

Chapter 13 Cameroon and the Transition from a Monolithic to a Multiparty Autocracy

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1. Introduction

Between the late 1950s and early 1960s, the period when most African countries gained their independence, multipartyism was widely practised across the continent. However, it proved to be poorly rooted, and it was not long before it was abandoned.¹ In Cameroon, prior to the union that led to the country's establishment as a federal republic in 1961,² both the former French Cameroon and the British Southern Cameroons were home to fledgling multiparty systems, but these were informally abolished by the country's first independence president, Ahmadou Ahidjo. On 1 September 1966, he replaced multipartyism with a single party, the Cameroon National Union (CNU), which he maintained, was created to facilitate nation-building and national unity. This one party – renamed in 1985 as the Cameroon People's Democratic Movement (CPDM) – was to dominate the country's political landscape not only from 1966 to 1990, when multipartyism was reintroduced, but throughout the entire period of multipartyism in Cameroon to this day.

1 CM Giovanni, "Political Parties and Party Systems in Africa: Themes and Research Perspectives", 3(3) (2007) *World Political Science*, pp 1–29.

2 Present-day Cameroon was one of the creations of the infamous Berlin Conference of 1884, where it was declared a German colony by the name of Kamerun. It remained a German colony until a British and French expeditionary force defeated the German army there in 1916 during the First World War and partitioned the territory into two regions. The British took control of two small, disconnected portions, known as Northern and Southern Cameroons, while the French took a larger portion amounting to about four-fifths of the territory. This arbitrary division was later ratified by the League of Nations and its successor, the United Nations. After a United Nations-organised plebiscite on 11 February 1961, Southern Cameroons voted in favour of reuniting with the former French Cameroon, which had gained independence as the Republic of Cameroon on 1 January 1960. Northern Cameroons, for its part, opted to remain within the Federation of Nigeria.

The reintroduction of multipartyism in Cameroon was initially resisted by the ruling political elites. In fact, six young people were killed by the security forces during the launch of the first opposition party, the Social Democratic Front (SDF), in Bamenda in the North-West Region on 26 May 1990. After intense local and international pressure on the government, Law No. 90/056 of 19 December 1990 on Political Parties was enacted, and it was through this that multipartyism was formally reintroduced and institutionalised, though not constitutionalised. Political parties were later constitutionalised in the 1996 Constitution. Although there are now more than 367 registered parties in Cameroon,³ there is hardly any evidence in what has happened since 1990 to show that the country's monolithic one-party culture has changed. This chapter will critically examine why this has been so.

Accordingly, section 2 presents an overview of the formal return to multipartyism in Cameroon. Section 3 discusses the constitutional and regulatory framework for political parties. This is followed in section 4, by an account of what can only be described as the country's farcical descent into multiparty autocracy. In section 5, some reasons will be advanced to suggest that the future for multipartyism in Cameroon is bleak. The chapter concludes that there is an urgent need for inclusive, people-centred, and people-driven constitutional and institutional reforms capable of redirecting the country on the path towards genuine multiparty democracy. The way in which multipartyism was revived in Cameroon in the 1990s, a matter to which we now turn, tells us much about what has happened since then.

2. The revival of multipartyism

After close to three decades under a one-party autocratic system, Cameroon, like most of its African counterparts, came under the influence of the winds of change brought about by the fall of the Berlin Wall. Early attempts, pre- and post-independence, at multiparty politics in Cameroon were halted by President Ahidjo in 1966 when he imposed a

³ The number of parties is constantly increasing. For example, on 9 November 2023, the Minister of Territorial Administration signed an order recognising 40 new political parties. See PR Wandji, "Cameroon: 40 New Political Parties Receive Approval", *Journal du Cameroun.com* 13 November 2023, <https://www.en.journalducameroun.com/cameroun-40-new-political-parties-receive-approval/> (accessed 1 May 2024).

single party, the CNU. However, multipartyism was never formally banned in Cameroon. When Ahidjo created the CNU, supposedly composed of representatives of all existing parties, those who resisted joining the party were harassed, persecuted, and sometimes imprisoned. With the change of guard at the presidency in 1982 when Ahidjo resigned and handed over power to his constitutional heir, Paul Biya, the new dispensation was marked by little more than a simple change in the party's name from the CNU to CPDM, made in 1985 at the party's congress in Bamenda in the North-West Region.

This section of the chapter describes the events surrounding the reintroduction of multipartyism and the first multiparty elections in 1992 – elections that were to be instrumental in shaping the trajectory of multipartyism in Cameroon.

2.1 The bloody path to the reintroduction of multipartyism in 1990

From the beginning of his political career, Ahidjo made national unity a prerequisite for maintaining peace and advancing development. To this end, he dismantled any remnants of decentralised power stemming from the 1961 Federal Constitution and steadily created a highly centralised authoritarian system. Ahidjo used the resources of the state to build a coalition of supporters across the country by creating an elaborate system of patronage to reward his allies and their clients. He kept potential rivals at bay by regularly appointing academics and bureaucrats, such as his successor, Biya, to positions of power, while many of his adversaries, especially after the imposition of the one-party rule in 1966, were bought off by appointments to positions where they could share in the spoils of power. Through the creation of an effective and much-feared repressive machinery, threats to his authority were virtually eliminated during his reign until his voluntary resignation in 1982.

For all his authoritarianism, Ahidjo is considered by many analysts to have been a shrewd pragmatist who managed not only to maintain peace but to ensure a measure of prosperity and stability that made Cameroon the envy of its neighbours. Le Vine, one of the pre-eminent scholars on Cameroon, said of him:

[I]t was Ahidjo's tactics that made the difference in the final analysis. He treated his opponents firmly, sometimes harshly, but made sure that

even his bitterest enemies had both the chance of joining his side and actively sharing in the perquisites of power. That he was never vindictive is to his credit. The style of the regime appears to have been actively reconciliationist, pragmatic and tactically consistent.⁴

Biya came to power in 1982 on a wave of popular support and did not disappoint with his initial promises of more democracy, “rigour and moralisation”; he affirmed his commitment to stability and national unity, which he described as a “cardinal historic task of highest priority”.⁵ Declaring the “consolidation of national unity ... the indispensable foundation [of nation-building],” he rejected the “collection and juxtaposition of our diversities” and pronounced himself “firmly convinced that we should move on a higher level of unification, which is that of national integration”.⁶

After a false dawn of promised relaxation of restrictions imposed by his predecessor, an attempted coup d’ état in 1984 was suppressed, giving Biya the pretext to reassert the full repressive machinery he had inherited. This included transforming an already centralised bureaucracy into one of the most sclerotic and corrupt of its kind in Africa.⁷ Unlike that of his predecessor, Biya’s approach to the spoils system allowed little room for participation by anyone other than close affiliates and members of his own Beti ethnic group from the Centre, South and East regions – though it made up less than 10 per cent of the population, this group controlled most of the senior positions in the administration, military, and parastatals. Although Biya adopted much the same methods and policies as his predecessor – centralisation, co-option, coalition-building, and repression – he lacked Ahidjo’s political savvy. The corruption that began in the Ahidjo era became endemic under Biya. As the consequent economic crisis deepened, frustration mounted at the defects of the country’s authoritarian system.

