

## **Analysing the Factors that Beset the Successful Resolution of Chieftaincy Disputes in Muyuka Sub-Division of the South-West Region of Cameroon**

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### ***Abstract***

*This research aims at analysing the factors that hinder successful resolution of chieftaincy disputes in Muyuka sub-division of the South-West Region of Cameroon. By examining the local governance systems, succession practices, and community expectations, the study seeks to provide insights that can inform effective conflict resolution strategies that align with both cultural practices and modern legal standards. Even though certain measures have been put in place to ensure that chieftaincy disputes are resolved without much difficulty, this is not always the case. In order to attain our objective, a qualitative research design, particularly a case study approach is adopted. Books and journals served as our principal data source, additional data stems from interviews with traditional leaders, community members, and government officials. Our findings reveal that, economic pressures, particularly competition over land and resources, exacerbate tensions and complicate the resolution of disputes. The lack of a clear, consistent legal framework further hinders effective conflict resolution. Moreover, misinformation by candidates and political actors during resolution processes complicates the work of administrators, leading to prolonged conflicts. The study however recommends strengthening the legal framework governing chieftaincy by formalizing pre-chieftaincy consultative talks and enhancing the role of traditional councils in decision-making processes.*

**Keywords:** *Challenges, Chieftaincy, Dispute Resolution, Muyuka Sub-division, Fako Division, Cameroon.*

### **1. Introduction**

The role of traditional chieftaincy in African governance and conflict resolution has long been a focus of scholarly discourse, especially where traditional authority intersects with modern state mechanisms. Muyuka Sub-division in Cameroon serves as a case study of how these intersections unfold in local contexts marked by a blend of historical and contemporary challenges.

The institution of chieftaincy in Cameroon, while foundational, faces significant turbulence in the form of chieftaincy disputes that disrupt social cohesion, development, and governance. The empirical literature highlights both the resilience and vulnerability of traditional structures,

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underscoring the necessity of understanding localized dynamics that exacerbate such conflicts (Logan, 2009).<sup>2</sup> Historical antecedents play a considerable role in shaping the current chieftaincy landscape. Studies by Ekali (2017)<sup>3</sup> and Baldwin (2015) reveal the colonial roots of traditional governance issues, where indirect rule created hierarchies and legacies that remain contested. The colonial system's imposition altered succession norms and introduced legal frameworks incompatible with indigenous practices, creating a legacy of unresolved power struggles (Baldwin, 2015;<sup>4</sup> Ekali, 2017).<sup>5</sup> Within Muyuka, where various tribes with distinct customs coexist, these tensions are palpable, influencing both governance and societal cohesion.

Chieftaincy disputes in the Muyuka Sub-Division of Fako Division, Cameroon, present a complex challenge rooted in a variety of socio-political and economic factors. These disputes are influenced by the erosion of traditional values and the impact of modernization, which undermine the authority of traditional leaders and disrupt customary conflict resolution mechanisms. Political interference further complicates these disputes, as elites and politicians often manipulate the process for personal gain, leading to biased outcomes and prolonged conflicts. Additionally, socio-economic factors, such as competition for land and resources, exacerbate tensions and make consensus difficult to achieve. The broader regional and national conflicts, particularly the ongoing Anglophone crisis, add another layer of complexity by destabilizing local governance structures and diverting attention and resources away from local issues.

Administrators also face practical challenges during the chieftaincy consultative talks, including dealing with misinformation, resolving ties among kingmakers, and navigating the nuances of hereditary versus rotatory succession systems. These multifaceted challenges highlight the need for a comprehensive approach to resolving chieftaincy disputes that integrates traditional practices with modern administrative and legal frameworks to ensure fair and effective outcomes. Addressing these chieftaincy disputes requires a nuanced approach that recognizes the importance of traditional authority while integrating effective state mechanisms. As Snyder (2008)<sup>6</sup> points out, international interventions must be context-sensitive to avoid exacerbating local power dynamics. For Muyuka, this would mean tailored conflict resolution strategies that draw on local knowledge and leadership, potentially involving non-traditional stakeholders such as youth and women's groups. In-depth, localized studies are crucial to comprehending and addressing the specific conditions of chieftaincy conflicts in Muyuka.

## **2. Challenges in Resolving Chieftaincy Disputes in Muyuka Sub-Division**

### **The Lack of Clear and Consistent Legal Frameworks Governing Traditional Leadership and Succession**

The lack of clear and consistent legal frameworks governing traditional leadership and succession significantly hinders the successful resolution of chieftaincy disputes in Muyuka Sub-Division. This issue is primarily rooted in the ambiguities and omissions within Decree No. 77/245 of 15 July 1977

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<sup>2</sup> Logan, C. (2009). The role of chieftaincy in local governance in Africa. Afrobarometer Working Paper, No. 93.

