

# Post Colonial Cameroon: Rationale for the Anglophone Struggle for Self-determination

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**Abstract** — The preparation of Trust territories for self-government was a duty Britain and France had in the Cameroons. While France fulfilled its duty, the British claimed that the Cameroons lacked financial resources to sustain an independent state. Thus, following the February 1961 Plebiscite, former British Cameroon reunited with French Cameroon on 1<sup>st</sup> October 1961 to create the Federal Republic of Cameroon. Modalities of reunification were discussed at the July 1961 Fouban Constitutional conference which produced the Federal Constitution. With the emergence of the United Republic of Cameroon in 1972, Cameroon became a unitary state. Reducing a federated state into two regions has succeeded in wiping away the autonomy Anglophones enjoyed under the federal system. Over the years, the Anglophone minority in Cameroon has faced marginalisation and keeps struggling to stop it. This study looked at the rationale for the Anglophone struggle for self-determination in Cameroon with the main thrust of the argument being that the faulty decolonisation process sustains this claim. Findings showed that the rationale for the struggle include; imposition of plebiscite questions by the UN and lack of a treaty binding the two territories together. All these reasons occurred as a result of the incomplete decolonisation process in the Former British Southern Cameroons. It is recommended that a revisit of the decolonisation process be done, with a possible return to the federal structure and that the government of the Republic of Cameroon should look at the Anglophone problem constructively so as to ensure lasting peace and security.

**Index Terms**— Anglophone, decolonisation; independence; minority; marginalisation; secession; reunification; self-determination; United Nations.

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## 1. INTRODUCTION

The Germano–Duala Treaty of 12<sup>th</sup> July 1884 gave birth to the German protectorate of Kamerun in West Africa. The defeat Germany in World War One led to the joint administration of Cameroon as a League of Nations (LON) Mandated territory by Britain and France [1]. The League of Nations was replaced by the United Nations Organisation (UNO) in 1945, changing the status of Cameroon to a UN Trust territory while maintaining the joint administration. With the beginning of the British Mandate in 1922, British Cameroon was administered as part of the colony of Nigeria. The territory was divided into the British Northern and Southern Cameroons and each became parts of the Eastern and Northern Regions of Nigeria respectively [2]. Following the Eastern Regional Crisis in 1953, the majority of Southern Cameroons politicians opted for neutrality and the territory eventually acquired quasi and full regional status in 1954 and 1957 respectively. Across the Mungo River was French Cameroon, which having been administered directly by France, acceded to independence on the 1<sup>st</sup> of January 1960.

The reunification issue in the Southern Cameroons emanated as a result of the division and differences between the political parties within the territory especially following the 1959 elections where Foncha emerged as the new Premier. As a result of these disagreements among Southern Cameroonian politicians, the Plebiscite of 11<sup>th</sup> February 1961 was fixed, organised and the results showed that Southern Cameroonians overwhelmingly voted to join the Republic of Cameroon, while British Northern Cameroon voted to join the Federal Republic of Nigeria [3]. This union was to go by the name of the Federal Republic of Cameroon with Southern Cameroons now being the federated state of West Cameroon and the Republic of Cameroon being East Cameroon. The reunification of the two Cameroons was officially on 1<sup>st</sup> October 1961 [4], bringing back together once separated brothers. The decision by the then

Southern Cameroons not to join Nigeria was due to the fact that the third option of independence as an autonomous territory was not given to the territory by the U.N. and rather than joining Nigeria to form a region, they preferred joining Cameroon, to become a federated state and have equal status with their brothers across the Mungo.

From 1961 onwards, the Southern Cameroons became known as West Cameroon with its capital in Buea and a Prime Minister at the helm of its affairs, with a Legislature and a House of Chiefs, within the framework of the Federal Republic of Cameroon. West Cameroon was responsible for its development but also received financial support from the federal government. Subsequently, following the 1972 referendum in Cameroon, the territory was turned into a unitary state with the party of the then president Ahmadou Ahidjo, the Cameroon National Union (CNU) as the only political party in the territory since 1966. West Cameroon became the North West and South West Provinces (now regions) [6].

This referendum ended the federation and the much enjoyed and cherished autonomy of the former West Cameroon. Ruling the country as a dictator, Ahidjo left no room for opposition and crushed every form of dissent. 1982 saw the coming to power of President Paul Biya as the new head of state and this was welcomed with much euphoria by Cameroonians, Anglophones inclusive [7]. The 1990's saw the reintroduction of multiparty politics in Cameroon alongside other liberal policies with the main opposition party the Social Democratic Front (SDF) being founded by an Anglophone, Ni John Fru Ndi. 1993 saw the coming for the first time of an organised Anglophone group into the Cameroonian political mainstream with what is termed the Anglophone Problem but was met with defiance from the government. This refusal for dialogue brought in the issue of the outright struggle for the liberation of Southern Cameroons. Confronted with the government's

refusal to discuss the AAC I constitutional proposals of federalism, the Cameroon Anglophone Movement (CAM) (also in attendance of the AAC), declared itself in favour of the zero option on 3<sup>rd</sup> December 1993 which was total independence for the Southern Cameroons [8]. Anglophones are seen by the government of 'La Republique' as the biggest threat to the country's nation building and the Francophone elite often mobilise their Francophone brothers against Anglophones. Francophones often use derogatory terms against the Anglophones like "les Biafras" and "les Bamenda" [9]. Perceived Anglophones marginalisation and the struggle to address and mitigate this marginalisation faced by Anglophones has continued till date but this marginalisation has persisted and is still evident in Cameroon.