It was a bold move by John Fru Ndi – who, in March 1990, exploited widespread feelings of alienation, especially among the anglophones, by launching his SDF party – that set in motion the process of democratisation

4 See V le Vine, *The Cameroon Federal Republic*, Ithaca, Cornell University Press (1971), p 230.

5 See P Biya, *Communal Liberalism*, London, Macmillan (1987), pp 24–26.

6 Ibid. See also MJ Azevedo (ed.), *Cameroon and Chad in Historical Contemporary Perspectives*, Lewiston, Edwin Mellen Press (1988), pp 178–185.

7 See CM Fombad, “Endemic Corruption in Cameroon: Insights on Consequences and Control”, in R Hope and B Chikulo (eds.), *Corruption and Development in Africa. Lessons from Country Case – Studies*, Hampshire, Macmillan (2000), pp 234–260.

still falteringly at work in Cameroon today.⁸ The events of this period have brought forth a voluminous literature.⁹ The demand for a change to multipartyism, despite growing national and international pressures, was initially resisted – vehemently – by the CPDM one-party regime. This was unsurprising because Biya, in his book, *Communal Liberalism*, had stated that “the present phase of the history of Cameroon does not permit the institution of a multiparty system”.¹⁰

It was on this basis that the first attempt by some Cameroonians in late 1989 to form an opposition party was dealt with decisively by the regime. Those who were involved in this attempt, including a Douala-based lawyer, Yondo Black, were arrested and charged with subversion and tried by a military tribunal.¹¹ This was followed by a crackdown on pro-democracy activists, supporters, and politicians. None of this, however, deterred Fru Ndi from launching, on 26 May 1990, the first opposition party since 1966, the SDF, even though six people were killed by government security forces during their attempts to halt the launch. Ndi, in his short speech, declared:

Today is the most significant day in the struggle for democracy in Cameroon Democracy has never been handed down to a people on a platter of gold ... We have set as one of our goals to rid the Cameroonian society of a system that deprives people from being free men or other-

8 Most of the ruling elites, particularly those in the CPDM, condemned the SDF – and anglophones in general – for what they considered a “treacherous act” and the premature birth of multipartyism. In many respects, the plight of the country’s anglophones today is linked to their bold decision to challenge the ruling group.

9 See, for example, CM Fombad and J Fonyam, “The Social Democratic Front, the Opposition, and Political Transition in Cameroon”, in JM Mbaku and J Takougang (eds.), *The Leadership Challenge in Africa: Cameroon Under Paul Biya*, Africa World Press, Trenton NJ (2004), pp 453–488; D Eyoh, “Conflicting Narratives of Anglophone Protest and the Politics of Identity in Cameroon”, 16(2) (1988) *Journal of Contemporary African Studies*, pp 249–276; PJJ Konings, “Opposition and Social-Democratic Change in Africa: The Social Democratic Front in Cameroon”, 42(3) (2004) *Commonwealth and Comparative Politics*, pp 289–311; M Krieger, “Cameroon’s Democratic Crossroads, 1990–4”, 32(4) (1984) *Journal of Modern African Studies*, pp 605–628; J Takougang, “The 1992 Multiparty Elections in Cameroon: Prospects for Democracy and Democratisation”, 31(1–2) (1996) *Journal of Asian and African Studies*, pp 52–65.

10 See Biya, *supra* n. 5, pp 24–26.

11 A Mehler, “Cameroun: Une Transition Qui n’a pas eu Lieu”, in JP Daloz and P Quantin (eds.), *Transitions Démocratiques Africaines*, Paris, Karthala (1997), pp 217–241; E Nikolas, “With a Friend Like This ...: Shielding Cameroon from Democratization”, 48(2) (2013) *Journal of Asian and African Studies*, pp 145–160.

wise punishing them for daring to think freely, associate freely, assemble peacefully and freely ... We call upon you to stand up and be counted amongst those who share our democratic ideal. You have nothing to lose but the straitjacket in which freeborn citizens have been cast.¹²

The occasion marked a turning-point in the country's political history. Other events rapidly ensued, among them the France-Africa Summit in La Baule, France, in June 1990, where, with Biya in attendance, French president Francois Mitterrand announced that France's aid to Africa would henceforth be conditional on democratisation. Biya, in a *volte-face*, spoke at a CPDM congress in Yaoundé on 28 June 1990 where he called on his party members to prepare for multipartyism.¹³ This was followed by the enactment in December 1990 of a series of laws formally reintroducing multipartyism in Cameroon. Several new parties, including the SDF, were immediately legalised and registered.

Cameroonians welcomed this development with euphoria and hopes for a better future, with demands being made for a sovereign national conference like those that had been held, for example, in Benin, Congo Brazzaville, Mali, and Zaire (the present-day Democratic Republic of the Congo). The regime's refusal to allow this led to the emergence of so-called "ghost towns" throughout most of the country, with the exception of CPDM strongholds in the Centre, South and East regions.¹⁴ Ghost towns were marked by stay-aways, street blockades, the refusal to pay bills and taxes, and boycotts of market and offices. The regime's response to protests in support of opposition-party demands for a sovereign national conference was violent, but eventually it convened a "tripartite meeting" involving the government, opposition leaders, and well-known public figures.

This was followed in November 1991 by the signing by some of the legalised opposition parties of the so-called Yaoundé Declaration, in terms of which the ghost-town campaign was called off pending elections and a promise by the government to hold discussions on electoral and constitutional reforms thereafter. The SDF, the then leading opposition party, refused to sign the declaration or cooperate with the government. Hence, the

12 Quoted in JF Gwellem, *Fru Ndi and the SDF Revolution*, Bamenda, Unique Press (1996), p 12.

13 J Derick, "Political Economy: Cameroon: One Party, Many Parties and the State", 22(3) (1992) *Africa Insight*, pp 165–177.

14 See generally ANT Mbu, "Civil Disobedience in Cameroon Bamenda", Douala, Imprimerie Georges Freres (1993).

first multiparty elections were held against a background of agitation for a fair and transparent electoral system as well as a regulatory framework for political parties. This framework was profoundly shaped by what happened in those first post-one-party-system elections, events to which we now turn.

2.2 The twin elections of 1992 and the trajectory of multipartyism

Without meeting any of the demands made by the opposition parties, especially the SDF's demands for an independent electoral commission, Biya went ahead and planned parliamentary and presidential elections for 1 March and 11 October 1992, respectively. The SDF (by then the largest and most popular opposition party) and a number of other parties decided to boycott the parliamentary elections. The ruling CPDM, for the first and only time since its formation, lost its parliamentary majority, winning only 88 of the 180 seats. The rest went to three opposition parties: the National Union for Democracy and Progress (UNDP), with 68 seats; the Union of the People of Cameroon (UPC), with 18 seats; and the Movement for the Defence of the Republic (MDR), with six seats.

