongo*. It is also perceived as a *mother* because most Fako women in particular use land to carryout agricultural activities such as the cultivation of food crops (cocoyam, plantains, tomatoes and cassava) and rearing. They also depend on land to carryout petit businesses such as tailoring, shop and trading. These activities enable them to generate income and contribute to the wellbeing of their family and ensure their empowerment as well.

Theoretical Framework:

Since observation presupposes a theory (Mouchot, 2003), it is important to outline a specific theoretical framework to give direction to the observation. Even if there are several theories that can be used to give orientations to practical investigation, the functionalism theory is employed to serve as guide to the empirical observation of this study.

Functionalism is a school of thought attributed to Radcliffe Brown (1881-1955) and Bronislaw Malinoswki (1842-1942). Malinoswki uses organic analogy to describe how society functions. According to the author, society functions in the same way as the organ of a living organism where each organ of the organism is unique and performs specific function that cannot be performed by any other organ. But this perception of organs assuming a unique function

and not transferable to another has been question by other authors. Robert K. Merton in this light insists on the careful use of the notion of "function" because social institutions possess many "functions". He underlines that social institutions may have manifest and latent functions. Manifest functions which are intentional and obvious, and latent functions which are unintentional and not obvious (Boudon and Bourricaud, 2011). This signifies that a social practice can be functional on one hand and dysfunctional on the other hand.

The lens of functionalism theory permitted to reveal and understand the functions undertaken by CSOs to supporting women in accessing land ownership. It also exposed the functions not initially planned, which nevertheless manifest themselves and constitute some constraints on the action carried out by these organizations.

Techniques of Data Collection and Analysis:

The study is based on a qualitative approach. The direct observation, case study, semi-structured interviews, life stories and casual discussions were some of the method employed to collect informed data necessary to acquire more knowledge. The purposive sampling technique was used to select participants to the study. Interviews were conducted with two CSOs that advocate for women access to land ownership- the International Federation of Female Lawyers (FIDA) and The Denis Miki Foundation. Two key public administrations- the Divisional Delegation of State Property Surveys and Land Tenure (MINDCAF) and, the Divisional Delegation of Women's Empowerment and the Family equally participated to the study. Interviews were also conducted with three traditional rulers and two men. Case studies were carried out with six women who benefited from the support of CSOs. These interviews aimed to highlight the different support methods implemented by CSOs and the constraints they encounter in their mission. The tool used to operationalize this technique was the interview guide which gave participants the latitude to freely express themselves in their words around the topic.

The content analysis method was employed

to analyze our data which was done in three phases (Rubin and Rubin, 2012). We first and foremost did a word-for-word transcription of our data from the audio recorder to text. Thereafter, we proceeded to codification and categorization by attributing specific themes. And lastly, our data was analyzed by interpreting its content and taking sets of related themes that confirmed our research hypothesis while providing detailed interpretation and explanations to our findings.

Presentation of Results:

The presentation of the results is structured around two main axes: the approaches implemented by CSOs in supporting women have access to land ownership, and the constraints these organizations encounter.

Approach Implemented by CSOs to Support Women Towards Access to Land Ownership

The study was carried out with two civil society organizations that advocate and assist women towards access to land ownership- the International Federation of Female Lawyers and The Denis Miki Foundation. These organizations operationalize and transform their objectives into varied strategies in order to support women have access to land ownership. The interviews conducted with these civil society organizations in relation to the approach they implement reveals that their approach is similar to those developed by Lewis David's literature (2003) on the role of CSOs.

The Implementer Approach

The implementer approach enables CSOs to carry out activities and programs necessary to ensure the gain of class consciousness and change in mentalities. Within this framework, they organize sensitization campaigns and workshops aim at raising awareness and educating communities on the importance and need of allowing women own land (Visnja Kisic and Goran Tomka, 2018; Eric Boa et al., 2016; USAID, 2020). Through this approach, they also provide legal assistance to women victims of land discrimination.

Workshops and Sensitization Campaigns

CSOs have come to realize that education is the base and a powerful tool of change as it contributes to development and social progress. In this light, FIDA and the Divisional Delegation of Women's Empowerment and the Family, organizes workshops, match pass and seminars to raise awareness and educate communities on the need to consider women in the sharing of land. Workshops are also organized with traditional rulers to address and discuss on some discriminatory practices of custom and on the myth surrounding the writing of a Will. These workshops are important because the Will appears to many in our field of investigation as the only instrument under custom and tradition by which women's land rights can be protected.

