LEGITIMACY CRISIS IN DEMOCRATIC SYSTEM AND ELECTIONS CREDIBILITY WITHIN AN AFRICAN CONTEXT: THE CASE OF CAMEROON

ABAI VICTOR ASONDO

(LLM International Law University Yaounde II)
Teacher in Government Technical College (G.T.C) Ekona
Affiliated Organization: Bridgers Association Cameroon
Buea, South West Region of Cameroon.
E-mail: victor@bridgersngo.org

Abstract - This paper focuses on Cameroon's example of democracy in Africa. Studies have shown that Cameroon's democracy is void of good practices and rather flawed with authoritarian rule, thus putting the rule of Law, the respect of the rights of persons and electoral process into jeopardy. This paper therefore asserts that African democracy is nothing more than a window dressing as such there is still much work to be done to arrive at modern democracy. This paper made use of the library based approach of research which involved the perusal of secondary materials such as books, journals articles and enacted laws.

Key words - Legitimacy crisis, democratic system, elections credibility, Africa, Cameroon political culture.

I. INTRODUCTION

The African country known as Cameroon owes its political system and culture to colonialism as summarized in an excerpt by a British MP Mr. G. M. Thompson at the house of Parliament in Britain, August 1961:

"The problem of uniting these two territories would in the early event be difficult; they are two territories with completely different cultures with different political systems. There are extremely complex problems in bringing these two countries together within one national state, so far as I can discover, no serious work has been done on joining these countries and getting down to the hard problem of bringing together. So far only of very general declarations have been made about the kind of framework may be proposed. In these circumstances a potentially very dangerous situation has arising. There have been a number of statements from the Prime Minister Mr. Foncha and the President of the Republic of Cameroon Mr. Ahidjo that the best form of government will be Federation. There can be no doubt that the difficulties facing the countries with their different systems of administration and different languages, Federation is the only practicable, compaticable system in the interest of the Southern Cameroons. Mr. Thompson concludes ... Despite the tremendous difficulties in both Cameroon Republic and in the Southern Cameroons, the possibility through bringing about the union between the two territories are considerable not only for themselves but for the kind of example which they can set for other African countries in the future...if it is possible to bring about the progressive and peaceful union between the French speaking and English speaking territories the old arbitrary boundaries of the 19 century pro consoles will be wiped out and we get new countries established in Africa which will take better account of the feelings of African Nationalism. This is a very late stage at which to try to do the right thing in southern Cameroons, in the resells this is the 11 hour but I plead with the Government that although they have neglected so many things they should act even now before it is too late". [Barrister Mbella Ikome Ngongi speaking at Cameroon's Constitutional Council October 2018].

As understood above in the excerpt by G. M. Thompson, it is clear that the two Cameroons were to come together only with the crucial condition that they form a federal system of government with two federal states of equal status in 1961. [Victor Julius Ngoh, 1996] Unfortunately this system of government was abandoned in favour of a Unitary State in 1972 [Tanzanu Mangula Lucas, 2008]. The switching from the federal form of government led to the assimilation of Anglophone Cameroon by the French majority amounting to marginalization of the Anglophones in varied aspects, [Verkijika G. Fanso 1989], thus, the consequential bloody Anglophone crisis which is ongoing, claiming a lot of lives and property, rendering many others homeless.

This paper is a comment on the democratic system of Cameroon within the ambits of its political history.

The purpose of this paper is to draw the attention of researchers towards Cameroon in particular and African democracy in general, in lieu of politics and the rule of law, so as to bring refined proposals for a positive change.

II. THE POLITICAL CULTURE OF CAMEROON

For no particular reason, the concept of political culture is somehow minimized within the analysis of world systems. Given that political cultures are not

bounded within a national state unit, it therefore follows that they are inter woven in network as such requires adequate attention. [Peter Wilkin, 2018]. Cameroon which is not an island draws its political cultures from its colonial heritage which saw Cameroon partitioned into two separate entities that made up the then East and West Cameroon (Francophone and Anglophone Cameroon).

Men make their own history, but they do not make it as they please; they do not make it under self selected circumstances, but under circumstances existing already, giving and transmitted from the past. The tradition of all dead generations weighs like a nightmare on the brains of the living. And just as they seem to be occupied with revolutionizing themselves and things, creating something that did not exist before, precisely in such epochs of revolutionary crisis they actually conjure up the spirit of the past to their service, borrowing from them names battle slogans and costumes in order to present these new scenes in world history in time-honored disguised and borrowed language. Karl Max, 18th Brumaire of Louis Bonaparte (1963) [Peter Wilkin, 2018].

Drawing from Karl Max's observation, the development of a democratic political culture in Cameroon centers on an Authoritarian rule under the 'umbrella shield' of democracy which has led to 'illiberalism', tribalism and marginalization as well as assimilation of the minority Anglophone Cameroonians by the majority Francophone Cameroonians. This Authoritarian, illiberal and marginalized forms of government dates as far back as the independence and post-independence eras that saw the re-unification of the two Cameroons.