It has been debated since then whether it had been an act of wisdom or folly for the SDF to have boycotted this first founding parliamentary elections.¹⁵ Our view is that, had the SDF, at that stage widely supported throughout the country, participated and won, the CPDM would still have been declared the winner. This view is reinforced not only by what happened when its leader, Fru Ndi, contested in the 11 October 1992 presidential elections (discussed below) but also by declarations made by French officials before and after the presidential election.¹⁶

After the 1992 presidential election, the incumbent, Biya, was declared the winner, with 40 per cent of the total votes cast, while Fru Ndi of the SDF gained 36 per cent; Bello Bouba of the UNDP, 19 per cent; and Adamu Ndam Njoya of the Cameroon Democratic Union (UDC), 4 per cent. The results were widely condemned by local and international observers. The Washington-based National Democratic Institute for International Affairs (NDI), which had been invited to observe the elections, noted "widespread irregularities" that called the results into question and maintained that the "election system was designed to fail", with the "overwhelming weight

15 See, for example, Konings, *supra* n. 9, p 8.

16 See section 5.8.

of responsibility for this failed process [lying] with the government and President Biya'. The Cameroonian government, it said, had taken "unusually extreme and illegitimate actions to ensure the president's victory".¹⁷ Dissatisfaction with the election results led to rioting and the destruction of property in parts of the country; violent state suppression and associated human rights violations in turn saw sanctions being imposed on the government by many Western powers, including the United States (US), Britain, and the European Union.

For all that, these twin elections came the closest ever to reflecting the general will of the people, given that subsequent elections have been marred by massive fraud and vote-rigging, as well as various schemes to disenfranchise voters in opposition strongholds. Indeed, the regime's near-defeat and removal from power served to awake its elites to the reality of multiparty democracy. The government quickly recovered from its embarrassment and used the opportunity it had to fulfil its promises to the opposition to carry out constitutional and electoral reforms, the objective being, however, to tighten its grip on power. In short, the 1992 twin elections set the trajectory for multipartyism in Cameroon, in particular for the nature of the country's constitutional and regulatory framework for governing political parties.

3. The constitutional and regulatory framework for political parties

Multipartyism, as noted, was never formally banned in Cameroon. On the contrary – using similar language – Article 3 of the Federal Constitution of 1961, Article 3 of the 1972 Constitution of the United Republic of Cameroon, and Article 3 of the present 1996 Constitution have all recognised the right to establish political parties. Article 3 of the 1996 Constitution puts it thus:

Political parties and groups shall help the electorate in the making of voting decisions. They shall be bound to respect the principles of democracy, national sovereignty and unity. They shall be formed and shall exercise their activities in accordance with the law.

¹⁷ National Democratic Institute for International Affairs, *Assessment of the October 11, 1992 Elections in Cameroon* (1993), p 19, <http://www.electionpassport.com/files/1992-NDI-Cameroon-Election-Report.pdf> (accessed 1 May 2024).

The *de facto* ban on multipartyism came to an end when Fru Ndi launched the SDF on 26 May 1990. However, it took six months after the launch of this first post-1966 opposition party for a law on political parties (Law No. 90/056 of 19 December 1990) to be enacted and thereby pave the way for their formal legalisation and registration.

All that the various constitutions have done has been to recognise a right to form political parties in obscure terms; the exact nature, scope and limits of the right was left to be determined by legislation at the absolute discretion of the legislator and with no obligation on it to act. It is thus no surprise that, until 1990, the failure of the legislature to enact an implementing law amounted to an indirect ban on the formation of political parties, especially since no one had the authority to compel the legislature to enact such legislation. The major change in 1990, therefore, was that pressure was brought to bear on the legislator to enact the necessary law.

In addition to the 1990 law on political parties (Political Parties Law), a flurry of legislation, referred to as the “liberty laws”, was enacted in December 1990 to regulate the newly reintroduced multiparty system. It included Law No. 90/053 of 19 December 1990 on Freedom of Associations; Law No. 90/052 of 19 December 1990 on Freedom of Mass Communications; Law No. 90/054 of 19 December 1990 on the Maintenance of Law and Order; and Law No. 90/055 of 19 December 1990 to Lay Down Regulations Governing Public Meetings and Processions. Subsequently, after sustained pressure from opposition parties and other stakeholders, further pieces of legislation relating to multiparty politics were enacted.¹⁸ Some of them were later repealed and replaced by a so-called harmonised law, Law No. 2012/001 of 19 April 2012 Relating to the Electoral Code (as Amended). The next section examines aspects of the different laws, such as the freedom to form and/or join political parties; the registration of parties; the protection afforded to them; the main regulatory bodies; and issues of funding and internal democracy.

¹⁸ They include Law No. 2019/024 of 24 December 2019 to Institute the General Code of Regional and Local Authorities (“the General Code”); Law No. 91/20 of 16 December 1991 to lay down conditions governing the election of Members of Parliament; Law No. 92/10 of 17 September 1992 to lay down conditions governing the vacancy of and election to the Presidency of the Republic; Law No. 97/6 of 10 January 1997 to determine the period for the revision and recompilation of registers of electors; Law No. 2000/15 of 19 December 2000 relating to the funding of political parties and election campaigns; Law No. 2006/11 of 29 December 2006 to set up and lay down the organization and functioning of Elections Cameroon (ELECAM).

3.1 Key aspects of the regulatory framework

One of the first issues that the Political Parties Law deals with is that of actualising the freedom to form and/or join political parties. It makes it clear that no one can be compelled to join a political party or harassed for being a member of a particular party.¹⁹ However, the law precludes armed forces and police personnel in active service from joining any political party. Any qualified Cameroonian who satisfies the conditions laid down in Article 5(1) of this law is free to form a political party. Even so, a party may be refused registration if:

- it undermines territorial integrity, national unity, the republican form of the state, the national sovereignty and national integration, including through all kinds of discrimination;
- it is based on tribes, provinces, language groups or religious denominations;
- it advocates the use of violence or contemplates the establishment of a military or paramilitary organisation;
- it receives subsidies from abroad or one of its statutory directors resides abroad; or
- it promotes belligerence between components of the nation or between countries.²⁰

The application to register a political party must be addressed to the Minister of Territorial Administration through the governor of a region and accompanied by documents specified in Article 5(1) of the Political Parties Law. The law provides that the decision to authorise the legal existence of a party depends on the Minister of Territorial Administration, but where there is silence on the application for three months from the date of application, the party is deemed to exist legally.²¹ There is also a provision that in the event of a refusal to authorise the party, the applicant may appeal to the President of the Administrative Court.²²

In practice, most applications for registration of political parties in Cameroon post-1990 are approved. No fee is required for registering a party. If, as some have suggested, the idea behind making the formation

¹⁹ See Article 3(1) and (2) of the Political Parties' Law, 1990.

²⁰ Ibid, Article 9.

²¹ Ibid, Article 7.