NGOs equally use these awareness raising events to educate the local population on the importance and procedure of acquiring a land certificate. For example, at the level of the Divisional Delegation, MINDCAF officials use the Meveo Cultural Festival (MEVCUDA) to sensitize the population in this light. The interesting observation made by the Divisional Chief of Service for Land Tenure Fako, is the enthusiasm and high attendance of women during such exchanges where women are able to get clarification to their questions regarding the procedure to acquiring a land title and on how to verify the authenticity of the land they wish to buy.

Furthermore, women are also educated on the importance of a marriage certificate in a union. As opine by Barrister Atemkeng Elizabeth, vice-president of FIDA, marriage certificate is the legal document that gives the woman (wife/widow) ownership rights over a land should the man pre-deceased her. So, these events are used to encourage married women in a legal union to initiate conversations about joint properties (co-ownership) with their husbands and avoid being skeptical of what may happen in case of a divorce or separation. Barrister Atemkeng justifies her argument in the fact that by law, "any property that is jointly acquired cannot be disposed of without the knowledge and consent of the other partner in

case of separation or divorce". Thus by this action, CSOs seek to reduce and discourage women from dwelling in an illegal union popularly known in communities as "come we stay" because, there is no right to ownership under such union. The Divisional Chief of Service for Land Tenure Fako testifies the added value of these awareness raising events.

(...) women are becoming more conscious and pushful especially when it comes to obtaining a land certificate. Most often we see more of the women than the men coming to our office to inquire on what it entails to register a piece of land. Madam Namondo Solange, Divisional Chief of Service for Land Tenure Fako, Bota, Limbe.

Madam Namondo's opinion demonstrates the important role of sensitization campaigns in the gain of consciousness and change in mentalities regarding women and land ownership as equally confirmed in the words of a Fako woman below:

The sensitization workshops carried out by CSOs are of great importance to women. In my case, they helped me understand the need to initiate the procedure and obtain a land title to avoid conflicts with my brothers. In fact, my father had decided for the first time to give me a piece of land, but, faced with the fierce resistance of my brothers, I had to decline the offer and the land was given to them. But since my father wanted to give me a part of his property, he acquired a new plot and decided to give it to me again. With the knowledge acquired during the awareness campaigns, I accepted by paying a certain amount of money to avoid conflicts with my brothers. After that, all necessary documents were made with my brothers signing as witnesses to the sales transaction. Today, I have started developing the land by building a house on it. My father is very proud of me. Madam Ndongo Joanna,

Business woman, 34years, Newtown-Limbe.

Legal Assistance

More so, another way CSOs like FIDA support women victim of land exclusion and discrimination is by providing them with legal aid and legal counsel (Butegwa, 1991, p. 56). Some women through the services of pro bono lawyers provided by FIDA have been able to regain possession of land forcefully taken from them (Moriceau and Langhendries, 2018). Njupouen R. Bolivar (2005) argues that legal assistance permits the access to justice for the vulnerable in the community. An opinion shared by Abel Richard (1998, p. 25-26) who notes that “*professions play a significant role within the system of stratification, which unites the extremes of society. [They] ensure that expertise is deployed in the general interest*”. The organization of female lawyers has defended a number of women in court as seen in the example of some cases below.

CASE I

This is a case which was handled by Barrister Ajong and Barrister Mbuya Gladys and concerns two girls whose father died. The mother of these girls had one child (a boy) from a previous marriage. But when she remarried, she gave birth to two children (girls) without any boy child. At the death of her husband, the woman decided to exclude the two biological daughters of her late husband from inheritance. She argued that daughters had no right to inherit under tradition. As such, she decided to bring in the male child she had from her previous marriage to inherit the property of her deceased husband. The two daughters were not satisfied with the decision of their mother to hand the ownership of their late father's landed property to their half-brother. So, they contacted FIDA and the organization came in and took the case to court going through the long court sessions. In the end, the court gave judgment in favor of the girls. But the girls decided to sell the house and leave the community. They did so because they received serious death threat and rejection from their half-brother and mother.