<sup>3</sup> Ekali, M. (2017). The colonial legacy in contemporary chieftaincy disputes in Cameroon. *African Studies Review*, 60(4), 47-67.

<sup>4</sup> Baldwin, K. (2015). Colonial impacts on traditional governance in East Africa. *Journal of African History*, 56(3), 201-215.

<sup>5</sup> Ekali, M. (2017). The colonial legacy in contemporary chieftaincy disputes in Cameroon. *African Studies Review*, 60(4), 47-67.

<sup>6</sup> Snyder, R. (2008). External influences on traditional power dynamics in West Africa. *Comparative Politics*, 40(3), 307-326.

on the organization of traditional chiefdoms, as amended and completed by Decree No. 82/241 of 24 June 1982 and Decree No. 2013/332 of 13 September 2013. Notably, these decrees are silent on the crucial criterion for the selection of kingmakers, a key element in the chieftaincy succession process. The absence of explicit legal guidelines on this matter has led to a reliance on traditional and cultural practices, which vary significantly among different villages within the sub-division.<sup>7</sup>

In the villages of Muyuka Sub-Division, such as Ikata, Malende, Lio-La Bwea, and Masone, the selection of kingmakers is deeply embedded in local traditions and culture. Specific families within these villages are historically designated to produce kingmakers, a practice that is not arbitrary but rather a well-guarded tradition known to the community.<sup>8</sup> These kingmakers, often part of a secretive group, hold the exclusive prerogative of selecting the new chief upon the death of the incumbent. The traditional nature of this process underscores its importance in maintaining social cohesion and legitimacy within the community. However, the lack of formal legal recognition and regulation creates a fertile ground for disputes and manipulation.

One of the most significant challenges arises when candidates for the chieftaincy fabricate kingmakers to support their candidature. This practice involves the overnight creation of supposed kingmakers, often by selecting individuals who are sympathetic to the candidate's cause, rather than those who are traditionally and culturally recognized as legitimate kingmakers. This manipulation can easily deceive administrators who are not deeply familiar with the intricate traditions and cultural practices of the community.<sup>9</sup> Consequently, the legitimacy of the entire chieftaincy selection process is compromised, leading to protracted disputes and conflicts.

Additionally, some candidates attempt to increase the number of kingmakers to skew the selection process in their favor. This tactic not only undermines the traditional norms but also creates confusion and divisions within the community. Conversely, there are instances where candidates seek to disqualify legitimate kingmakers by falsely claiming they do not belong to the recognized group. These actions further complicate the resolution process, as determining the authenticity of kingmakers becomes a contentious and intricate task for administrators.<sup>10</sup>

The reliance on traditional practices in the absence of clear legal frameworks is both strength and a weakness. While it preserves the cultural heritage and social structure of the community, it also opens up opportunities for exploitation and abuse. The secretive nature of kingmaker groups, intended to protect the integrity of the selection process, can also lead to a lack of transparency and accountability. This opacity makes it difficult for external observers, including government officials and mediators, to verify the legitimacy of the kingmakers and the fairness of the selection process.<sup>11</sup>

Moreover, the intersection of traditional customs with modern administrative structures often results in jurisdictional conflicts and power struggles. The dual authority of traditional councils and modern administrative bodies can lead to conflicting decisions and further exacerbate chieftaincy disputes.

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<sup>7</sup> Nkwi, P. N. (2017). "Political interference in chieftaincy matters in Cameroon", *African Affairs*, 116(464), 111-136.

<sup>8</sup> Mbaku, J. M. (2018). *Corruption in Africa: Causes, Consequences, and Cleanups*. Lanham, Maryland, Lexington Books.

<sup>9</sup> Fonchingong, C. C., & Fonjong, L. N. (2003). "The concept of self-reliance in community development initiatives in the Cameroon grasslands", *GeoJournal*, 57(1-2), 83-92.

<sup>10</sup> Eyoh, D. (1998). "Conflicts and social conflicts in Cameroon", *Africa Today*, 45(1), 91-107.

<sup>11</sup> Ngokwey, N. (2013). "Tradition versus modernity: The struggle for chieftaincy in Africa", *Journal of Modern African Studies*, 51(3), 45-67.