²² Ibid, Article 8.

of parties so easy was to enable their proliferation and thereby fragment the opposition, the existence today, often only on paper, of more than 367 parties is evidence that the government has succeeded in this beyond its wildest dreams. Indeed, many of these entities, which only become active during elections, are alleged to have been deliberately created by the CPDM itself and for the same reason, that is, dividing the opposition.²³

There are no provisions in the relevant laws protecting the rights of political parties. In fact, by placing them under the Ministry of Territorial Administration (MINAT), the 1990 law exposes parties to the whims and caprices of the ruling party. For example, a group of opposition parties were vilified when, in anticipation of the 2025 elections, they started discussions in March 2024 aimed at forming an Alliance for Political Change as well as an Alliance for Political Transition. The Minister of Territorial Administration, on 12 March 2024, held a press conference at which he threatened action against the parties concerned for trying to form what he described as an illegal or clandestine alliance.²⁴ It is business as usual in any normal democracy for opposition parties to hold meetings to coordinate activities and form alliances, but in Cameroon this is seen as enemy action even though no law prohibits it. The Political Parties Law of 1990 confers on MINAT the sole powers to regulate the activities of political parties. Thus, unlike other African countries where independent regulatory authorities are responsible for parties – such as Nigeria, with its Inter-Party Advisory Council, Sierra Leone, with its Political Parties Registration Commission, or Kenya and its Office of the Registrar of Political Parties – Cameroon has no equivalent such body.

MINAT has also been involved in the management of multiparty elections since the reintroduction of multipartyism in 1990. In this regard, section 43 of the Electoral Code states:

23 See D Tande, “Why So Many Political Parties?” *Scribbles from the Den*, 17 June 2007, https://www.dibussi.com/2007/06/cameroun_why_so.html (accessed 1 May 2024); D Kiwuwa, “Paul Biya has been Cameroon’s President for 40 Years – and He Might Win Office Again”, *The Conversation*, 28 November 2022 <https://theconversation.com/paul-biya-has-been-camerouns-president-for-40-years-and-he-might-win-office-yet-again-194856> (accessed 1 May 2024).

24 See press release by the Minister of Territorial Administration, 12 March 2024; *The Guardian Post Newspaper* No. 3056, 14 March 2024; *Horizon Newspaper* No. 302, 13 March 2024; *Mutations Newspaper* No. 6027, 13 March 2024; “Cameroon Government Warns Two Opposition Groups Are Illegal”, *Voice of America*, 13 March 2024, <https://www.voaafrica.com/a/cameroun-government-warns-two-political-groups-are-illegal/7526515.html> (accessed 1 May 2024).

- 1) Government services shall collaborate with and support Elections Cameroon in the performance of its statutory duties.
- 2) The Minister in charge of territorial administration shall ensure permanent liaison between Government and Elections Cameroon. In this respect, the latter shall submit copies of minutes and progress reports to him.²⁵

Since the dawn of multipartyism in Cameroon, MINAT's role has been criticised, given that the vague wording of section 43 endows it with almost absolute powers to micromanage ELECAM, the country's electoral management body. For instance, the Commonwealth Report on the 2004 presidential election in Cameroon held that MINAT was the main obstacle to holding genuine democratic elections.²⁶ It is, after all, MINAT, and not ELECAM, that accredits national election observers²⁷ and international election observers after consultation with the minister in charge of external relations.²⁸ In the 2018 presidential election, it accredited fake international election observers, supposedly from Transparency International (TI), who pronounced the electoral process free and fair.²⁹ For its part, TI issued a press release on 9 October 2018 making it plain that it had never sent any such election observer mission to Cameroon.³⁰ This, clearly, was a desperate attempt by the government to give a modicum of international credibility to a manifestly flawed election.³¹ MINAT and ELECAM have thus in essence been serving the interests of the ruling party, rather than

25 Emphasis added.

26 See Commonwealth Secretariat, *Cameroon Presidential Election 11 October 2004: Report of the Commonwealth Observer Group* (16 October 2004), <https://aceproject.org/ero-en/regions/africa/CM/cameroon-final-report-presidential-elections/view> (accessed 1 May 2024).

27 See Electoral Code, section 296(2).

28 See *ibid*, section 296(3).

29 See "Cameroon 'Fake' Election Observers Mask the Truth about Reality of Presidential Polls", *RFI*, 11 October 2018, <https://www.rfi.fr/en/africa/20181011-cameroon-fake-election-observers-mask-truth-about-reality-presidential-polls> (accessed 1 May 2024).

30 See D Mumbere, "We Have No Observers in Cameroon, Transparency International", *Africa News*, 9 October 2018, <https://www.africanews.com/2018/10/09/we-have-no-observers-in-cameroon-transparency-international/> (accessed 1 May 2024); E Nikolas, "Trends in Electoral Fraud: The Usage of Fake Election Monitors in Cameroon and Beyond", 7 (2022) *African Humanities*, pp 6–20.

31 See T Sama, "Cameroon: 'Zombie Observers' Confuse Narrative of Dubious Elections", *Democracy in Africa*, 2018, <https://democracyinafrica.org/cameroon-zombie-observers-confuse-narrative-dubious-elections/> (accessed 1 May 2024).

providing any neutral and independent platform for the management of all political parties.

As regards funding, parties in Cameroon are funded under the Electoral Code of 2012, which provides for two types of public funding. The first is a yearly subsidy provided to legally recognised political parties for recurrent administrative expenses, the dissemination of political programmes, the coordination of activities by party members, and preparation for elections.³² The second type is provided in every election year for parties to prepare for election or referendum campaigns.³³ The yearly subsidy is not provided to all the legally recognised political parties but divided into two equal parts for the following categories of parties:

- the first part is allocated to political parties represented in the National Assembly, the Senate, the regional councils and/or the municipal councils; and
- the second part is allocated to political parties in accordance with the results of the last election of Members of Parliament (MPs), senators, and/or regional and municipal councillors.³⁴

However, the second part of the subsidy is paid only to parties which obtained at least 5 per cent of the votes cast in at least one constituency in the last elections, and the distribution is in proportion to the results obtained. Meanwhile, the funds for election and referendum campaigns are provided in two parts:

- the first part is paid after publication of the lists of candidates to all parties, depending on the lists submitted, and endorsed in the various constituencies; and
- the second part is paid after the proclamation of results to parties proportionately to the number of seats obtained.

Section 278(1) of the Electoral Code forbids all political parties from receiving subsidies or funding from abroad, as well as from foreign persons, organisations, powers or states. The second subsection declares that “the private funding of political parties and election and referendum campaigns shall be fixed by a special instrument”. This is an obscure provision whose exact purport is unclear, and the hope that this will be clarified when the

³² See Electoral Code, sections 279–280.

³³ See *ibid*, section 284.

³⁴ See *ibid*, section 281.

“special instrument” is enacted is yet to be fulfilled, as no such instrument has been enacted. Besides this, it needs to be noted that, in spite of these provisions regulating public funding of political parties, the exact amount of funds available, as well as exactly how and when they are distributed, is determined by the government through the controversial MINAT.

Finally, neither the Constitution nor any law regulating political parties says anything about internal democracy. As we will see below in section 5, the absence of a formal requirement of internal democracy has helped the ruling party strengthen its hegemony, and, conversely, been a permanent source of internal strife within opposition parties, one that has sapped their ability to compete with the one-man-dominated and deeply entrenched CPDM.