CASE II

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

CASE III

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

From these cases, we note the relevance of legal aid and the services of pro bono lawyers to supporting women victim of land discrimination and exclusion. Especially when we consider the fact that a majority of these women would not have been able to take legal actions due to the lack of financial resources to hire a lawyer and go through the cumbersome court sessions in a typical patriarchal society. We equally note that, irrespective of the cumbersome legal proceedings, the organization of female lawyers is committed to bringing assistance to women. However, it is not all about providing legal assistance, as support to women's land ownership also requires and necessitates the implementation of appropriate vehicles to strengthen the skills of women.

The Catalyst Approach

Through this approach, CSOs seek to inspire, facilitate and contribute to change by seeking to influence wider policy processes. They

carry out lobbying and capacity building activities necessary to support and strengthen the skills of women.

Lobbying

As put forward by Kenmogne Basile (2003), civil society organizations do policy advocacy by lobbying for change in policies. These lobbying activities are directed towards law makers, governments, donors, and traditional rulers to solicit reforms in policies and practices by exposing and checking gender biases inherent in formal laws, institutions and customary tenure practices. As Barrister Mbuya Gladys puts it, lobbying “*for good laws create the political will that gets things done and create a legal mandate for the judiciary to act against discrimination made against women*”. FIDA for example has carried out a number of lobbying activities to influence the elaboration and application of laws. They have denounced and pointed out some discriminatory procedures of the old and outdated 1974 land laws. CSOs in this light reveal that the land laws do no longer reflect or meet present day realities especially with the increasing pressures on land (Sandrine Kouba et al., 2020; MINDCAF, 2022; Kossoumna, 2018b). One of those lobbying activities carried out by FIDA has been the holding of a meeting with the Minister of Justice Keeper of the Seal and, the holding of a conversation meeting with about one hundred (100) parliamentarians with the female parliamentarians in highest attendance. During the conversation meeting with the law makers, FIDA denounced the bottleneck procedure of land registration which is costly and unaffordable by most rural women.

In a similar manner, FIDA has deplored the absence of a Family code in Cameroon and, drew the attention of the Head of State not to sign the draft Family code into law. This is because in its Section 919 on succession, spouses are ranked fourth in order of priority to apply for letters of administration over the estate they both toiled to build. According to the organization, if this draft Family code is signed into law without some changes in some of its clauses, it would on the one

hand render women's access to land ownership more challenging since customary land law prohibits her from inheritance rights. And on the other hand, it would equally go against the spirit of all international conventions such as CEDAW and Maputo Protocol to which the State of Cameroon is a signatory.

At the local level, FIDA also holds meetings and exchanges with traditional authorities to expose some practices within custom that restrict women from owning land. One of such practices is the woman's changing status (exogamic marriage) that excludes her from inheritance and the fact that tradition does not allow women to be family heads. These exchanges are also a means for CSOs to create ways of increasing the possibility of women to exploit land in a durable manner and, seek possibilities for women to buy land without having to refer to a male relative.

Capacity Building Activities

Capacity building is a top-down approach design to strengthen the skills and knowledge of individuals (Eade, 1997). Eade Deborah and William Suzanne (1995; Kossoumna, 2018b) note that these skills and knowledge are necessary to addressing and overcoming obstacles linked to land discrimination and exclusion. This is because it enables the concerned population/group to determine their own values and priorities, and organize themselves to act. An opinion shared by Jean-Marc Ela (2006, p. 185) when he affirms that “*renforcer les capacités (...) c'est leur donner les moyens de devenir plus autonomes en limitant leur dépendance (...)*” Within this framework, MINDCAF trains and encourages women to put themselves in cooperatives/group in order to empower them and limit their dependences as far as land ownership is concern. MINDCAF believes that putting women in cooperatives/groups facilitate the acquisition of large parcels of land from the State for agricultural practices through temporal or permanent concessions (Wily A. Liz, 2011, p. 54). This strategy has worked in some villages like Tchomba where some women by putting themselves in a group acquired large parcel

of land for agricultural activities. More so, within the framework of the "Projet d'Appui a la Modernisation du Cadastre et au Climat des Affaires (PAMOCCA)" funded by the African Development Bank, the Ministry has been able to increase the question and study on women's access to land ownership. As a result of this project, there has been an increase in land owned by women from 0.6% in 2012 to 27% in 2019.