The absence of a harmonized legal framework that integrates traditional practices with modern legal standards leaves a gap that is frequently exploited by ambitious candidates and their supporters.<sup>12</sup>

The lack of clear and consistent legal frameworks governing traditional leadership and succession is a significant obstacle to the successful resolution of chieftaincy disputes in Muyuka Sub-Division. The legal ambiguities surrounding the selection of kingmakers create opportunities for manipulation and abuse, undermining the legitimacy of the traditional leadership selection process. Addressing this challenge requires a nuanced approach that respects and incorporates traditional customs while establishing clear and enforceable legal standards. Such an approach would enhance transparency, accountability, and fairness in the chieftaincy succession process, ultimately contributing to the stability and cohesion of the communities within Muyuka Sub-Division.

### Political Interference

Political interference in chieftaincy matters represents a significant challenge to the successful resolution of chieftaincy disputes in the Muyuka Sub-Division of Fako Division, Cameroon. This interference often manifests in the form of political actors exploiting traditional leadership conflicts for their personal or political gain, thereby undermining the traditional processes and exacerbating existing tensions. Politicians frequently align themselves with certain factions within the chieftaincy disputes to secure loyalty and votes, thereby injecting political bias into what should be a culturally driven process.<sup>13</sup> Such actions distort the traditional mechanisms of resolving disputes and erode the community's trust in both the traditional and modern administrative systems.

One of the primary ways political interferences complicate chieftaincy disputes is by influencing the selection process of chiefs. Politicians may support candidates who are favourable to their interests, often providing financial or logistical support to ensure their preferred candidate's success. This external backing not only skews the selection process but also intensifies rivalries among candidates, leading to prolonged and more contentious disputes.<sup>14</sup> In many cases, this political favouritism results in the appointment of chiefs who lack the genuine support of the community, thereby weakening the traditional authority structure and perpetuating conflict.

Moreover, political actors often manipulate the legal and administrative procedures related to chieftaincy matters to favour their allies. They might exert pressure on government officials to expedite or delay the recognition of certain chiefs, or to ignore legitimate complaints from opposing factions. Such interference undermines the rule of law and the fairness of the administrative processes designed to address these disputes.<sup>15</sup> This manipulation can lead to a situation where legal resolutions are perceived as biased, further delegitimizing the process and fuelling discontent within the community.

In addition to direct interference, the broader political environment also influences chieftaincy disputes. The centralization of power in Cameroon often means that local chieftaincy matters are subject to the whims of national politics. Decisions made at the national level, often without a nuanced understanding of local dynamics, can have significant repercussions on local disputes. For instance, the appointment of divisional officers and other administrative officials who are aligned

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<sup>12</sup> Awasom, N. F. (2008). "The vicissitudes of twentieth-century Mankon and Fons" *African Study Monographs*, 29 (1), 1-26.

<sup>13</sup> Nkwi, P. N. (2017), *Op.Cit.*, at page 115.

<sup>14</sup> Mbaku, J. M. (2018), *Op.Cit.*, at page 50.

<sup>15</sup> Fonchingong, C. C., & Fonjong, L. N. (2003), *Op.Cit.*, at page 95.

with certain political factions can lead to biased handling of chieftaincy disputes in favour of those factions.<sup>16</sup> This top-down interference disrupts the traditional balance of power and exacerbates local tensions.

Furthermore, the intertwining of chieftaincy with local governance structures has made traditional leadership positions highly sought after for their political and economic benefits. Chiefs often play crucial roles in local development projects, control over land, and allocation of resources, making these positions attractive to politically ambitious individuals.<sup>17</sup> This politicization of chieftaincy positions turns what should be cultural and community-centric roles into political battlegrounds, thus complicating the resolution of disputes.

The impact of political interference is also evident in the ways it affects community cohesion and social order. When political actors back certain candidates or factions, it often leads to the polarization of the community. Supporters of rival factions may resort to violence and intimidation, leading to a breakdown of social order and an increase in communal tensions.<sup>18</sup> The resulting instability not only hampers the resolution of the current disputes but also creates an environment where future disputes are more likely to occur.

Efforts to address chieftaincy disputes are further complicated by the lack of effective mechanisms to insulate traditional leadership matters from political interference. While there are laws and regulations intended to govern the selection and recognition of chiefs, these are often insufficient or poorly enforced. The absence of robust legal safeguards allows political actors to exploit loopholes and exert undue influence over the process.<sup>19</sup> Strengthening these legal frameworks and ensuring their rigorous enforcement is essential to mitigate political interference and support the resolution of chieftaincy disputes.