## 2. RESEARCH PROBLEM

Societies have often been plagued with problems and the means to seek redress usually are often two sided. Either pacific or violent avenues are sought after. However, when it comes to issues of minority marginalisation, more often than not violence is used as a source of redress, especially when complaints are met with stiff resistance.

After the first All Anglophone Conference (AAC I) of 1993, the government decided to give a deaf ear to the reform proposals arrived at during this conference. Following this was the second All Anglophone Conference (AAC II) of 1994 in Bamenda in which independence was taken as the final resolution of the Cameroon Anglophone Movement. This led to the subsequent creation of the Southern Cameroons National Council (SCNC) to champion the fight for the territory's independence [10].

The struggle for self-determination in Anglophone Cameroon is premised on the fact that Anglophones are marginalised in Cameroon [11]. This marginalisation is seen to be possible because Southern Cameroon has been yoked into a union that is unconstitutional and illegal [12] with no legal instrument guaranteeing the protection of its minority population. The union between Southern Cameroon and La Republique du Cameroun was on the basis of a federation which was abrogated in 1972 by the regime of Ahmadou Ahidjo [13]. This was in clear violation of *Art. 47 (1)* of the Federal Constitution which denounces the promulgation of any law aimed at destroying the federal structure of the union [14]. With its creation in 1994, the SCNC opted for non-violence as its strategy to seek redress to the lingering Anglophone marginalisation. This stand was however met with repression from the Cameroonian government alongside its indifference to the Anglophone problem. Despite this repressive reaction from the government, the Anglophone Cameroonian romance with non-violence endured and still lingers till date. As a decision to move for secession, one would have expected that this liberation movement would take up arms, however this has not been the case. They opted to use dialogue, with the SCNC slogan to this being "the force of argument and not the argument of force" [15]. The introduction of decentralisation in the country was aimed at increasing the autonomy of the regions and reduce dependence on the Central government. Even though the

implementation process has been slow, the Anglophone struggle for self-determination has picked up steam in recent years, despite government attempts to advance regional autonomy. The fundamental problem this paper sought to investigate is the rationale for the Anglophone struggle for self-determination.

## 3. THE ANGLOPHONE PROBLEM

Mainstream politics in Anglophone Cameroon is often plagued by the Anglophone problem and this scenario has been succinctly described by a lot of scholars. Konings and Nyamnjoh say that the political agenda in Cameroon has become increasingly dominated by what is known as the "Anglophone Problem", which poses a major challenge to the efforts of the post-colonial state to forge national unity and integration and has led to the reintroduction of forceful arguments and actions in favour of "federalism" and even "secession" [16]. They further state that:

The root of this problem may be traced back to 1961 when the political elites of two territories with different colonial legacies – one, French and the other British – agreed on the formation of a federal state. Contrary to expectations, this did not provide for the equal partnership of both parties, let alone for the preservation of the cultural heritage and identity of each, but turned out to be merely a transitory phase to the total integration of the Anglophone region into a strongly centralised, unitary state. Gradually, this created an Anglophone consciousness: the feeling of being 'marginalised', 'exploited', and 'assimilated' by the Francophone-dominated state, and even by the francophone population as a whole [17]. To Fonchingong, "the assimilation process by processes of marginalising Anglophones has given rise to Anglophone grievances commonly termed the Anglophone problem" [18].

Fanso holds that "the Anglophone Problem is a constitutional and self-determination problem" [19].

On his part, Kah explores another dimension to the Anglophone problem in Cameroon. He looks at this from the internal dichotomy and discord that exists within the Anglophone community. He holds that his work establishes another dimension of the Anglophone Problem generated from within and determined by socio-cultural, economic and leadership issues [20].

In 1993, a sizable number of elites from the Anglophone community converged in Buea to advance a common position in the wake of constitutional talks. About 5,000 delegates from all walks of life attended this historic conference although some of them were eventually accused of sabotage. There was also a joint action during the struggle by the Teachers Association of Cameroon (TAC) and parents to have Anglophones take full control of their own certificate examinations. This show of solidarity soon eluded the Anglophones especially after the creation of the Cameroon General Certificate of Education (G.C.E) Board in 1993 [21].