At the local level of Fako, CSOs like The Denis Miki Foundation mobilize women into Task forces to serve as mutual support. Even though these task forces enable women to solicit the acquisition of large parcel of land for agriculture, it also serves as framework where women meet regularly to freely share their stories, experiences and method they used to handle cases of land discrimination and exclusion. Charlier Sophie et al., (2014) reveals that belonging to groups or to certain solidarity, permits an individual to socially position herself, develop increasing self-confidence and empowerment. A woman testifies the benefit of such capacity building activities carried out by the Denis Miki Foundation:

As a result of the seminars I attended, I, together with some women of our village Wovia decided to go to our chief to point out the need for women to be represented in the council of leaders where all decisions concerning the village are being discussed. This was to ensure that women could also have a say when issues of land sharing or distribution comes up. The chief accepted our request basing his acceptance on the fact that he himself have realize that women are the backbone of most of the development in the village. This is because the plots that are given to women are the ones that are most exploited while the ones given to sons or men are the ones that are sold to strangers, reason why there are so many strangers in the village. (Interview with an anonymous respondent, 27 July 2022, 42years, catering service, female, Bota, at 11am).

Her testimony shows the importance of capacity building in assisting women address their situation of land discrimination and exclusion. As a result of capacity building seminars, we observe how some women are able to solicit their participation and implication in decision making structures of their village such as the council of elders where most decisions regarding land are taken. Their participation in the council is helping the other women of the village because those in the council henceforth serve as representatives and spokesperson of the other women of the village. As representatives and spokesperson, the women are able to present before the chief and council members the difficulties women encounter with regards to land ownership, and in turn communicate whatever decision is taken to the other women. By so doing, the plight of the woman is given greater consideration and ways to curb some practices that are discriminatory are sought and addressed.

The Partnership Approach

The growing trend among NGOs today is working in partnership with other NGOs, government, donors that share the same vision in order to achieve their goal. Annan Nancy et al., (2021) reckons that CSOs have far reaching impact through networking and coalition building than if they operate isolated. She adds that networking is done through the creation of a coalition of like-minded organizations in order to influence policies and decision-making. As affirmed by Maaik Matelski et al., (2018) coalitions are often vehicles of powerful social change. But Lewis David argues that the real challenge remains for NGOs to build a meaningful partnership and coalition to avoid dependency, co-optation and goal displacement. That is, engaging in equitable and efficient partnerships with the State and donors without being constrain to deliver programs that do not respond to the needs of women and risk deepening inequalities and exclusion to land ownership. But

Annan Nancy et al., insists that building alliances and collaborating with peers ensures the exchange of information and coordinate responses to repression. For instance, collaboration enables NGOs to do referrals, where women victim of land exclusion are referred to appropriate organizations and institutions.

Within this framework, FIDA and the DMF have built consensus with other organizations that share the same vision in order to complete their actions (Martinez-Maya, 2006; Van Wessel et al., 2021). By building consensus, NGOs have come to realize that a single organization cannot achieve far reaching impact in the field. For instance, FIDA works in close collaboration with The Martin Luther King Jr. Memorial Foundation (LUKMEF Cameroon), REACH OUT Cameroon, and the Divisional Delegation of Women's Empowerment and the Family. The Denis Miki Foundation on her part is a member of the South West and North West Women Task Force. Through this partnership, cases of women victim of land discrimination and needing legal assistance are referred to FIDA who has the professional expertise to handle such cases. Referral actions testify the team work existing among NGOs that serve as entry point to bringing more women to own land.

In a like manner, MINDCAF works in collaboration with female chiefs on how to facilitate access to land ownership for women in their various villages. There is also a close collaboration between MINDCAF and LandCam. LandCam is a coalition of NGOs advocating for women's access to land ownership in Cameroon. Their partnership has permitted the elaboration and the co-organization of a land tenure week organized in Cameroon. This event brings together actors of land governance (traditional rulers, public administrations, civil society organizations, researchers, law makers and indigenous communities) to brainstorm on land governance issues in Cameroon. The most recent edition was the 2022 Edition that took place in Yaoundé from the 14-18 November 2022.

From our results, we note that CSOs operating in Fako division implement several approaches to permit them achieve their objectives.