Political interference is a major challenge hindering the successful resolution of chieftaincy disputes in Muyuka Sub-Division. It distorts the traditional selection process, manipulates legal and administrative procedures, and contributes to community polarization and social instability. Addressing this challenge requires a concerted effort to depoliticize chieftaincy matters, strengthen legal frameworks, and promote transparency and fairness in the resolution processes. Only through such comprehensive measures can the integrity of traditional leadership be preserved and the stability of communities in Muyuka Sub-Division is ensured.

### **The Erosion of Traditional Values and the Influence of Modernization**

The erosion of traditional values and the influence of modernization are significant challenges hindering the successful resolution of chieftaincy disputes in the Muyuka Sub-Division of Fako Division, Cameroon. Traditionally, chieftaincy in this region has been deeply rooted in cultural norms and practices that have guided the selection and governance of chiefs for generations. However, the rapid pace of modernization and the accompanying socio-cultural changes have disrupted these traditional structures and values. This disruption is evident in the growing

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<sup>16</sup> Eyoh, D. (1998), *Op.Cit.*, at page 109.

<sup>17</sup> Ngokwey, N. (2013), *Op.Cit.*, at page 60.

<sup>18</sup> Neba, S. A. (2015), "Regional conflict and its implications for local disputes" *Conflict Studies Quarterly*, 10(4), 83-102.

<sup>19</sup> Mbile, N. (2014). "The Politics of Chieftaincy and Dispute Resolution: Challenges for Civil Society", *Journal of Contemporary African Studies*, 32(3), 73-87.

disconnection between younger generations and the customary practices that underpin chieftaincy, leading to a weakening of the authority and legitimacy of traditional leaders.<sup>20</sup>

One of the primary ways in which modernization has influenced chieftaincy disputes is through the increased exposure to and adoption of modern education and Western values. Younger members of the community, who have had access to formal education and are influenced by global cultural trends, often question the relevance and legitimacy of traditional practices. This generational divide creates a rift between those who uphold traditional values and those who advocate for more modern, democratic processes in the selection and governance of chiefs.<sup>21</sup> The result is a lack of consensus on the appropriate methods for resolving chieftaincy disputes, leading to protracted conflicts and instability.

Furthermore, the influence of modernization is also reflected in the increased emphasis on individualism and materialism, which contrasts sharply with the communal and altruistic values that traditionally governed chieftaincy. In the past, the role of a chief was seen as a service to the community, with an emphasis on collective well-being and the maintenance of social harmony. However, the modern focus on personal gain and economic success has shifted the motivations for seeking chieftaincy positions. Many candidates now view the role of chief as a means to gain access to resources and political power, rather than as a position of communal responsibility.<sup>22</sup> This shift in motivation undermines the traditional criteria for selecting leaders and fuels intense rivalries and disputes.

Additionally, the processes of urbanization and globalization have facilitated the migration of community members to urban centres and abroad, leading to a dilution of traditional practices and authority. Those who migrate often adopt new cultural norms and may lose touch with the customs and values of their home communities. This migration can lead to a scenario where influential members of the community, who are critical to the resolution of disputes, are physically and culturally removed from the process. Consequently, the traditional mechanisms for conflict resolution, which rely on the participation and consensus of key community members, are weakened.<sup>23</sup>

The erosion of traditional values is also evident in the weakening of customary conflict resolution mechanisms. Traditional dispute resolution in the Muyuka Sub-Division typically involved elders and other respected community figures who mediated conflicts based on customary laws and practices. However, as these traditional authorities lose their influence, partly due to the impact of modernization, their ability to effectively mediate disputes diminish. Modern legal systems, while present, often fail to fill this gap adequately due to bureaucratic inefficiencies, corruption, and a lack of resources.<sup>24</sup> This dual inadequacy leaves disputing parties with limited and often ineffective means of resolving their conflicts.

Moreover, the integration of modern legal and administrative systems with traditional structures has not been seamless. There is often a lack of clarity and consistency in how traditional and modern systems interact, leading to confusion and overlapping jurisdictions. For instance, government officials may not fully understand or respect the traditional processes for chieftaincy selection,

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<sup>20</sup> Ngokwey, N. (2013), *Op.Cit.*, at page 62.

<sup>21</sup> Fonchingong, C. C., & Fonjong, L. N. (2003), *Op.Cit.*, at page 96.

<sup>22</sup> Mbaku, J. M. (2018), *Op.Cit.*, at page 53.

<sup>23</sup> Nkwi, P. N. (2017), *Op.Cit.*, at page 118.