He further asserts that there is a gulf between the elite of the two regions, which in recent times has extended to the non-elite groups. And instead of addressing their grievances, other socio-political and economic considerations are assisting in

widening the gap that already exists [22]. Ngoh further supports this view when he states that there exists an Anglophone problem in Cameroon but within the Anglophone community, there is a South West and North West problem [23]. This just goes to affirm the fact that there existed (though no longer rife today) distrust among Anglophones as the South Westerner saw the North Westerner as a sell out and vice versa.

Cameroon became a German protectorate (Kamerun) in 1884. With the defeat of the Germans by the British and French in 1916, the territory was divided between those nations in 1916. In 1922, the French and British zones became League of Nations mandates, with the French controlling over 80 percent of the national territory [24]. They state that the frontier between the French and British zones cut through the territories of several ethnic groups, particularly the Bamiléké and Grass field peoples of the western highlands. This later served as an impetus for the reunification of those zones at the time of independence. The division of the country into British and French League of Nations mandates after World War I created Anglophone and Francophone regions and this division has created what has become known today as the "Anglophone problem" because the Anglophones who are the minority are complaining of being marginalized by their Francophone counterparts [25].

Executive members of the South West Elite Association (SWELA) have asserted that the association is in total support of Anglophone Lawyers and South West Chiefs Conference, SWECC, call for a return to the federal system of government in Cameroon [26]. In 2014, popular opinion in Anglophone Cameroon was marked by the renewal of calls for a federal state, a call that has lingered in the minds of the Anglophone Cameroonians for a very long time. However, the opinion of the South West Chiefs seems not to hold water, especially due to the fact that most of them have been co-opted into the administration and are paid salaries by the government. Most of these chiefs are no longer apolitical since they now practice partisan politics.

#### 4. THE PRINCIPLE OF SELF-DETERMINATION

For Cassese the emergence of the principle of self-determination can be traced as far back as the French Revolution. It was later strongly supported by statesmen like Lenin and Wilson, though in different versions and it was meant to brush aside the old state oriented approach prevailing in international dealings [27].

He sustains an argument that the principle of self-determination conflicts with the old ordering of states where power is solely vested in the sovereign. People are equally to have a say in the running of the state. It was advocated as a democratic principle which called for the consent of the governed in matters of state. This in effect undermines principles like dynastic legitimation of power and despotism, which has characterised the international scene for thousands of years [28]. He however contends that notwithstanding the general acceptance of the principle of self-determination, it is only embedded in international law in three areas; as a standard against colonialism; a restriction and ban on foreign occupa-

tion and as a condition for racial groups to be given full access to government [29].

The principle of self-determination is one held sacrosanct by the international community for it is a vital principle that is essential for peaceful coexistence among states within the international community, and also to ensure international peace. So many scholars often use the term self-determination interchangeably with secession, dissolution and devolution [30].

Buchheit defines self-determination as "a principle which encompasses the right of all segments of a population to influence the constitution and political structure of the system under which they live" [31]. The right to self-determination is a fundamental right enshrined in many international instruments including the Charter of the United Nations [32] and the International Covenants on Economic, Social and Cultural Rights. In the Covenant, it states that "all peoples have a right to self-determination. By virtue of that right they are free to determine their political status and to pursue their economic, social and cultural development" [33]. Irrespective of this clear definition, there is still a lack of consensus with regards to applicability, content, and the enforcement of the right to self-determination. This divisions often cut across two major ideas with the first being "the right to self-determination is a right of recognized states to act without external intervention; and the other being that each ethnic, linguistic or religious group has the right to secede from the state of which it forms a part" [34].

For Banai, "the political interpretation explored here defines the claim for self-determination as a claim by a group with a shared political identity to establish (or maintain) separate political institutions with jurisdiction over identifiable territory. The political interpretation is distinct, in the normative principle that it invokes, from two other conceptions of self-determination: the national and the democratic. In the national version, self-determination derives its normative claim from the value of nationality; in the democratic interpretation, self-determination is a claim to an equal participation in decision-making, deriving its normative claim from the value of democracy" [35].

The frequent hesitation to acknowledge a right to self-determination results from the misconception that self-determination is equivalent to a right to secession. The issue of secession arises in instances where a certain proportion of the population in a given territory as part of a given state seeks to become a sovereign state itself or part of another state [36]. For Anaya, the constitutive meaning of self-determination requires that the government institutional order be founded on the will of the people (popular sovereignty) [37].

Self-determination was generally accepted as a right during the colonial era for it served to legitimise wars of liberation as people fought for independence from colonial powers and foreign domination [38]. Contemporary self-determination conflicts however occur outside the colonial context. The inclusion of self-determination in Common Article 1 of the two human rights covenants results in a broader scope of self-determination that must not be constrained to the context of colonialism [39]. The bone of contention today is if the use of force in self-determination is relevant in a post decolonised world. Due to historical violations of the self-determination of indigenous peoples, such as genocide and present day inequi-

ties against them, indigenous rights norms are essentially remedial. As a remedial measure, the implementation of the right to self-determination of indigenous peoples has to be in accordance with their own aspirations. This may involve a change in the political order and therefore a change of the status quo. Secession is thereby perceived as a remedial prescription to massive human rights violations and the oppression of a group by an unjust government [40].