Today, it has burst into a fierce socio-political crisis known as the Anglophone crisis in Cameroon. This crisis that began in November 2016 with the lawyers and teachers of the Anglophone sub system demanding reforms within their respective professions that will positively affect their clients and students in accordance with the Anglo-Saxon culture. Lawyers and teachers complained of the assimilation of the Anglo-Saxon culture by the French culture in respect to these two key sectors (justice and education) respectively in Cameroon.

2.1 THE DEMOCRATIC SYSTEM OF CAMEROON

Though Cameroon operates under a multiparty democracy, the system is that of the domination of the ruling party. This domination would be carried out through adapted laws and institutions (David Mokam, 2012).

The escalation of the Anglophone crisis in Cameroon is evidence of the authoritarian rule and marginalization policies as well as suppression tendencies which are in practice. This is democracy that led by a majority and not by virtue. As such vice most often than not will prevail of virtue on the basis of 'majority takes the vote', even when the electoral system in its self far from being transparent to qualify as a just and fair opium to sample the opinion of the people in order to get the majority.

2.2 WHY THE ESCALATION OF THE ANGLOPHONE CRISIS IN CAMEROON

When the Lawyers and Teachers of the Anglophone extraction in Cameroon demanded for reforms in the legal and education sectors taking into consideration unique Anglo-Saxon practices, the government on its part undermined the extent to which the legal strikes through peaceful demonstration could go and so was reluctant in providing concrete and everlasting solutions to the demands put up by this minority groups. Government tended to crack down the striking lawyers and teachers by arresting, abducting and imprisoning and worst still killing some. Furthermore, the institution of legal proceedings of judging some civilians link to this crisis in military tribunals under the Law of Terrorism with draconian sanctions.

This aspect portrays a grave violation of human rights and the rule of law by the Cameroonian government and so putting Cameroon's democracy to question.

The government's crackdown method further radicalized the entire Anglophone population rendering the crisis not only a Lawyer/Teacher strike but a general problem. This led to the demand of restoration of the Formal British Southern Cameroons Independence as it was the case before joining the Republic of Cameroun in 1961.

2.3 ELECTORAL PROCESS IN CAMEROON

Elections in Cameroon are governed by an Electoral Code creating an Electoral Board known as Elections Cameroon (ELECAM) charged with the organization and management of elections and referendums as prescribed in Section 7 of the Code. The Constitutional council constituted of eleven members has the task of proclaiming elections results.

2.3.1 CAN ELECTIONS IN CAMEROON BE CREDIBLE?

In the same spirit of all positive International Instruments, the Preamble of the Cameroon Constitution prescribes that everyone is born free and equal in rights, the right to vote is therefore inclusive. The members of the electoral board as well as the members of the constitutional council are appointed by the Head of State.

The Ministry of territorial administration in collaboration with the ELECAM is responsible for the organization of elections in Cameroon, and the Constitutional Council has the sole right to entertain any matters relating to electoral fraud and the proclamation of election results. These three bodies are in a relationship which has recently been qualified by some scholars and critics as the relationship between mother, father and child: An inseparable relationship with each and every one working for the

sole interest of the regime in power, "rigging machinery" indeed.

2.3.2 ELECTIONS AND THE ANGLOPHONE CRISIS IN CAMEROON

There has over the years been this dangerous general elections apathy amongst Cameroonians due to untold electoral fraud, the Anglophone crisis came to increase such an apathy as hundreds of Anglophone Cameroonians are being internally displaced and thousands have fled to bushes and neighbouring countries. Recently amidst this crisis, and the existence of a flawed electoral code notwithstanding, the powers that be still went ahead to organize the October 2018 Presidential elections in Cameroon, the credibility of such an election is therefore doubted upon given that the civic right to vote of Anglophone Cameroonians was not taken into consideration.

CONCLUSION

Through this paper, we humbly submit and recommend that, a return to the Federal form of government as was the case between 1961-1972 would provide a long lasting solution to the Anglophone crisis in Cameroon. Africans should therefore should learn from Cameroons self destructive scenario. Furthermore, where minority problems exist, inclusive and sincere dialogue is the way forward.

REFERENCES

[1] David Mokam, 2008. The Search for a Cameroonian Model of Democracy or the Search for the domination of the state Party: 1966-2006. Cadernos de Estulos Africanos 23/2012: Vari E Recensoes. Artigos.

[2] Peter Wilkin, 2018. The rise of 'illiberal' democracy: The organization of Hungarian political culture. Journal of World-Systems Research, Vol. 24, Issue 1.

[3] Tanzanu Mangula Lucas, 2008. Ordinary History for Cameroon Schools. ANUCAM: Buea Cameroon.

[4] The 2008 Constitution of Cameroon

[5] The Electoral Code of Cameroon. Law No: 2012/001 of 19 April 2012.

[6] Verkijika G. Fanso 1989. Cameroon History for Secondary Schools and Colleges: Colonial and Post-Colonial Periods. Macmillan.

[7] Victor Julius Ngoh, 1996. History of Cameroon Since 1800. Presbook Cameroon.

★★★