4 The multiparty farce and descent into multiparty autocracy

The trajectory of elections since the twin elections of 1992, and in particular the performance of the ruling party vis-à-vis opposition parties, well illustrates the farce that is Cameroonian multipartyism. As Table 1 shows, the enormous public support which the opposition, especially the SDF, once enjoyed has all but disappeared. Biya has not only steadily neutralised a once-vibrant opposition polity that nearly removed him from power but, under the cloak of democracy, returned the country to its pre-1990 status as a repressive, one-party dictatorship.

Having begun with the 48.9 per cent of 180 seats that it won in the 1992 parliamentary elections, the CPDM is now in complete control of Parliament, gaining 60.6 per cent in 1997, 82.8 per cent in 2002, 85 per cent in 2007, 82.2 per cent in 2011, and 84.2 per cent in 2020. For their part, all opposition parties combined have seen a decline from the 51.1 per cent majority they enjoyed in 1992 and the 39.4 per cent share they had in 1997 to a merely token presence, with 17.2 per cent of seats in 2002, 15 per cent in 2007, 17.8 per cent in 2011, and 15.8 per cent in 2020.

Perhaps the biggest loser has been the once-formidable SDF. After boycotting the 1992 election, it won 43 seats (23.9 per cent) in the 1997 election, dropped to 22 seats (12.2 per cent) in 2002 and went further down to 16 seats (8.9 per cent) in 2007, after which it had a slight increase to 18 seats (10.0 per cent) in 2013. In the current parliament following the 2020 election, its fortunes plummeted, winning only five seats (2.8 per cent).

Table 1: *Party-political shares in Cameroon's 180-seat parliament (1992–2020)*

Political parties ³⁵	1992		1997		2002		2007		2013		2020	
	No. MPs	%	No. MPs	%	No. MPs	%	No. MPs	%	No. MPs	%	No. MPs	%
CPDM	88	48.9	116	60.6	149	82.8	153	85.0	148	82.2	152	84.4
SDF	Boycotted		43	23.9	22	12.2	16	8.9	18	10.0	5	2.8
UNDP	68	37.8	13	7.2	1	0.6	6	3.3	5	2.8	7	3.8
UPC	18	10.0	1	0.6	3	1.7	-	-	3	1.7	-	-
MDR	6	3.3	1	0.6	-	-	-	-	1	0.6	2	1.1
UDC	Boycotted		5	2.8	5	2.8	4	2.2	4	2.2	4	2.4
MP	-	-	-	-	-	-	1	0.6	-	-	-	-
MLJC	-	-	1	0.6	-	-	-	-	-	-	-	-
MRC	-	-			-	-	-	-	1	0.6	-	-
PCRN	-	-	-	-	-	-	-	-	-	-	5	2.8
USM	-	-	-	-	-	-	-	-	-	-	2	1.1
FSNC	-	-	-	-	-	-	-	-	-	-	3	1.7

What could explain the catastrophic performance of opposition parties in Cameroon and the steep decline in their support?

5. Reasons for multiparty democracy's bleak prospects

One basic answer is that the government was quick to grab the tiger of multiparty democracy by the tail and tame it before Cameroonian could realise what genuine multipartyism is about; or, to put it differently, the seed of multiparty democracy that the SDF planted in 1990 was destroyed before it could germinate. The result is that the system which the government has entrenched for the past 30 years makes it extremely unlikely that any opposition party could ever win elections. The more detailed reasons may be summarised under eight heads:

- continual manipulation of electoral laws and electoral district boundaries (section 5.1);
- restrictions on voting access in opposition strongholds (section 5.2);

³⁵ MP is the French acronym for the Progressive Party; MLJC, for the Movement for the Liberation of Cameroonian Youths; MRC, for the Cameroon Renaissance Movement; PCRN, for the Cameroon Party for National Reconciliation; USM, for the Union of Socialists Movement; and FSNC, for the Front for the National Salvation of Cameroon.

- intimidation and violence against opposition leaders and supporters (section 5.3);
- co-option and neutralisation of opposition leaders (section 5.4);
- division amongst opposition parties (section 5.5);
- misuse of public funds for political parties (section 5.6);
- absence of constitutionalism and respect for the rule of law (section 5.7); and
- continued international support for the incumbent regime (section 5.8).

5.1 Manipulation of electoral laws and electoral districts

In spite of demands by opposition parties since 1990, the government has refused to have an open discussion with them and other stakeholders aimed at reforming the electoral laws by consensus. It has instead regularly used its parliamentary majority to revise these laws in a manner that favours the ruling party. Two examples of this will suffice.

Basing her arguments on empirical research in urban centres in Cameroon, Albaugh describes three strategies the government has used not only to entrench autocracy but emasculate the opposition.³⁶ One of these has been the manipulation of electoral district boundaries. Using geographic information system (GIS) software to map Cameroon's electoral constituencies for 1992, 1997, 2002 and 2007, she undertook an analysis of changes to electoral boundaries between 1992 and 2010. Since 1992, Albaugh finds, gerrymandering of electoral districts has occurred in several ways.

The basis for this manipulation is contained in the 2012 Electoral Code, which repeats similar provisions in earlier laws. It states in section 149 that the division shall constitute an electoral constituency, but adds: "However, certain electoral constituencies could be warded on the grounds of their peculiar situation by a decree of the President of the Republic." Section 150(2) also states: "A decree by the President of the Republic shall fix the number of members representing each constituency." What this means is that the President has absolute power to carve out electoral constituencies by decree, as well as determine the number of members that will represent a

³⁶ For a detailed discussion, see EA Albaugh, "An Autocrat's Toolkit: Adaptation and Manipulation in 'Democratic' Cameroon", in G Crawford and G Lynch (eds.), *Democratization in Africa: Challenges and Prospects*, London, Routledge (2012), pp 388–414.

constituency, with no provision made for objective criteria that could guide the process. This has a number of implications.

The first is reflected in the distribution of population per parliamentary seat. For example, in the opposition strongholds of the Littoral and North regions, there were 138,000 persons and 121,000 persons per parliamentary seat, respectively, whereas in the ruling party's stronghold of the South region, there were only 58,000 persons per seat in the 2007 parliamentary elections.³⁷ In other words, the allocation of seats has no bearing on population size.

Secondly, these irregularities were pronounced in anglophone regions, particularly so in the home ground of the SDF. For example, in the South region, voters in Dja et Lobo Division – Biya's home region, with 121,000 inhabitants – elected five MPs, which is the same number of MPs obtained by voters in Mezam Division (the SDF's home region), with a population of 313,000 – that is, about 2.5 times as large as the one in Dja et Lobo. In this instance, it "cost" the CPDM 24,200 votes to get one seat, while the same thing would have cost the SDF the considerably higher price of 62,600 votes.

Thirdly, the allocation of seats within districts in each region is even more arbitrary: with each election, this has been redrawn in a manner that increasingly favours the ruling party. As a result, urban centres, where opposition parties have strong support, have been allocated fewer seats in municipal elections than are allocated to rural areas, where the ruling party has its main support base. Perhaps the most profound distortion in this regard was effected through a series of presidential decrees made after the 1997 elections.³⁸

Cameroon has a mixed electoral system combining multi-member districts and single-member districts.³⁹ In the case of the former, the party with the absolute majority of votes takes all the seats, and if no party has such a majority, the seats are split proportionately. By contrast, in the single-member district, the party with the highest number of votes takes the seat. Because the seats in a single-member district can be won by a simple majority, this lowers the threshold for the strongest party. Mindful of the

37 Ibid, p 121 and footnote 54.

38 As previously indicated, the basis for these frequent distortions of electoral constituencies is section 150(2) of the Electoral Code, which gives the President the right to set by decree the number of members representing each constituency.