According to Brilmayer, International law does not proffer any easy answer to the problem of separatist movements. Rather, like in many other areas, adverse principles seem to come in complementary pairs. *“Two inconsistent themes run throughout the academic discussions, one supporting a right of secession and the other denying it. On the one hand, the principle of self-determination of peoples suggests that every “people” has a right to its own nation-state? While the positive law status of this norm and its applicability to the secessionist context are debatable, on a rhetorical level few deny the principle’s appeal”* [41].

Seton-Watson aptly encapsulates the common scenario that often ensues between nationalist movements and sovereign states as follows: *it has become a dogma among nationalists that the nation cannot be free, and cannot freely develop its culture, unless it is in possession of the apparatus of a sovereign state of its own. Rulers of sovereign states in which there is a national movement demanding independence usually regard such a movement as a threat to their security, and use varying methods, mild or harsh, to repress it.....Peace could be best served if national movements could aim at something other than sovereignty, and if rulers of sovereign states that are multinational would accept the reality of diverse national cultures”* [42].

The aims of nationalist movements have to be separated from the dogmas of state sovereignty, yet the need for a type of closer international cooperation overriding state boundaries must not be made an excuse for crushing national cultures or humiliating national consciousness. In the last two hundred years, it has been shown that, although states may be formed with enthusiasm, collapse with ignominy, and disappear altogether, national cultures are almost indestructible, and national consciousness denied or humiliated becomes an explosive force of deadly power [43].

Mbida questions if Southern Cameroonians have a right to self-determination. He argues that this right is a right open only to a people who are under colonial rule and that since the Southern Cameroons gained independence by joining La Republique du Cameroun on October 1<sup>st</sup> 1961, they can no longer lay claim to a right to self-determination [44]. Agbor believes this to imply that Mbida sees the right as one which ceases to exist immediately a people gain independence and fails to address other circumstances under which this right can be claimed and totally ignores the principle of internal self-determination [45].

Shivji posits that self-determination is a democratic right. To lay at bay the fears of some scholars who think that recognising self-determination as a right may lead to the breakdown of nations, he holds that the recognition of this right is not akin to imposing a duty on people to secede. Such recognition will rather help to sustain voluntary unions rather than secession [46].

## 5. THEORETICAL FRAMEWORK

### Democratic Theory of Political Self-determination

This theory presents the right to secession as being in accordance with the basic liberal principles of democracy, with examples being freedom of association and autonomy. Beran bases his theory on the consent of the people to be part of a political unit, which must rely on the voluntary association of its members. For Beran, the state is the agent of the people, and this agency relationship is not irrevocable. That means that if a majority of a part of the population no longer wishes to be a part of the state, it can do so [47].

Beran’s main tenets for withdrawal from the existing state are shown below;

- The state cannot be the ultimate right holder in the realm of liberal democratic theory.
- The liberal state is the agent of the people.
- The agency relationship between the state and the people can be revoked.
- Therefore, all the rights held by the state must be derived from the people whose agent it is.
- Hence, if a substantial part of the state no longer wishes the state to be their agent, they may terminate the agency relationship and withdraw themselves from the state with the territory [48].

The smallest unit that can be allotted the right to secession are territorial communities, which are *“a social group that has a common habitat, consists of numerous families....and is capable of self-perpetuation through time as a distinct entity”* [49]. For the territorial community to exercise the right, it needs to satisfy two other conditions, namely that it is a politically and economically viable entity. With political viability, Beran understands the community’s ability to govern itself permanently. Economic viability is on its part understood as the community’s ability to at least meet the basic needs of its members or has a reasonable prospect of doing so with appropriate economic development aid from other states [50]. Beran’s theory allows for recursive secession, going by the same line of the revocability of the agency relationship [51].

#### 5.1 Criticism of the theory

The Democratic theory of political self-determination has also met with criticisms as would be seen below. Mavric claims that the theory appears to be too simplistic. Claiming that a community that can prove itself as politically and economically viable in the long run can claim the right to self-determination presupposes a high rate of secession as most territories clamouring for this are viable in both areas. Also, his principle of recursive secession is tantamount to chaos in the international system, for this will enable further fragmentation of newly created states [52]. Irrespective of the criticisms, put forth, this theory is chosen for this study as it highlights the claims of Anglophone Cameroon to break away cognisant of the fact that they possess both political and economic viability in the long run and can also assert a claim that if a people’s rights are not secured within a state, and they are marginalised, they have a right to terminate their agency relationship with the state.