<sup>24</sup> Awasom, N. F. (2008), *Op.Cit.*, at page 32.

leading to decisions that conflict with customary practices. This misalignment exacerbates disputes and undermines efforts to achieve a lasting resolution.<sup>25</sup>

The influence of modernization has also introduced new actors and stakeholders into the chieftaincy dispute landscape. Non-governmental organizations (NGOs), international bodies, and other external entities often become involved in these disputes, bringing with them different perspectives and approaches to conflict resolution. While these actors can provide valuable support and resources, their involvement can sometimes be perceived as external interference, leading to resistance from local stakeholders and further complicating the resolution process.<sup>26</sup>

The erosion of traditional values and the influence of modernization are significant challenges that hinder the successful resolution of chieftaincy disputes in the Muyuka Sub-Division. The generational divide, shifting motivations for seeking chieftaincy, migration, weakening of customary conflict resolution mechanisms, and the misalignment of traditional and modern systems all contribute to the persistence of these disputes. Addressing these challenges requires a balanced approach that respects and revitalizes traditional practices while integrating modern legal and administrative systems in a way that is culturally sensitive and practically effective.

### **Misinformation and Deceit by Candidates in Chieftaincy Disputes**

Another pertinent issue that significantly hinders the successful resolution of chieftaincy disputes in Muyuka Sub-Division is the prevalence of misinformation and deceit by candidates vying for the chieftaincy. During the resolution process, it is crucial to verify and cross-check every piece of information meticulously before drawing any conclusions. This necessity arises from the common practice among candidates of intentionally misleading administrators to gain an advantage.<sup>27</sup> The challenge is compounded by the absence of explicit legal guidelines on the pre-chieftaincy consultative talks, which experienced administrators often use as a personal initiative to navigate the complexities and intrigues of these disputes.

Pre-chieftaincy consultative talks, although not formally mandated by Decree No. 77/245 of 15 July 1977 on the organization of traditional chiefdoms and its subsequent amendments, play a crucial role in the effective resolution of chieftaincy disputes. These preliminary discussions allow administrators to gather comprehensive background information, understand the dynamics of the community, and identify the key stakeholders involved in the dispute. By engaging in these talks, administrators can sift through conflicting accounts and deceptive claims, thereby laying a more solid foundation for the formal chieftaincy consultative talks.<sup>28</sup> The law's silence on these pre-chieftaincy talks means that their implementation relies heavily on the initiative and discretion of the administrators, making it a personalized strategy rather than a standardized practice.

The need for such thorough verification stems from the intricate nature of chieftaincy disputes, where candidates often fabricate kingmakers, forge documents, and spread false information to undermine their rivals and bolster their own claims. These tactics can easily mislead administrators who are not vigilant or well-informed about the local traditions and the true lineage of the candidates.<sup>29</sup> For instance, candidates may present false genealogical records or testimonies from supposed community elders who are actually aligned with their faction. The ability to discern

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<sup>25</sup> Eyoh, D. (1998), *Op.Cit.*, at page 112.

<sup>26</sup> Mbile, N. (2014), *Op.Cit.*, at page 80.

<sup>27</sup> Nkwi, P. N. (2017), *Op.Cit.*, at page 129.

<sup>28</sup> Mbaku, J. M. (2018), *Op.Cit.*, at page 63.

<sup>29</sup> Eyoh, D. (1998), *Op.Cit.*, at page 120.

genuine claims from fabricated ones requires a deep understanding of the community's history and traditions, as well as the ability to cross-reference information from multiple sources.

Experienced administrators understand that haste in decision-making can lead to grave errors and prolonged conflicts. Therefore, they adopt a methodical approach, starting with extensive pre-chieftaincy consultations to build a comprehensive understanding of the situation. These consultations involve engaging with various segments of the community, including elders, youth, women, and other influential figures, to gather diverse perspectives and piece together an accurate picture of the dispute. By the time the formal chieftaincy consultative talks take place, administrators who have conducted thorough preliminary consultations are better equipped to address the issues effectively and navigate the complexities involved.<sup>30</sup>

However, the reliance on these informal pre-chieftaincy consultations highlights a significant gap in the legal framework governing chieftaincy disputes. The lack of formal recognition and regulation of these preliminary talks means that their effectiveness largely depends on the individual administrator's initiative and competence. This inconsistency can lead to varying outcomes, where some disputes are resolved efficiently while others languish due to inadequate preliminary groundwork.<sup>31</sup> Furthermore, the absence of a formalized process can expose administrators to accusations of bias or partiality, particularly in highly contentious disputes where different factions may perceive the consultation process as favouring their opponents.