39 See Electoral Code, sections 152 and 172.

divisions within opposition parties, the government after 1992 strategically redrew electoral districts by changing numerous multi-member districts into single-member districts, as well as creating many more single-member districts. The effect was that the CPDM won most of the seats in single-member districts. As Albaugh shows, while the ruling party in 1992 won 88 parliamentary seats (that is, 49 per cent of the legislature) on a 38.9 per cent share of the vote, in 1997 – as a result of the manipulation – it won 116 seats (that is, 64 per cent of the legislature) with a lower voting share of 37 per cent.⁴⁰

The manipulation of electoral districts in Cameroon has gone hand in hand with other equally dubious constitutional and legislative changes. These have been designed to perpetuate the ruling party's control of regional and local authorities, especially in any opposition strongholds that it loses in elections. It has effected this through a medley of vague and undefined concepts, introduced in the 1996 Constitution, which purport to apply a decentralised system of governance through regional and local authorities.⁴¹

The preamble to the Constitution and Article 57(2) in particular provide, *inter alia*, that the regional council shall reflect the various sociological components of the region.⁴² The Electoral Code – in addition to imposing a questionable residency requirement of six months⁴³ – similarly requires that candidates and electoral lists reflect the sociological components of their constituencies.⁴⁴ The stated objective is to “protect” marginalised or autochthonous ethnic groups in urban centres where they have become a minority. However, neither the Constitution nor any of the several pieces of legislation adopted to implement this provides any indication of who these minorities or indigenous populations are or what is meant by the “sociological components” of a region. Since 1996, the government has regularly used the pretext of protecting minorities after regional and local council elections to appoint ruling-party loyalists to head local authorities in areas

40 See generally Albaugh, *supra* n. 40.

41 See articles 55–62 of the Constitution. Law No. 2019/024 of 24 December 2019 contains several provisions for instituting the General Code of Regional and Local Authorities (“the General Code”).

42 Article 57(3) of the Constitution also provides that “the regional council shall be headed by an indigene of the region elected from among its members for the life of the council”.

43 See Electoral Code, section 175(1) and (2). (See also section 5.2 of this chapter.).

44 See *ibid*, sections 151 (3), 151 (4)(e) and 171(3).

won by opposition parties. In other words, it has exploited the politics of indigeneity in order to neutralise unfavourable electoral outcomes in most major urban centres by usurping control of local authorities which it lost in elections.

Indeed, the General Code allows the government to go even further than this and in effect reverse unfavourable electoral outcomes. The most strategic administrative positions in all local authorities are reserved for people appointed mostly by the President or, in a few instances, his ministers in charge of local authorities or finance. These include the head of the local authority's administration (the Secretary General),⁴⁵ the Public Independent Conciliator (provided for only in the North-West and South-West regions),⁴⁶ the Finance Controller, and the regional and council treasurers as well as other officials in the regional accounting office.⁴⁷ Thus, regardless of the political party that has a majority and is hence supposed to run the local authority, all of those who hold key administrative and financial positions are appointed by the central government and accountable to it – and, for political reasons, may not want to cooperate with a local authority controlled by an opposition party.

Over and above this, the so-called decentralisation provided for in the General Code (which in practice is nothing more than an attempt at deconcentration of powers) has provided an opportunity for the ruling party to distribute rewards to those regions and local authorities that vote for it, to attract new supporters, and to sanction those areas that vote for opposition parties. The government has since 1992 ensured that there is little development funding for projects in opposition strongholds, thus making the economic cost of voting for the opposition high. As a result, many opposition areas are compelled out of desperation to vote for the ruling party so as to attract government development assistance.⁴⁸

45 See General Code, sections 214(1), 323(1), 324(1), and 366.

46 See *ibid*, section 368(1).

47 See *ibid*, sections 436(1), 439(1), 439(2), and 439(3).

48 For further discussion, see CM Fombad, "Cameroon and the Anomalies of Decentralisation with a Centralist Mindset", in CM Fombad and N Steytler (eds.), *Decentralisation and Constitutionalism in Africa*, Oxford, OUP (2019), pp 326–364.

5.2 Restrictions on voting access in opposition strongholds

Numerous tactics are used to make registration and voting difficult in opposition strongholds. In a post-2007 election survey of voter-registration experiences in four urban locations, each in four different regions (Yaoundé in the Centre region, Ebolowa in the South region, Douala in the Littoral region, and Buea in the South-West region), Albaugh arrived at findings that confirm the widespread reports of targeted disenfranchisement in opposition strongholds.⁴⁹

She found that nearly 90 per cent of Bulu and Ewondo speakers (from Biya's Centre and South regions' stronghold) were able to obtain their voting cards; this contrasts sharply with only 30 per cent of respondents in the English-speaking North-West regions. The latter region has consistently had the lowest rate of registration per population. More generally, registration figures from 2002 to 2007 show that there was a decrease in the number of registered voters in the two largest cities in the country, Douala and Yaoundé – by 18 per cent and 25 per cent, respectively – which is less than population growth would have predicted.

In most opposition areas, voting cards are available either at the mayor's office or in the palaces of traditional rulers. Whilst the former makes registration processes so needlessly complicated that it discourages many potential voters, the latter (traditional rulers), many of whom depend on government largesse, are open supporters of the ruling party and do not hesitate to register, and issue cards to, only people whom they are certain will vote for the ruling party.

Perhaps the most serious problem of all (briefly mentioned earlier) has been the abuse of the six-months' residency requirement. This has been applied arbitrarily, particularly in the South-West region, to bar pro-SDF supporters from registering to vote in their area of residence; when they then try to do so in their area of origin instead, they are referred back to their area of residence and asked to apply for a certificate of residency, which in most cases is never issued. All of these registration restrictions are applied so as to favour the ruling party.⁵⁰

49 See Albaugh, *supra* n. 40, pp 125–128.

50 Ibid.

5.3 Intimidation and violence against opposition leaders and supporters

Opposition parties are considered an essential feature of modern liberal democracy. They are supposed to challenge the ruling party on issues of governance and propose alternatives to extant policies. Yet ever since the Biya government bowed to pressure to accept multipartyism, it has failed to come to terms with the idea that opposition parties are fellow interlocutors deserving respect rather than enemies warranting demonisation. The mould was cast long ago in the 1990s when Biya would show his contempt for opposition parties by routinely castigating them as “thugs”, “outlaws”, “hooligans”, “merchants of illusion”, and unpatriotic “self-seeking political opportunists” with nothing to offer Cameroonian.⁵¹

One may argue that over the last 30 years the government has taken as its guiding principle the Machiavellian notion that enemies must either be lured by co-option into sharing the spoils of power (as we will see in the next section) or systematically annihilated. Indeed, since 1990, the political environment has been extremely hostile to opposition leaders and their supporters. There have been innumerable accounts, particularly in the media, detailing various forms of harassment and intimidation, ranging from arbitrary arrest and torture to imprisonment and death at the hands of security forces. Opposition rallies are regularly banned or, when sometimes authorised, violently broken up if the authorities perceive a threat to law and order.