## 6. RESEARCH METHODOLOGY

The study made use of the ethnographic research design given the fact that it carried out in-depth studies and analyses of issues relating to Anglophone marginalisation and struggle for self-determination in Cameroon in relation to a larger Francophone community. Using the purposive sampling technique, a sample of 10 key respondents was used for this study in order to get clear and concise data on the subject matter in this study. The ten respondents were carefully selected key respondents who have a mastery of knowledge of the Anglophone political landscape and the Anglophone struggle for self-determination, and provided the researcher with credible and factual information relevant to the study. These included 4 Anglophone activists, 2 researchers on Anglophone politics, 2 Anglophone Politicians and 2 elderly Anglophone statesmen. An amalgamation of both primary and secondary sources was used for data collection. Primary sources included data collected from interviews and personal observations while secondary sources will consist of reviews from books, journal articles, blogs and websites. The semi-structured interview was the instrument used in the collection of primary data for this study and data collected was analysed through in-depth content analysis.

## 7. REASONS FOR THE STRUGGLE FOR SELF-DETERMINATION IN SOUTHERN CAMEROON

### 7.1 Imposition of Plebiscite Questions by the United Nations

It is an irrefutable fact that popular opinion in the Southern Cameroons was neither to reunite with the Republic of Cameroon nor to join the Federal Republic of Nigeria. The questions phrased for the plebiscite did not reflect the aspirations of the political camps of the Cameroon People's National Congress (CPNC), the Kamerun National Democratic Party (KNDP) and the Kamerun United Party (KUP) [53].

Foncha stressed that the KNDP first wanted separation from Nigeria before starting any negotiations for an eventual reunification with French Cameroon. He even suggested the trusteeship period be extended for a few years to offer the Southern Cameroons the opportunity to develop politically, economically and culturally, which would enhance its bargaining position with French Cameroon. Conscious of the fact that, attaining independence on 1<sup>st</sup> January 1960 would put the Republic of Cameroon on a different political pedestal, when discussing reunification issues was a motivating factor for Foncha wanting a prolonged trusteeship period with developmental autonomy [54].

Though the questions reflected the aspirations of Endeley and his CPNC, the KUP however did not get its views represented in the questions. The KUP was in support of separation from Nigeria and the establishment of an independent Southern Cameroons state. For Ngoh, the KUP leader, Kale, "questioned the necessity of a plebiscite, arguing that the terms of the Trusteeship Agreement guaranteed the Cameroons the right to the enjoyment of self-government or independence" [55]. The chiefs supported his position of secession without reunification. In a colourful and

memorable statement, their spokesman, Fon Achirimbi II of Bafut, metaphorically presented French Cameroon as "being on fire" because of the civil war that was raging there, and giant Nigeria as the "water" in which the Southern Cameroons would easily drown should it chose to go there. He reminded the delegates that "we rejected Dr Endeley because he wanted to take us to Nigeria; if Mr. Foncha tries to take us to the French Cameroons we shall also run away from him" [56].

The above presupposes that the option for independence resonated more in the minds of the Southern Cameroonians.

"The fear of Igbo domination in a Nigerian federation made citizens of the Southern Cameroons to opt and vote for reunification with La Republique du Cameroun during the February 1961 plebiscite" [57].

It could be said that opting to join La Republique du Cameroun was not the choice they actually wanted. This explains why one of the leading Southern Cameroonian nationalists, Dr E.M.L. Endeley, used the issue of reunification mainly as an instrument to embarrass the colonial administration and to create support for the push towards an autonomous province within Nigeria [58].

What this presupposes is that some politicians in the Southern Cameroons held the opinion that regional status seemed an adequate answer to the problems of Nigerian domination, the lack of Southern Cameroonian participation in the Nigerian political system, and economic stagnation [59]. With this, the option of joining La Republique was accepted as an option only because the option of self-autonomy was not granted to the Southern Cameroons after their independence. With this, they saw that the safest boat to row with was that of their long separated brothers across the Mungo River.

It can be said from the above occurrence that the imposition of these questions was the machinations of the British government which wanted the Southern Cameroons to join Nigeria, hoping that the UPC terrorism in the Republic of Cameroon would scare Southern Cameroonians to vote to remain with Nigeria.

Every state needs to finance the running of its affairs, with recurrent expenditure being the most primordial. The decision to phrase the Plebiscite questions of Southern Cameroons to either gain independence by joining the independent Republic of Cameroon or the independent Federal Republic of Nigeria was in part informed by the supposed financial capabilities of the said territory. Three reports were compiled to assess the economic status of the Southern Cameroons. They are the Phillipson Report (1959), the Berrill Report (1960) and the Anderson Report (1961) [60].

Of great significance to the plebiscite questions was the Phillipson Report commissioned between July and October 1959 and it was meant to determine the fiscal viability of Southern Cameroons if it seceded from the Federation of Nigeria. In this report, Sir Sydney Phillipson concluded that the revenues of a seceded Southern Cameroons "might just suffice to enable it to maintain and even modestly to expand its recurrent services but it would be a precarious hand-to-mouth existence.....As a complete independent state, the Southern Cameroons at its present stage of development would not be viable [61].