But in as much as they work towards providing support to women, their actions encounter a number of constraints that limit the scope of their activities, rendering their role unsatisfactory.

Constraints To The Support Of CSOs

In performing their functions, the actions of CSOs encounter constraints. But their actions also have dysfunctional influences which generate some obstacles that contribute to hindering them achieve their initial objectives. It should be noted that an enabling environment from both the local population and the organizations is necessary to render the various approaches undertaking meaningful. The civil society organizations that participated in our investigation focused on four types of constraints: legal and customary law constraints, constraints resulting from the reluctance of women victims of land discrimination, constraints related to collaboration and lobbying, and financial constraints.

Legal and Customary Law Constraints

By legal and customary law constraints, we refer to difficulties encounter by CSOs resulting from regulatory and legislative framework regarding land ownership as well as inheritance rights under custom. CSOs revealed that the cohabitation of land laws is at the origin of the marginalization of women in land management in Cameroon. The works of Chindji Kouleu (2005) permitted the understanding of this view from a critical standpoint. By using the theory of underdevelopment, the author affirms that inside (endogenous), outside (exogenous) and mixed dynamics (both) are factors that hinder developmental projects. CSOs deplored the fact that colonialism which led to the implementation of the 1974 ordinance by the independent government fails to guarantee women's access to land ownership. They justify their argument in the fact that, in addition to being obsolete, the 1974 ordinance is gender insensitive and do not promote gender justice. That is to say, they do not offer women the resources that facilitate their access to land ownership in the same way as men.

Even though FIDA claims that the law is neutral because it stipulates that everybody has equal right to possession, Emilia Miki of the Denis Miki Foundation as well as the Divisional Delegate of Women's Empowerment and the Family contradicts this claim. They argue that the actions of civil society receive major setbacks due to the neutrality and gender insensitivity of the 1974 land law. According to them, it does not only suffice to say everybody is equal and has equal right to property before the law when the socio-anthropological position and status of women and men which is the foundation of the society is not the same. While the latter is considered as superior and financially viable, the former's status and position is that of "property", subordinate and financially weak (Pemunta, 2017; Kerbo, 2003). The neutrality of the law has brought some NGOs to question the justice in equality of the law.

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

The question with regards to the justice in equality of the law can be better understood in the works of Njoh Ambe. Njoh Ambe (2013) reveals that land tenure formalization in Cameroon violates three major principles which are inextricably interconnected in land governance. That is, the principle of Equity, Fairness and Justice (EFJ). The implied knowledge to this assertion is that by violating the EFJ principle, the obsolete 1974 land laws fails to make provision for a special clause to protect the woman in a definite manner. As such, things that are equal are not necessarily equitable. This situation as argued by CSOs skews their role to support women own land because the law in

itself discourages most women who have been sensitized and are willing to register their land to push through to the end due to its bottleneck procedures. Hence, this explains why Madam Limunga Luma insists that "*it is not enough to say that everybody has equal rights to property by the law, without a priori considering the social status of women in the society*".

Furthermore, CSOs deplored the absence of a Family code in Cameroon as a stumbling block to their role as it prevents them from providing adequate legal assistance. The presence of the code would clarify inheritance rights as it would clearly spell out the rank of spouses with respect to succession. But the absence of the said code makes it very difficult for organizations like FIDA to revoke letters of administration challenging a widow's rights over ownership. An affirmation corroborated in Case 2 above.

CSOs push further to highlight that they also encounter obstacles that are endogenous (tradition). One of the endogenous difficulties they encounter lies in their struggle to demystify the myth embedded in the writing and challenging of a Will. A Will is a legal document that expresses a person's wish as to how their property is to be distributed after their death. But NGOs point out that regardless of their awareness raising campaigns aim at educating communities on the importance of writing a Will, most men are still very reluctant to writing it. This behavior is typical of patriarchal societies like Fako where, the writing of a Will is seen not only as a taboo, but as a way of predicting and precipitating one's death. Whereas Chief Moki Monono argues that "*the Will is the only instrument that protects women from land exclusion and discrimination under custom and tradition*". Intriguingly, Barrister Atemnkeng Elizabeth adds that in addition to the men being reluctant to writing the document, "*(...) lawyers themselves on the other hand are reluctant to challenging the Will of a deceased in court especially when the Will disinherits or excludes an individual from property ownership*". And such situation further impedes on the woman's ability to secure land after the death of her husband.

