



## Effects of macro-economic factors on women's formal land ownership status in Cameroon



Ambe J. Njoh <sup>a,\*</sup>, Erick O. Ananga <sup>b</sup>, Ijang B. Ngyah-Etchutambe <sup>c</sup>, Hans Tata Tabrey <sup>c</sup>,  
Celestina F. Tassang <sup>d</sup>, Joan Asafor-Manghe <sup>e</sup>

<sup>a</sup> School of Geosciences, University of South Florida, Tampa, FL, United States

<sup>b</sup> Dept. of Political Science & Legal Studies, East Central University, Ada, OK, United States

<sup>c</sup> University of Buea, Cameroon

<sup>d</sup> Sociology and Anthropology, University of Buea, Cameroon

<sup>e</sup> Ministry of Justice, Cameroon

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### ABSTRACT

The problem of gender inequality in formal land ownership in Africa is often attributed to African indigenous culture. Deviating from convention, this study considers the problem to be a function of macroeconomic factors. Empirical data were drawn from Cameroon. Multiple regression analyses involving natural logarithm and commensurate statistics were employed to analyze the data. Gender inequality, the dependent variable, was operationalized as the percentage of land titles issued to men minus the percentage issued to women. Two macroeconomic indicators, per capita gross domestic product (GDP) and per capita gross national income (GNI), comprised the predictor variables. A strong inverse relation between the dependent and predictor variables was hypothesized. Multiple tests validated all but one of the hypotheses. This revelation suggests that economic growth-promoting strategies can lead to the evaporation of gender-based gaps in access to land. The revelation is consistent with neoclassical theories that consider economic development a viable tool for improving the status of women. A positive relation between per capita GNI and gender inequality, conflicting with the hypothesized link, was found. This implies a need to redistribute the fruits of development in order to, *inter alia*, narrow the gender-based discrepancies in access to land.

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### Introduction

National governments have taken several actions to combat discrimination against women in Africa since World War II. For example, they are signatories of the UN General Assembly's Universal Declaration of Human Rights of 1948, the Platform of Action of the 1995 Beijing World Conference on Women, and the Millennium Development Goals (MDGs) of 2000. Gender equality features prominently, as Goal Number 3—"promote equality and empower women"—of these goals. Most importantly, under the aegis of the African Union, African governments adopted the Protocol on the Rights of Women in 2003. This is a supplementary protocol to the African Charter on Human and People's Rights, which has been in force since 1981.

Despite these initiatives, gender inequality remains prevalent in all domains in Africa. Girls continue to have less access to education, and are tasked with more household chores, than boys throughout the continent. Women continue to be discriminated against in the labor market and have less access to economic resources than men. This latter

problem is most severe in the land domain where women own only 1 to 2% of titled land (Rabenhorst, 2011: 1). As noted in the 2013 MDGs Report, gender inequalities of this sort remain commonplace throughout the continent. In one African country after another, women's opportunities for land ownership as guaranteed under both statutory and customary laws are often less than those available to men (Chu, 2011).

Why does the problem persist despite efforts to address it? Stated alternatively, what are the causes of gender inequality in land ownership status in Africa? Efforts to discern these causes, almost always conclude by pointing the accusatory finger at indigenous African culture (see e.g., USAID, Online; Nadasen, 2012; Fonjong, 2010; Fonjong et al., 2013; Fombe, Sama-Lang, Fonjong, & Mbah-Fongkimeh, 2013; Kimani, 2008; Rugege et al., 2007; Bigombe & Bikie, 2003). Yet, it is clear that one factor alone is incapable of explaining a problem as complex and as multifaceted as gender-based inequalities. Therefore, many gaps remain in our knowledge of factors accounting for this problem.

The main objective of the study reported here is to help fill these gaps. It does so by exploring economic, as opposed to generic socio-cultural and political factors that explain gender-based differentials in access to land. Gender-based inequalities in land ownership is considered a function of European colonial land reform measures that have

\* Corresponding author.

E-mail address: [njoh@usf.edu](mailto:njoh@usf.edu) (A.J. Njoh).

been vigorously maintained by their post-colonial authorities throughout Africa. The empirical referent of the study is Cameroon. This is the only African country colonized by three different European powers (see below). Hence, it is ideally suitable for exploring questions on Eurocentric influences on land tenure and their implications for access to land by different societal groups. The next section briefly discusses the evolution of land tenure modernization initiatives and their implications for women's access to land in the country. This is followed by a review of the burgeoning literature on gender inequality in access to valuable resources of which land is only one example. A subsequent section presents the study's methodology, including the data, data sources and main variables. This is followed by a presentation of the main findings. The final section discusses the findings and concludes the paper.

### Background: land tenure reforms and women's access to land in Cameroon

Cameroon came under the colonial orbit of three European powers viz., Germany (1884–1916), Britain and France (1919–1960/61). The Germans began the land tenure modernization process in the country in the late-1800s. The process, which entailed mainly land commodification, began formally on July 15, 1896 with the promulgation of the Crown Lands Act (Njoh, 2012, 1996; Meek, 1957). The act sought to convert all so-called unoccupied lands throughout the territory into property of the German Overseas dominions. Alongside this, the Germans introduced an official land register (*the Grundbuck*) to record all land transactions as an element of land commodification. Thenceforth, land could be sold and/or exchanged on the free market. Most initiatives in this regard were taken under the watch of Jesko von Putkammer (1855–1917) (Njoh, 2012). He was the country's first colonial Governor-General, who served nine different non-continuous terms in that capacity between 1887 and 1906. In 1903, he ordered the creation of 'native reserves' to encamp the Bakweri, that is, the indigenous peoples of the Mount Cameroon region (Meek, 1957). The aim was to make way for German commercial plantation agriculture on the region's fertile volcanic land. This action effectively curtailed women's access to land. During the German colonial era, Bakweri men were mainly hunters and fishermen, while the women were subsistence farmers (Meek, 1957). Therefore, women, because of the nature of their activities, were most negatively affected by German land confiscation schemes.