Perhaps a few incidents in the last few years will serve to illustrate the extremes to which the government is prepared to go in order to make it life-threatening to become an opposition leader or be seen to be one of such a leader’s prominent supporter. One of the most recent waves of repression occurred after the October 2018 presidential elections, which ended with Biya being declared the winner. When the results were announced, Maurice Kamto, the leader of the MRC, who had been declared the runner-up after Biya, claimed that he was the actual winner and called for nationwide protests.⁵² The government responded with a crackdown and use of excessive force by the police, army, and gendarmes.

⁵¹ See Fombad and Fonyam, *supra* n. 9, p 473.

⁵² See “Cameroon: Government Bans Opposition Coalitions Solidifies Crackdown on Free Association, Expression Ahead of 2025 Vote”, *Human Rights Watch*, 21 March 2024, <https://www.hrw.org/news/2024/03/21/cameroon-government-bans-opposition-coalitions> (accessed 1 May 2024); Amsterdam & Partners LLP, “One Minute to

In January 2019, Kamto, along with more than 200 of his supporters, was arrested and detained on charges of insurrection, inciting insurrection, hostility against the homeland, criminal association, threats to public order and rebellion – crimes that can carry the death penalty. He was freed on 5 October 2019, and the charges dropped, after the intervention of the French president, Emmanuel Macron, although the crackdown on the opposition continued.⁵³ At present, 41 opposition members, including Olivier Bibou Nissack and Alain Fogue Tedom, two of the MRC's leaders, remain behind bars after having been sentenced to seven years.

In September 2020, Cameroonian authorities banned demonstrations across the country after Kamto's MRC exhorted people to take to the streets over the government's decision to hold regional elections in December 2020. Opposition parties had expressed concerns that the elections could not be conducted freely and fairly without reforming the electoral code and addressing the lack of security in the country's minority anglophone regions, where separatist groups and security forces have repeatedly clashed. When the protests went ahead, security forces fired water cannons and teargas and arrested more than 550 people, mainly opposition-party members and supporters. Many peaceful protesters were beaten and mistreated while being arrested and kept in detention. Kamto himself was rearrested on 20 September 2020 and held under de facto house arrest until 8 December, with a heavy security presence outside his residence. The authorities never charged him or gave an explanation for his house arrest.⁵⁴

In this vein, it is to be recorded that, at the time of this writing, the countdown to the 2025 presidential and parliamentary elections has begun, as has the usual clampdown on opposition parties. For example, as mentioned, two parties that were discussing the possibility of forming an alliance to contest the 2025 elections were threatened with a ban by the Minister of Territorial Administration. It is also true, nonetheless, that the use of intimidation and violence is not necessarily the government's

Midnight: The Cameroon Crisis", White Paper, April 2021, <https://robertamsterdam.com/wp-content/uploads/2021/04/One-Minute-to-Midnight-The-Cameroon-Crisis-Amsterdam-and-Partners-LLP.pdf> (accessed 1 May 2024).

53 See F Foute, "Emmanuel Macron Remarks Spark Public Outcry in Cameroon", *The Africa Report*, 26 February 2020, <https://www.theafricareport.com/23912/emmanuel-macron-remarks-spark-public-outcry-in-cameroun/> (accessed 1 May 2024).

54 See "Cameroon: Repression Marks Crackdown Anniversary", *Amnesty International*, 22 September 2021, <https://www.amnesty.org/en/latest/news/2021/09/cameroun-repression-marks-crackdown-anniversary/> (accessed 1 May 2024).

first recourse in every instance; often it resorts to these measures only after opposition parties and leaders have resisted nullification by other, less heavy-handed means – namely, seduction into co-option by the ruling party.

5.4 Co-option and the neutralisation of opposition leaders

There is no doubt that one of Biya's most successful strategies for countering meaningful and effective multipartyism and any potential threat from opposition parties and their leaders is co-opting and neutralising the most threatening of them. This has been combined with a policy of divide-and-rule. In fact, this has been one of the government's strategies right from the outset in the 1990s, as is evident in its policy of trying to drive a wedge between the two anglophone North-West and South-West regions – this was something that weakened the foundations of the SDF, even if the latter's eventual collapse was caused by other factors.⁵⁵ Biya has survived for so long due in good part to his successful capture, early in the multiparty era, of key opposition leaders when it mattered most, taming them and moving them away from confrontation to collaboration. It has resulted in what may be termed a pacified democracy with a "domesticated opposition".⁵⁶

One of the hallmarks of the Biya era has been the entrenchment of a nationwide system of patronage networks in which core elites are allowed to amass wealth by looting the government treasury, albeit not as a right but as a privilege.⁵⁷ Corruption is the oil that greases the wheels of the ruling party. Ministries and posts are created to accommodate party loyalists, but

55 For more on this "divide-and-rule" strategy and its impact on the SDF, see Konings, *supra* n. 9, pp 11–16; F Nyamnjoh and M Rowlands, "Elite Associations and the Politics of Belonging in Cameroon", 68(3) (1998) *Africa: Journal of the International African Institute*, pp 320–337.

56 See B Ndjio, "Millennial Democracy and Spectral Reality in Post-colonial Africa", 11(2) (2008) *African Journal of International Affairs*, pp 142–147.

57 Under this dispensation, you are free to use your position to enrich yourself as long as you do not become too ambitious and try to use your ill-gotten gains to threaten Biya's position: the price for this is heavy indeed. See generally CM Fombad, "The Dynamics of Record-breaking Endemic Corruption and Corruption and Political Opportunism in Cameroon", in JM Mbaku and J Takougang (eds.), *The Leadership Challenge in Africa: Cameroon Under Paul Biya*, Africa World Press, Trenton NJ (2004), pp 357–394; S Kamga and CM Fombad, "The Cameroonian Special Criminal Court: The Futility of Combating Corruption Where the Basics of Constitutionalism

what has been a key factor in the regime's survival is that this is also used to woo and absorb leaders of opposition parties and other defectors in their ranks. Thus, a once-vibrant opposition has been reduced to a group of lethargic, self-seeking opportunists, each aspiring to become sufficiently threatening to be invited to join Biya's patronage network.

Table 2 below illustrates these points by presenting a selection of leaders of political parties who have been co-opted and rewarded with government ministerial appointments, even when it was clear that the parties they were supposed to lead enjoyed little popular support.