Reticent Behavior of Women

Civil society organizations go ahead to affirm that the constraints they encounter are not only link to the coexistence of land laws, but partly due to the reticent behavior of a majority of women. These women shy away from denouncing acts of land discrimination and exclusion because they are afraid of the reprisals they may suffer from society. Indeed, given the fact that traditional land norms internalized by society exclude women from land ownership, those who venture down the path of claims to access land titles are generally perceived as rebellious women, and rejected by society. The sociological works of Emile Durkheim enriched the understanding of this argument. He explains in his book *The Rules of Sociological Method* (1895) that, social facts are created from collective forces and exercise coercive powers on the individual. This implies that, to be accepted and considered a member of a society, an individual must respect and reproduce collective social values and norms. We use the ideology of Durkheim to show that patriarchal societies like Fako have established social norms and values that valorize male domination over land ownership and as such, members who do not respect or reproduce these established norms are likely to be sanctioned.

From this explanation we understand that for fear of to be sanctioned, beneficiary group/population may refrain from accepting and adopting the ideas transmitted by promoters of developmental projects. According to NGOs this situation has pushed a majority of Fako women to accept the established traditional norms and practices to the extent that they fear to denounce discriminatory land practices made against them. While some women go as far as refusing and even excluding their own female children from land ownership as demonstrated in Case I above since they believe that land must be inherited by the sons only, others respect these discriminatory norms and practices for fear of being cursed, rejected, bewitched or receive life threatening actions (also see Pemunta, 2017, p. 75). An opinion confirms in the words of Barrister Atemnkeng Elizabeth.

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

The implied knowledge according to these organizations is that, women themselves should support the actions of CSOs through their active involvement and participation by speaking up to denounce acts of land discrimination so as to ensure a satisfactory assistance. But as opined by Madam Emilia Miki, the absence of their (women) involvement and participation is a major setback as CSOs are not in the adequate position to oblige victims of land discrimination to speak up against their own will as she expatiates in these words:

Our organization assisted a woman who came to us with her situation. She was legally married to her husband and during their marriage life together; she took a loan and bought a piece of land with her money which her husband was aware of it. Some years later, their marriage wasn't working and the woman decided to file in for divorce. But when it came to the landed property which was bought with the woman's money, her husband swore that he was the owner of the land and not the woman; that he bought that land with his money. This brought serious battle because with no proof showing that the lady was the one that bought the land, the man had to own that land. After some

time, the lady came to us seeking for assistance to file for a case and follow it up. But midway into the process, the lady was nowhere to be found. She abandoned the case. And when we asked her why, she said "my pikin leave am, I don just forget me about that land. Than sey mak my head go beta mak the land go", and that's how it ended.

Her recount reveals, as demonstrated in the works of Emile Durkheim, how norms and values transcend the individual exercising coercive powers on her. Implying that, the social cost women fear to bear if they go against these cultural norms partly explain their reticent behavior (Lastarris-Cornhiel and Zoraida, 2005). Hence, in as much as civil society organizations seek to enhance and improve women's access to land ownership, the responsibility of ensuring that their role is satisfactory also lies in the hands of women who are the main victim of land exclusion. And this responsibility entails that women go beyond the fear to be sanctioned by speaking up and denouncing acts of land discrimination.

Constraints related to Collaboration and Lobbying for Policy Reforms

If collaboration with other actors (donors, both international and national, government and other CSOs) constitutes an asset in supporting women, it should be noted that the requirements relating to collaboration constitute an obstacle to the action of CSOs. This is because collaboration and lobbying actions encounter resistant bureaucracy at different levels. Bureaucracy stems up from various key actors involved in policy advocacy. For example, some NGOs, government, and donors often disapprove or obstruct the goal of CSOs by subjecting their advocacy actions to multiple procedures, evaluation and accountabilities where they must meet the demands of government, donors and allies within their network (coalition). These procedures and requirements are time consuming, giving little room for them to satisfactorily meet the need of the beneficiary population or communities.