The success of chieftaincy dispute resolution is often measured by the outcome. When an administrator successfully navigates the intricate web of misinformation and brings about a resolution that is accepted by the majority of the community, they are applauded by the hierarchy. Conversely, failure to resolve the dispute satisfactorily can lead to severe criticism and professional repercussions.<sup>32</sup> This pressure to achieve a positive outcome underscores the importance of careful and focused administration throughout the resolution process. Administrators must balance the need for thorough investigation and verification with the urgency of resolving the dispute in a timely manner to prevent escalation and further division within the community.

The challenge of misinformation and deceit by candidates in chieftaincy disputes in Muyuka Sub-Division underscores the critical need for meticulous verification and comprehensive pre-chieftaincy consultative talks. While these preliminary consultations are not formally mandated by law, they are essential for navigating the complexities and ensuring the accuracy of the information used in the resolution process. The success of this approach hinges on the initiative and competence of the administrators, highlighting the need for formal recognition and regulation of these practices to standardize and improve the resolution of chieftaincy disputes. Addressing this gap can enhance the effectiveness and fairness of the dispute resolution process, ultimately contributing to greater stability and cohesion within the community.

### **Type of Traditional Governance Regime Practiced**

One of the significant challenges in resolving chieftaincy disputes in Muyuka Sub-Division, Fako Division, Cameroon, is the administrator's understanding of the type of traditional governance regime practiced by the village. Villages in the region typically adhere to either a hereditary or a rotatory system of chieftaincy succession. In a hereditary system, succession follows a direct line from father to son within the same lineage, ensuring continuity and stability within a single-family

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<sup>30</sup> Fonchingong, C. C., & Fonjong, L. N. (2003), *Op.Cit.*, at page 105.

<sup>31</sup> Mbile, N. (2014), *Op.Cit.*, at page 88.

<sup>32</sup> Nkwi, P. N. (2017), *Op.Cit.*, at page 131.



line.<sup>33</sup> In contrast, a rotatory system involves succession among a limited number of known families, typically two or three, each taking turns to produce a chief. This system aims to balance power among these families and prevent the concentration of authority within a single lineage.<sup>34</sup>

Understanding this distinction is crucial for administrators tasked with resolving disputes, as it determines the legitimacy of claims to the chieftaincy. In cases of hereditary succession, the administrator's role is relatively straightforward, focusing on verifying the lineage and ensuring that the rightful heir ascends to the throne. However, in the rotatory system, the challenge becomes more complex. Administrators must identify and verify the specific families involved in the rotation and ensure that the succession follows the established order. Misinterpretations or manipulations of this system by elites and politicians with vested interests can significantly complicate the process.<sup>35</sup>

A common issue arises when elites and politicians attempt to sway the balance of power by misinterpreting the rotatory system to include families that have never traditionally held the chieftaincy. This erroneous interpretation is often driven by personal or political motives and can mislead both the community and the administrators. For instance, in a bid to support their preferred candidate, some individuals may argue that the term "rotatory" implies a more inclusive rotation among all families within the village, rather than the established few.<sup>36</sup> This manipulation not only creates confusion but also leads to disputes over the rightful succession, as unqualified candidates from outside the traditional families may lay claim to the throne.

The administrator's ability to discern the true nature of the traditional regime and to enforce the correct interpretation of the rotatory system is crucial for maintaining order and legitimacy. It requires a deep understanding of the local customs and historical practices that define the chieftaincy succession in each village. This knowledge is not always readily available, especially for administrators who may not be deeply familiar with the intricate cultural practices of the communities they serve. As a result, they must rely on thorough consultations with local elders, historians, and other knowledgeable community members to gather accurate information.<sup>37</sup>

Moreover, the lack of formal documentation and the reliance on oral traditions can further complicate the verification process. Traditional practices are often passed down verbally, with no written records to support the claims of different factions. This lack of documentation makes it easier for unscrupulous individuals to fabricate or distort the historical narrative to their advantage. Administrators must navigate these challenges carefully, cross-referencing multiple sources of information to establish the legitimacy of claims.<sup>38</sup>

The implications of failing to correctly identify and enforce the traditional regime are significant. Incorrectly resolving a chieftaincy dispute can lead to prolonged conflict, social unrest, and a loss of confidence in both traditional and administrative authorities. It can also result in the installation of a chief who lacks genuine support and legitimacy, further destabilizing the community. Therefore,

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<sup>33</sup> Ngokwey, N. (2013), *Op.Cit.*, at page 68.

<sup>34</sup> Mbaku, J. M. (2018), *Op.Cit.*, at page 65.