With this, the UN could not grant the “third option” of independence as an autonomous territory. However, countries smaller and poorer than Southern Cameroons at the time were granted independence. Some of these countries include the Gambia and Equatorial Guinea.

One respondent posits that “the question of gaining independence by joining was because of financial limitations in Southern Cameroons. In as much as this union never took place, today we are able to finance our own state affairs and want our own sovereign state” [62].

The Southern Cameroons today is home to huge mineral deposits and also huge agricultural and energy potentials that can sustain both the recurrent and investment expenditures of the territory and this is one of the most important things an independent country should have, financial autonomy. Huge oil reserves abound in the Bakassi Peninsula and Cape Limbo, alongside huge agricultural resource endowments.

### 7.2 Human Rights Violations in Southern Cameroon

Protecting the rights of people is a sacrosanct duty that states are laden with, for both their nationals and aliens within their territory. The English speaking regions of Anglophone Cameroon have been facing a series of human rights violations by state security forces which are seen to be discriminatory (the recent rampant arrests testify to this fact). Security forces continue to ill-treat criminal suspects, political activists and members of ethnic minorities in police stations. Members of the SCNC were arrested and detained without trial for weeks. Human rights defenders and independent journalists were harassed and intimidated by the security forces and, on occasion, detained without charges for weeks. Eighteen detainees sentenced in 1999 to long prison terms after an unfair trial remained in prison; some of them were suffering serious health problems [63]. In Communication 266/03 filed by Kevin Gumne et al against the Republic of Cameroon, there are reports of human rights violations therein against Southern Cameroonians and this case was found admissible by the African Commission on Human and Peoples Rights. The recent 2017 Amnesty International report still red-flags Cameroon as a human rights violator, especially in the two English speaking regions.

Communication No. CCPR/C/101/D/1813/2008 details a law suit filed by Ebenezer Derek Mbongo Akwanga against the Republic of Cameroon with the Human Rights Committee of the International Covenant on Civil and Political Rights [64].

According to Mr Ngale [65] “When I was arrested by La Republique, United Nations officials came to Yaoundé where I was being held and requested to see me, the government told them that I and my colleagues were secessionists that wanted to divide Cameroon. I told the UN officials that they know the history of the Southern Cameroons and made them understand that I am a Southern Cameroonian not a Cameroonian. Knowing that there was no justification for my arrest, they demanded my release. If we were part of La Republique, they would have charged me for treason, but they could not, because I am not bound by the laws of La Republique du Cameroun.”

Human right violations against Anglophone activists abound and this is sustained by the need of the government to crush

down any Anglophone struggle questioning its illegal occupation of Southern Cameroon.

### 7.3 Southern Cameroonians are a Distinct People

Southern Cameroonians came to the union as a people and since they now feel that the union is no longer working, they want to separate. The Southern Cameroon before reunification was a territory governed separately from French Cameroon. As an integral part of Nigeria, the territory was administered with British laws and constitution. With the independence of Nigeria on 1<sup>st</sup> October 1960, the Southern Cameroons became an autonomous territory with its own Constitution which came into effect on the same date Nigeria gained its independence. Secessionist claims are often perceived to be treasonous, the identity of the Southern Cameroonians as a people in international law could seem vindicating, serving to free them from charges of treason.

Litumbe [66], posits that in an interview that “when Britain had announced publicly that Nigeria was going to become independent as from 1<sup>st</sup> October 1960, the Colonial Office hurriedly prepared a constitution for the Southern Cameroons, because on 1<sup>st</sup> of October, the Governor of Nigeria Sir James Robertson was to surrender power to Dr Nnamdi Azikiwe. The British government could no longer administer the UN Trust territory for which they signed an agreement with the Trusteeship Council on the 13<sup>th</sup> of December 1946, they could not hand it over to the sovereign Nigerian government. So on the 12<sup>th</sup> of September 1960, the Colonial office in London prepared a special Constitution for Southern Cameroons called ‘The Southern Cameroon Order in Council 1960’. It was put before the British Parliament on 16<sup>th</sup> September, becoming law on 1<sup>st</sup> of October 1960”.

Thus, from 1<sup>st</sup> October 1960, Southern Cameroons became an autonomous territory that was no longer administered as an integral part of the Eastern Region of Nigeria. As per the 1961 Plebiscite, the Southern Cameroonians voted as a distinct people to join the Republic of Cameroon.

Southern Cameroon, like most of Africa, is a multi-national entity that gained independence in 1961 as a multi-national state by reunifying with the Republic of Cameroon (another multi-national state). There exist several ethnic groups in Southern Cameroons including Chamba, Bakossi, Baligham, Mbo, Mankom, Kom, Tikar, Widikum, and amongst others. From the above, it cannot be said that Anglophones are an ethnic group.