Maaïke Matelski et al., (2018) argues that upward accountability and inward accountability (towards other NGOs of the coalition network) is a major challenge to civil society organizations. The author notes that the excessive and intensive reporting requirements to lobby for policies reform on one hand, and lobby for funding from donors on the other hand, often result in an emphasis on upward (towards government, donors) over downward accountability (towards communities and beneficiaries). Due to the pressure resulting from upward accountability, the programs and projects of NGOs are often readjusted irrespective of if beneficiary needs are met or not. Hence, these elements do not only reduce the space/visibility of these organizations in the field but also result to "mission drift". Mission drift in the sense that since NGOs find it difficult to "bite the hand that feeds them", respecting the norms of these partners becomes imperative. An opinion shared by Madam Emilia Miki of the Denis Miki Foundation who maintains that, the failure to achieve their objectives in supporting women is partially justified by these constraints. She underlines the fact that it takes long for lawmakers and public authorities to grant them audiences for exchanges.

This difficulty to have a one-on-one exchange is also experienced with traditional rulers who are not willing to accept their collaboration because they (traditional rulers) enjoy certain advantages in land management. Their benefits in land management are derived from the double role they occupy; as auxiliary for the State and as custodians of land and tradition. Whereas traditional rulers constitute an essential actor in the advocacy actions carried out by CSOs since they are the custodians of tradition and distributors of land. As a result, they can either maintain the status quo or bring about significant changes in women's land conditions. However, they display strong resistance to collaborating or partnering with CSOs, justifying their resistance in the fact that CSOs exclude them from the conception and elaboration of their projects and only require their intervention during implementation. Thus, traditional rulers argue that they see themselves as

“strangers” to the advocacy project of civil society and see no need to facilitate the achievement of their objective. A situation also supported by the Divisional Delegate of Women's Empowerment and the Family of Fako.

Traditional rulers are the foundation to overcoming land discrimination and facilitating land ownership by women in the sense that, they are the custodians of land and tradition. CSOs find it difficult to achieve their mission because they do not sufficiently involve traditional rulers who are the ones on the ground in the conception and implementation of their advocacy project. This is why the actions of CSOs meet serious resistance. They may lobby and advocate but unfortunately, no significant changes will be felt in the field because at the end of the day when it comes to who should own this land or not, traditional rulers have the final say. Madam Limunga Luma, Divisional Delegate of Women's Empowerment and the Family, Fako, Mile 1.

It therefore appears that the involvement of grassroots actor in particular traditional rulers in the conception and elaboration phase of the advocacy project is a condition for the success of any advocacy for women's access to land ownership. Consequently, it demonstrates the imperativeness for CSOs to implement strategies that would allow grassroots actor to be with them and not against them; which seems very difficult. Difficult because as put forward by Madam Emilia Miki,

(...) be it at the grassroots or national level, it requires a lot of patience, time and resources to make our ideas go through. You know that advocacy means having exchanges with public administrations, house of senate, parliamentarians, and local chiefs. Our ideas are also seen as conflicting with local norms and values. Even when we succeed to have discussions

with these key actors, it takes a lot of time to implement them. In spite of all our actions to expose certain discriminatory laws of the 1974 land laws, nothing has been done till date. The same laws are still in use 40 years later. Madam Emilia Miki, Founder and CEO of The Denis Miki Foundation, Botoland, Limbe.

Her opinion denotes the frustration of NGOs when it comes to advocating and lobbying for reforms of land laws and practices. It also denotes the huge financial resources required to carry out these actions as supported by other NGOs. Unfortunately, since most NGOs can't afford these resources, they often fall into co-optation where the pressure of accountability and collaboration often increases the risk of powerful partners to influence or absorb their programs.

Financial Constraints as Hindrance to the Assistance Role of CSOs

Supporting women towards access to land ownership necessitates huge and available financial resources. In spite of the fact that civil society organizations are exempted from custom duties, value added tax and benefit from tax deduction on income from grants and subsidies, their weak financial sustainability causes them to depend on funding from their members and external donors (USAID, 2020, p. 54). Hearn Julie, Jeannette Leumako (2016) shares this view as they acknowledge that a lack of an independent source of funding is a constraint to the role of CSOs. Their excessive dependency on donors for financial aid hinder them from efficiently elaborating and implementing advocacy events such as organizing seminars, workshops and providing legal assistance. This explains why a majority of the local population is not exposed to the activities of civil society organizations due to their poor visibility in the field.