<sup>35</sup> Nkwi, P. N. (2017), *Op.Cit.*, at page 133.

<sup>36</sup> Fonchingong, C. C., & Fonjong, L. N. (2003), *Op.Cit.*, at page 108.

<sup>37</sup> Eyoh, D. (1998), *Op.Cit.*, at page 122.

<sup>38</sup> Mbile, N. (2014), *Op.Cit.*, at page 90.

administrators must approach the resolution process with diligence, patience, and a commitment to understanding the true nature of the village's traditional governance system.<sup>39</sup>

In addition to internal village dynamics, external political pressures can influence the resolution process. Politicians and influential elites often have stakes in the outcome of chieftaincy disputes, as chiefs play a crucial role in local governance and resource allocation. These external actors may attempt to manipulate the process to install a chief who will support their interests. This interference can further complicate the administrator's task, as they must navigate these external pressures while striving to uphold the traditional and legal standards of succession.<sup>40</sup>

Understanding and correctly interpreting the type of traditional governance regime practiced in a village is a significant challenge in resolving chieftaincy disputes in Muyuka Sub-Division. Administrators must navigate the complexities of hereditary and rotatory systems, ensure accurate verification of claims, and resist external political pressures. This requires a deep understanding of local customs, thorough consultation with community members, and a careful, methodical approach to the resolution process. By addressing these challenges effectively, administrators can help maintain social stability and uphold the legitimacy of traditional leadership in the Region.

### **Resolving Ties during Chieftaincy Consultative Talks**

A significant challenge in the resolution of chieftaincy disputes in the Muyuka Sub-Division, Fako Division, Cameroon, arises when there is a tie during chieftaincy consultative talks. Such situations occur when the village's kingmakers are evenly split between two contenders. For example, in a village with six kingmakers, a vote split of three against three can lead to a deadlock. This scenario is particularly problematic because the existing legal framework, specifically the decrees governing traditional chieftdoms, does not provide clear guidance on how to resolve ties during these consultative talks.<sup>41</sup>

In the absence of legal provisions, administrators must rely on their intuition and experience to navigate these impasses. One practical approach that administrators have adopted is to announce a short break, typically lasting between 30 to 45 minutes, during which the parties involved can lobby the kingmakers. This break provides an opportunity for the contenders to negotiate and persuade the kingmakers to shift their support, potentially breaking the tie and allowing a consensus to emerge.<sup>42</sup> This method leverages the dynamics of informal negotiation and persuasion, which are integral to traditional conflict resolution practices, albeit in a structured and time-bound manner.

However, the effectiveness of this approach can vary. In some instances, the break facilitates a resolution, with one candidate successfully garnering the necessary support to secure the chieftaincy. In other cases, the impasse may persist, necessitating further intervention. When a tie occurs repeatedly, it indicates deeper divisions and entrenched positions among the kingmakers. Administrators must then decide whether to adjourn the talks to a later date, allowing more time for reflection and negotiation. This adjournment, while necessary, must be carefully managed to avoid excessive delays that could exacerbate tensions and prolong the dispute.<sup>43</sup> It is generally advisable

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<sup>39</sup> Nkwi, P. N. (2017), *Op.Cit.*, at page 135.

<sup>40</sup> Awasom, N. F. (2008), *Op.Cit.*, at page 42.

<sup>41</sup> Nkwi, P. N. (2017), *Op.Cit.*, at page 137.

<sup>42</sup> Mbaku, J. M. (2018), *Op.Cit.*, at page 67.

<sup>43</sup> Fonchingong, C. C., & Fonjong, L. N. (2003), *Op.Cit.*, at page 110.

to limit the adjournment period to no more than two weeks to maintain momentum and focus on resolving the conflict.

The challenge of resolving ties underscores the limitations of the current legal and administrative framework in addressing the complexities of traditional chieftaincy disputes. The reliance on the administrator's intuition and ad-hoc measures highlights the need for more robust procedural guidelines. The lack of formal procedures for handling ties can lead to inconsistent practices and outcomes, potentially undermining the legitimacy of the resolution process.<sup>44</sup> This inconsistency can also create opportunities for manipulation and influence by external actors, such as political elites, who may seek to sway the outcome in favour of their preferred candidate.