### 7.4 Non-respect of UNGA Resolution 1514(XV) on the concept of Independence by joining

The UNGA Resolution 1608(XV) affirmed the Plebiscite results of 11<sup>th</sup> February 1961 for Southern Cameroons to attain independence by joining the sovereign state of La Republique du Cameroun [67]. The formation of the Federal Republic of Cameroon was however not a reflection of the UN Resolution 1514(XV) of 14<sup>th</sup> December 1960, which clearly defines the process to be followed in case of independence by joining for a small country with limited resources to bear the burdens of a sovereign state on its own. This process was to either be by way of ‘association’ or ‘integration’. In case of Association, the smaller territory retains its territorial integrity and Constitution, for which it is free to amend without consulting the big-

ger country it wishes to associate with, subject only to an agreement reached on the sharing of power in a federation of two states, equal in status and publicly pronounced at the UN by President Ahidjo of the Cameroun Republic. In the case where both parties choose to join by way of integration, they share the 3 powers of government equally [68].

Both options require for a Union treaty, however, none of these two options were respected as Southern Cameroons never signed a treaty with La Republique du Cameroun after attaining its independence on October 1<sup>st</sup> 1961 (only an independent state can go into a treaty with another independent state). After acquiring independence by joining, Southern Cameroon lost its sovereignty as it was transferred to an already independent Republic of Cameroon. This has propelled recent calls in Southern Cameroon for a signature referendum, in order to submit to the UN on the demands of Southern Cameroonians for their independence.

### 7.5 Biased nature of the 1972 referendum

On 6<sup>th</sup> May 1972, Ahidjo announced in the National Assembly his plans to transform the Federal Republic into a unitary state by seeking the consent of the electorate in a referendum to be held on 20<sup>th</sup> May of the same year (Konings and Nyamnjoh, 2004). The referendum was organised and the results were in favour of dissolving the federation to institute a unitary state, which Ahidjo wasted no time to do. The name of the country was changed from the Federal Republic of Cameroon to the United Republic of Cameroon. The Federation lasted for just 11 years, for Ahidjo never even wanted a Federation. This change shattered the dreams of the Southern Cameroon politicians who voted for a plebiscite to join Cameroun on the promise of a federation. However, despite this vote to change the nature of the union between these two territories, the vote was illegal and unconstitutional. Article 47 (1) of the federal constitution stipulates that *"No bill to amend the Constitution may be introduced if it tends to impair the unity and integrity of the Federation"* [69].

This clause of the constitution was intended to serve the very purpose of its wording. Conscious of the fact that, the condition for the union between the Southern Cameroons and the Republic of Cameroon was on the basis of a federation, this clause was meant to ensure the survival of that federation, for renegeing on it would mean that the union itself no longer exist, especially if such a change was illegal and illegitimate. Ahidjo cognisant of this clause did not introduce a bill of such in parliament but rather went straight to seek the opinion of the electorate. Due process would have however expected Parliament to vote on such before it was to go through.

This referendum is believed by some activist to have ended the union between the two territories. The struggle for self-determination in Southern Cameroons is also in part, informed by the fact that Southern Cameroons activists see the administrative and military presence of La Republique du Cameroun in the Southern Cameroons as illegal and illegitimate.

For Sama [70], *"Article 102 of the United Nations charter stipulates that if a member state of the United Nations, as La Republique had been since 20<sup>th</sup> September 1960 wishes to join some other terri-*

*tory, it says you are free to do that, but at the point when you are entering the UN, you enter with your international boundaries. If you are going to join some other territory, it will cause changes in your boundaries, which the UN has got to adjust because the Secretariat is the registry of all independent territories throughout the world. There however, do not exist any treaty of union between the Southern Cameroons and La Republique du Cameroun, neither at the UN Secretariat, nor even in Cameroon. Even the Southern Cameroons House of Assembly did not ratify the Federal Constitution, which was void of a federal character."*

The decision to vote in the 1972 referendum should had been reserved to West Cameroonians. They voted in 1961 to join the Republic of Cameroon under the conditions of a federal structure. Voting to dissolve the federal structure was supposed to be their right as a people and not the right of all Cameroonians [71].

### 8. ANALYSIS OF FINDINGS

Judging with the democratic theory of political self-determination, one would say that Southern Cameroons has a just claim to pursue external self-determination. As per the tenets of the theory, it can be seen that the theory presents the right to secession as being in accordance with the basic liberal principles of democracy, with examples being freedom of association and autonomy [72]. It should also be noted however that the Southern Cameroons case is not one of secession but separation. This territory was not originally part of the Republic of Cameroon as at when it gained independence in 1960, rather the two territories came into a political union in 1961, when the Southern Cameroons was acceding to independence. This political union no longer exists today as the federal system had been abolished in disregard of Art. 47(1) of the Constitution of the Federal Republic of Cameroon [73].