The German colonial era in Cameroon abruptly ended subsequent to the conclusion of World War I. The negotiations that ensued culminated in converting Cameroon into two unequal Trust Territories of the League of Nations. The larger portion (4/5) of the territory was placed on French colonial control as French Cameroun. The smaller portion was placed under the colonial auspices of Britain. This portion was divided into two parts, British Northern Cameroons and British Southern Cameroons. French colonial authorities operated two systems of land laws in their part of the territory (Njoh, 2012). One system, *l'indigénat*, governed lands belonging to, and controlled by, unassimilated members of the 'native' population or *les indigènes*. The other governed European residents and assimilated members of the indigenous population (i.e., *les assimilés* or *les évolués*). Through this dual system, French colonial authorities acknowledged, at least in theory, the existence of customary rights to land. However, the Decree of 12 January 1938 nullified this by declaring all so-called 'unoccupied' and 'ownerless' land (i.e., *terres vacantes et sans maître*) property of the colonial state (Fisiy, 1992: 35; Njoh, 2003: 82). This meant, inter alia, that customary norms, which recognized collective rights were effectively voided.

Unlike the French, British colonial authorities did well to recognize alternative claims of entitlement to land throughout British Northern and Southern Cameroons, the smaller portion of the territory, under their control. This was in concert with the principle of indirect rule, which was a keystone of British colonial administration in Africa. It is therefore not surprising that in 1927 British colonial authorities moved to adopt colonial Northern Nigeria's Land and Native Rights

Ordinance in Southern Cameroons. The Germans continued to operate the vast plantations they had created because there were no willing and able allied parties to take them over (Meek, 1957). The population of the region grew rather rapidly thanks to people from hinterland areas who had immigrated to work in the plantations. Colonial labor practices were unfavourable to women. Hence, while the men were absorbed by the plantations, their wives, like women native to the area, practiced subsistence farming. For this, they had to trek long distances to reach the precarious lands that proved obstinate for plantation agriculture. This was yet another way by which colonial land-related activities boded ill for women exclusively.

French Cameroun ascended to independence in 1960, while British Northern and Southern Cameroons were still UN Trust Territories. On February 11, 1961, the UN organized a plebiscite asking each of the territories to opt to become independent by joining either Nigeria or the Republic of Cameroun. British Northern Cameroons voted to become independent as part of Nigeria while Southern Cameroons voted to gain independence as part of Cameroun. This latter union gave birth to a federated state, the Federal Republic of Cameroun. Two subsequent political developments resulted in the country taking on new names, namely United Republic of Cameroon in 1972, and the Republic of Cameroon, its current appellation, in 1984. The details pertaining to these developments fall outside the scope of this paper. Suffice to state that neither the ascension to independence nor these latter developments spelled the demise of Eurocentric land laws in the country. Instead, the indigenous authorities have since always been preoccupied with efforts to completely erase all traces of indigenous land tenure throughout the country. The country's landmark land law of 1974 (revised in 1976) exemplifies this trend. It recognizes only formal instruments attesting to claims of entitlement to land and requires the registration of all land titles in the National Land Register. Land Ordinance No. 77-1 of 10 January 1977, mandated that urban land owners had until 6 July 1984, and rural land owners, until July 6, 1989, to convert all land deeds or certificates of occupancy into land certificates. With this law, Cameroonian authorities effectively completed the land commodification process initiated by the Germans. At the same time, they ensured that 'ability-to-pay' became the sole determinant of access to land in the country. The Cameroonian state's actions in this regard were mainly ideological and had nothing to do with making access to land more equitable for all, let alone women. Njoh (1996: 417) underscores the ideological rationale for the land reforms in the following words.

... the reforms constitute an ideological buttress designed to perpetuate the historical legacy which links private property to the private ownership of the means of production characteristic of capitalism.

Implementation and compliance with the country's landmark land law have been slow. Witness the fact that only few land titles have been issued since the law was enacted. As shown in Fig. 1, statistics from as recently as 2008 to 2013 reveal that the pace of land title registration remains sluggish. To contextualize the statistics, note that Cameroon has a population of 22.5 million and a land area of 475,440 km<sup>2</sup> (183,568 sq. miles). As we show later, women remain the least capable of complying with the law. Their inability to comply results from several factors, including the fact that they face more time, financial and other resource constraints than men (Njoh, 2012). Thus, there is no question that land is less accessible to women than men in the country.

To be sure, authorities are on record for making some efforts to redress this situation. Early initiatives in this connection date back to 1978 when two notable judgments (No. 43 of 16 January, and No 157 of 25 June) were reached (UNECA, 2010). Although the judgments pertained to the Douala, an indigenous Cameroonian group, they effectively rendered denying a woman the right to inherit property unconstitutional. This is in accordance with the National Constitution of 2 June 1972, which proclaims equality of the sexes.

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