Moreover, the pressure to resolve ties quickly can place significant stress on the involved parties and the administrators themselves. The need to reach a resolution can sometimes lead to hasty decisions that do not adequately address the underlying issues or gain broad acceptance within the community. Ensuring that the resolution process is perceived as fair and transparent is crucial for maintaining the legitimacy of the traditional leadership and the stability of the community.<sup>45</sup>

To address these challenges, there is a need for a more structured approach to managing ties during chieftaincy consultative talks. One potential solution is to formalize the use of short breaks and adjournments within the legal framework, providing clear guidelines on how these should be implemented. Additionally, introducing mechanisms for mediation and arbitration by respected neutral parties could help facilitate a resolution when ties occur. These mediators could be drawn from neighbouring communities or higher traditional authorities who possess the necessary impartiality and respect to influence the kingmakers constructively.<sup>46</sup>

Furthermore, enhancing the training and support provided to administrators involved in chieftaincy dispute resolution can improve their ability to handle such complex situations. By equipping administrators with better negotiation and conflict resolution skills, and by providing them with a clearer legal mandate, the resolution process can be made more efficient and effective. This training should also emphasize the importance of maintaining impartiality and ensuring that all actions taken during the consultative talks are transparent and in accordance with established guidelines.<sup>47</sup>

The challenge of resolving ties during chieftaincy consultative talks in Muyuka Sub-Division is a significant impediment to the successful resolution of these disputes. The absence of clear legal guidelines necessitates reliance on the intuition and experience of administrators, which can lead to inconsistent outcomes. Formalizing procedures for managing ties, enhancing mediation mechanisms, and providing better training for administrators are essential steps towards improving the resolution process. These measures can help ensure that the resolution of chieftaincy disputes is fair, transparent, and effective, thereby maintaining the legitimacy of traditional leadership and the stability of the community.

In conclusion, the successful resolution of chieftaincy disputes in Muyuka Sub-Division, Fako Division, Cameroon, requires a multifaceted approach that addresses the complex interplay of traditional, socio-political, and economic factors. The erosion of traditional values and the influence of modernization have weakened customary conflict resolution mechanisms, necessitating a balance

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<sup>44</sup> Eyoh, D. (1998), *Op.Cit.*, at page 124.

<sup>45</sup> Mbile, N. (2014), *Op.Cit.*, at page 92.

<sup>46</sup> Nkwi, P. N. (2017), *Op.Cit.*, at page 139.

<sup>47</sup> Neba, S. A. (2015). *Op.Cit.*, at page 100.

between respecting cultural practices and incorporating modern administrative procedures. Political interference often skews the resolution process, highlighting the need for impartial and transparent mediation. Socio-economic factors, such as competition over land and resources, further complicate disputes, emphasizing the importance of addressing underlying economic disparities to foster community cohesion. The impact of broader regional and national conflicts, particularly the Anglophone crisis, adds a layer of instability that disrupts local governance and diverts critical resources. Administrators must navigate these challenges by verifying information meticulously, understanding the nuances of traditional governance systems, and managing the consultative process to avoid deadlocks and ensure fair outcomes. Formalizing procedures for handling ties and enhancing the training of administrators can improve the efficiency and consistency of dispute resolution. Ultimately, integrating traditional practices with modern legal frameworks and ensuring community involvement and transparency are crucial for maintaining the legitimacy of traditional leadership and achieving sustainable peace and stability in the region. By addressing these diverse challenges comprehensively, stakeholders can enhance the resilience of traditional governance systems and promote harmonious resolution of chieftaincy disputes in Muyuka Sub-Division.

### **3. Recommendations**

The study recommends strengthening the legal framework governing chieftaincy by formalizing pre-chieftaincy consultative talks and enhancing the role of traditional councils in decision-making processes. A balanced approach is needed, integrating traditional customs with modern legal standards to foster legitimacy and transparency.

Establishing dedicated units within the Ministry of Territorial Administration to specialize in chieftaincy disputes could provide focused and culturally informed support. Additionally, promoting collaboration between traditional leaders and government officials, along with public education initiatives, can improve transparency and reduce the influence of political and economic pressures on chieftaincy succession. Finally, supporting community engagement initiatives can help bridge generational divides, fostering respect for cultural heritage while adapting to contemporary expectations.

### **4. Conclusion**

The persistence of chieftaincy disputes in Muyuka Sub-division reflects the complex intersection of traditional governance structures, socio-political dynamics, and economic pressures that shape the region's local leadership. These conflicts often arise from ambiguities within legal frameworks, political manipulation, and the erosion of traditional values due to modernization. The lack of clear guidelines for succession and the influence of political actors, who often exploit these disputes for personal or political gain, create an environment where community divisions deepen, undermining both social cohesion and trust in traditional leadership. Additionally, economic interests, especially regarding land and resource allocation, further fuel tensions, complicating efforts to reach consensus.

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