Moreover, Emilia Miki points out that assisting women to land ownership requires a proper communication technique. For instance, private print and media broadcast are needed to sensitize the broader community. But, most local

NGOs cannot afford the expensive cost of these means of communication that seem efficient in reaching a larger audience (USAID, 2020. p. 54, 56). Emilia Miki reckons to this effect that:

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

Two important elements can be observed from her recount. First and foremost, in addition to reiterating the financial inability of NGOs, it demonstrates the significant relation that exists between the type of communication technique employed in doing advocacy and the achievement of objectives. In other words, the level to which communities are educated and exposed to land rights issues is also and strongly dependent on the means of communication employed by advocacy groups (Nkini, 2023). The point here is that, an appropriate technique of communication such as radio programs executed in the language used and understood by the majority in communities is determinant to influencing behaviors and bringing change in a larger sense be it on the social and ideological plan (Jean-Francois, 2013, p. 59-60). But since CSOs cannot afford the finances needed to buy spaces over the radio due to its expensive nature, they tend to rely on the mouth-ear dissemination which is not only inefficient, but unable to reach a maximum population and key actors. Hence, it limits their support to assisting women gain greater access to land ownership.

Conclusion:

This paper focused on examining the different approaches implemented by CSOs in supporting women towards access to land

ownership on the one hand, and on the other hand, it highlighted the constraints they encounter in carrying out this support mission. Qualitative data were collected in Fako division through the theoretical lens of the Functionalism theory. The methods used to collect our data were direct observation, semi-structured interviews, case study, casual discussions and life stories. These methods permitted the collection of data relating to the approaches implemented by CSOs in supporting women towards access to land ownership and, the real constraints they encounter.

It emerges from this study that three main approaches have been implemented by CSOs in Fako division to facilitating women's access to land ownership. These approaches are, the Implementer approach (Workshops and sensitization campaigns, Legal Assistance), the Catalyst approach (Lobbying, Capacity building activities) and the Partnership approach. With regards to constraints, it appears that CSOs encounter obstacles connected to legislative framework and customary practices, the reticent behavior of women, collaboration and lobbying for policy reforms and, the financing of CSOs activities. These constraints considerably limit their action in favor of women, necessitating concrete actions that can help minimize them. Hence, the importance of questioning the priority constraints on which to act so as to render the action of CSOs more efficient in facilitating greater access to land ownership by women.

The empirical investigation reveals that CSOs primarily highlight the reluctance of women to publicly denounce acts of land injustices of which they are victims. According to them, an efficient involvement of women victim of land discrimination in the processes undertaken until their conclusion would make it possible to considerably reduce the abuses perpetrated against women in land management. It is therefore important to employ adequate communication techniques necessary to intensify awareness raising campaigns among women and strengthen their capacities in order to enable them resist the pressures they face to complete the actions undertaken. Alongside women's reluctance is the

financial constraint of CSOs. Indeed, the financial dependence to which they are subject places CSOs in a vulnerability which greatly limits the development and efficient implementation of advocacy activities and legal assistance in favor of women victims of land exclusion. Furthermore, there is a clear conflict between the approaches implemented by CSOs and the cultural values of the people of Fako who place traditional chiefdoms at the heart of land management. As such, there is a necessity for CSOs to give traditional rulers a place of priority in order to ensure real support for the actions they undertake. Lastly, the question of the obsolete current land laws which requires frank collaboration with public actors cannot be undermined. The need for a reform that introduces positive discriminatory provisions in favor of women, and more specifically rural women, appeared to be an absolute necessity for many of the actors encountered in the field of investigation. Such provisions would put an end to the land vulnerability of women and the feminization of poverty, mainly in rural areas.

At the end of the analysis, it is undeniable to recognize that the action of CSOs brings added value to the empowerment of women whose responsibilities today go beyond the household sphere to embrace the economic sphere. However, an analysis of the constraints reveals the need for actions that could render the support of these organizations more efficient. Thus, a concerted action with actors around an approach which reconciles both the socio-cultural context of local populations and the current institutional context, for the establishment of a synergy of actions between CSOs and all actors of the land game, is indispensable for a real land empowerment of women.

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MINDCAF CIRCULAR

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

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

Yaoundé, le 28 AVR 2020

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

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

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

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

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

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

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

Copie :
- SG ;
- IG ;
- Directeurs (PS) :