Basing the theory on the consent of the people to be part of a political unit, which must rely on the voluntary association of its members, Anglophones have a right to pursue their independence, which can be confirmed through a referendum or plebiscite like the one which brought them into the political union. From inception the union enjoyed legitimacy as they were joining their brothers in the belief for good faith in the Union. However, with the turn of events from the 1972 referendum which dissolved the federation to the 1984 return to the name French Cameroon answered at independence, Anglophones started to feel as unequal partners in a union which is felt could no longer defend their interest.

The state is the agent of the people, and this agency relationship is not irrevocable [74]. That means if a majority of a part of the population no longer wishes to be a part of the state, it can do so. This implies that the Cameroonian state is a representative of the interest of Cameroonians for it acts on their behalf. As such, if a majority of Anglophones who form a distinct population, with a defined territory no longer wish to be represented by the said state, they have the right to do so.

The theory further holds that for the territorial community to exercise the right to external self-determination, it needs to satisfy two other conditions, namely that it is a politically and economically viable entity. With economic viability, Beran un-

derstands the communities' ability to govern itself permanently. Economic viability is on its part understood as the communities' ability to at least meet the basic needs of its members or has a reasonable prospect of doing so with appropriate economic development aid from other states [75]. One can clearly see that the Anglophone Cameroon can fulfil both conditions clearly. It is worthy of note that lack of economic viability more or less informed the decision for this territory to gain independence by joining.

Based on the findings too, the researcher came to a conclusion that there is no Anglophone struggle for external self-determination in Cameroon, rather there is a Southern Cameroons struggle. Anglophones are seen as a minority segment in the Republic of Cameroon who want internal self-determination. The Southern Cameroonians, however, are not a minority; they are a people with distinct uniformities and identity. As Anglophones, there is difficulty in laying claim to external self-determination as this presupposes that they see themselves as part of the state of Cameroon (it is only the Republic of Cameroon that is bilingual, and as such, the term Anglophone is endemic to the said territory).

The research proves that the struggle for self-determination among Anglophones has been spurred by their marginalisation and feeling of inferiority. It is because the people feel marginalised, that they clamour for self-determination. Anglophones in Cameroon premise their struggle for self-determination on the fact that they are marginalised upon. The reunification move earned enormous grassroots support at inception as the Southern Cameroonians entered the union with good faith, not minding the existence of a treaty. And it is the refusal of the government to respect the AAC 1 calls for federalism in 1993 that pushed Southern Cameroonians to again choose the option of external self-determination. However, this move lacks wide appeal, as some segments of Anglophones like the Common Law lawyers are still for the option of internal self-determination through federalism.

The Southern Cameroons case as per the findings is not a case of secession. Secessionist tendencies pertain to people who are part of a territory and now wish to leave the said territory, without the consent of the entire country. In this study however, it was found out that the Southern Cameroons has never been part of any territory. This is because there exists no treaty binding the two parties (the Southern Cameroons and La Republique du Cameroun). The findings show that the union is neither legitimate nor legal as the research found out that agreement to start the union has always been operating verbally.

The case of the struggle for self-determination in Anglophone Cameroon is in itself a testimony to the fact that the decolonisation process in the Southern Cameroons was not completed. Without a treaty of Union between the former British Southern Cameroons and the Republic of Cameroon, the UN and the British administering authorities did not complete their task of preparing the Southern Cameroons for complete independence. This incomplete process has backfired and is manifesting as an on-going war between Anglophone separatists and the Cameroon Army. Southern Cameroon, yet to be an independent state could be an equitable partner in constitutional talks at

Foumban (talks in which the British did not accompany the Southern Cameroon delegation).

## 9. RECOMMENDATIONS

Following the findings of this study, the researcher proffers the following recommendations.

Anglophones need to bury their internal discord and stand in one voice to seek redress for their worries. Internal animosity between Anglophones from the North West and South West regions need to be buried, for they can better achieve their goal in unity as division does not work in their favour.

The government of the Republic of Cameroon, acting in the interest of its territorial integrity, should grant the Anglophone minority internal self-determination by either reinstating a two-state federation in Cameroon, or increasing the autonomy of the Anglophone regions like the case of the Catalans and Quebecois as this will proffer a feeling of protection to Anglophones and their cultural and linguistic attributes. Building a sense of nationalism in Cameroon can only be possible if cultural differences are incorporated rather than attempting to assimilate minority identities.

The agitations of Anglophones need to be looked at with sincerity and good faith, before the issue further escalates. Federalism should be implemented to its entirety as this will grant Anglophone regions regional autonomy and may cause an opinion shift from secession which is dominating public opinion in Anglophone Cameroon.

The international community has a role to play in addressing this issue. The cries of Anglophones after going unheard for several years is now manifesting in the form of an insurgency against the Cameroonian state. As such, international and continental organisations like the UN and AU should put pressure on the Cameroonian government to objectively look into this matter before it blows out of proportion with huge repercussions on human life and regional security. The decolonisation process needs to be revisited to save the state of Cameroon and solidify the union between the two former territories.

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