Table 2: Co-option of selected opposition parties and leaders into governments of national unity since 1992

Political leaders co-opted	Political parties	Periods of appointments and portfolios	No. of seats in Parliament
1. Issa Tchiroma Bakary	UNDP	Served from 1992 to 1996 as minister of transport. He was one of the first opposition leaders to be co-opted.	68
	FSNC	Left the UNDP and formed the FSNC. Appointed and served from 2009 to 2019 as minister of communication.	No seat
		Serving since 2019 as minister of employment and vocational training.	3
2. Hamadou Moustapha	UNDP	Served as deputy prime minister for urban planning and housing from 1992 to 1997.	68
	ANDP ⁵⁸	Left the UNDP and formed the ANDP. Appointed as minister in charge of special duties at the presidency, where he has served since 2004 up to the present.	No seat
3. Dakole Daissala	MDR	Minister of state for post and telecommunication from 1992 to 1997, together with four others from MDR. His party formed a coalition with the CPDM that enabled the latter to have an absolute majority in the 1992 parliament.	6
		Served as minister of transport from 2004 to 2007.	No seat
		In 2013 Biya appointed him as one of 30 appointed senators.	1
4. Augustin Frédéric Kodock	UPC	Served as minister of state for planning and regional development from 1992 to 1994.	18
		Served as minister of state for agriculture from 1994 to 1997. He was dropped in 1997 and his party's faction leader, Henri Hogbe Nlend, was co-opted.	18
		Served as minister of state for agriculture from 2002 to 2004.	3

are Absent", in CM Fombad and N Steytler (eds.), *Corruption and Constitutionalism in Africa: Revisiting Control Measures and Strategies* Oxford, OUP (2020), pp 417-435.

58 ANDP is the French acronym for the National Alliance for Democracy and Progress.

Political leaders co-opted	Political parties	Periods of appointments and portfolios	No. of seats in Parliament
		Served as minister of state for planning from 2004 to 2007	3
5. Bello Bouba Maigari	UNDP	Served as minister of industrial development from 1997 to 2004. He initially condemned members of his party (Issa Tchiroma and Hamadou Moustapha) who had been co-opted before him in 1992.	13
		Served as minister of state for post and telecommunications from 2004 to 2009.	1
		Served as minister of state for transport from 2009 to 2011.	6
		Served as minister of state for tourism and leisure from 2011 to 2019.	5
		Serving since 2019 as minister of state for tourism and leisure.	7
6. Henri Hogbe Nlend	UPC	Served as minister of scientific and technical research from 1997 to 2002. He was appointed when his party's faction leader, Augustin Frédéric Kodock, was dropped from government.	1
7. Hele Pierre	UNDP	Serving as minister of environment, nature, and sustainable development since 2004. A close ally of Bello Bouba Maigari.	See UNDP seats from 2004 to the present.
8. Momo Jean de Dieu	PADDEC	Serving since 2019 as minister delegate to the minister of justice, keeper of the seals; he turned from a vocal critic of the regime to make a U-turn prior to the 2018 presidential elections and support Biya.	No seat

The list above is by no means a comprehensive record of the opponents of the government who have been co-opted over the years. For example, Biya's most vocal opponent today, Maurice Kamto, had been co-opted and appointed minister delegate to the Minister of Justice and keeper of the seals from 2004 to 2011, after which he resigned to form his own party, the MRC; before then, he had been, as he is now again, an outspoken critic of the regime. With that being noted, several observations can be made to show how Biya's strategy of co-option has been designed not with a view to a more inclusive system of governance but rather (as pointed out above) to neutralise the opposition and thwart any genuine multipartyism.

First, the loss of the CPDM's parliamentary majority in 1992 certainly meant that the ruling party needed to form a coalition in order to have a parliamentary majority, but the CPDM did more than form a governing coalition. It brought in the UNDP with its 68 seats, the UPC with its 18 seats, and the MDR with its six seats, with their leaders being given fairly important ministerial positions. The effect was that, right at the outset of the first supposedly multiparty parliament, there was no real opposition to the government: in other words, the only opposition parties were promptly captured and tamed by virtue of being part of the government coalition.

This coincided with Biya's declaring himself winner of the 1992 presidential election, one which most objective commentators and election observers said he had lost.

Secondly, from 1992 until the last parliamentary elections in 2020, as a result of the co-option of the leaders of the UNDP, UPC, MDR, ANDP and FSNC, the effective share of parliamentary opposition parties in Cameroon's Parliament was as follows:

- 0 per cent from 1992 to 1997;
- 26.7 per cent from 1997 to 2002 (consisting of the SDF with 43 MPs and the UDC with five);
- 11.7 per cent from 2002 to 2007 (consisting of the SDF with 16 MPs, UDC with four, and MP with one);
- 12.8 per cent from 2007 to 2013 (consisting of the SDF with 18 MPs, UDC with four, and MRC with one); and
- 9.1 per cent from 2013 to 2020 (consisting of the SDF with five MPs, the UDC with four, PCRN with five, and USM with two).

This means that, since 1992, the effective political-party representation in Cameroon's National Assembly by opposition parties that were not part of the ruling parliamentary majority was on average made up of only 15 per cent of the 180 MPs in Parliament. With such a token genuine opposition presence in Parliament, the opposition parties that joined the ruling party have served only to give the regime a veneer of democratic legitimacy that helps it disguise what is in effect a continuation of the illegitimate and repressive pre-1990 autocratic system.

Thirdly, certain categories of civil servants – namely, the security forces who are responsible for law and order (most of whose service heads are people from Biya's ethnic group), the members of the judiciary who act as election supervisors, and the senior administrative officials who also act as election supervisors – are placed on much higher salaries than the rest of the civil servants. As a result, they have a stake in the survival of the regime and will do everything necessary to keep it in power. The same is true of the administrators who are appointed by the President to the various electoral commissions at local, regional and national level.⁵⁹

Finally, it is clear that the level of support for the ruling party has progressively increased over the years whilst that for opposition parties has been decreasing. The most dramatic drop is in the support for the once

59 See Electoral Code, sections 64, 68 and 191.

most popular opposition party, which took considerable risks in the 1990s to force a return to political pluralism. In the first parliamentary election that it contested, it was able, in spite of the rigging machinery used by the regime, to win 43 parliamentary seats, with 23.9 per cent of the popular vote. This declined, and in the 2020 parliamentary elections, it won only five seats (with 2.8 per cent of the popular vote) and also lost its position as the main opposition party, a position now occupied by the UNDP, with seven seats, but which is part of the government. The government has indeed been resoundingly successful in its co-option of those critical to its survival – and divisions within the ranks of the genuine opposition have not helped the latter's cause either.

5.5 Divisions within opposition ranks

Since much has been written about how opposition parties in Cameroon have contributed to their present predicament,⁶⁰ we will simply highlight some of the main problems they created for themselves. In many respects, opposition parties have been their own worst enemies and made it easy for the ruling party to cling to power in spite of its record of corruption, gross mismanagement of the economy, and overall incompetence.

The proliferation of opposition parties (367 at the last count) – parties with little ideological content, no clearly constructed alternative programmes, and no agenda to cultivate and nurture – has not helped. A mushrooming of political parties has never on its own produced democracy. This is particularly so in Cameroon, where it hardly costs anything to form a party and where many of the parties exist in name only. In fact, at a time of economic crisis in the early 1990s, the Biya government encouraged the formation of parties by rewarding any party that participated in the ill-conceived parliamentary elections of 1992 with CFA 500 million.⁶¹

In the 1990s the government sponsored a number of “mushroom parties” run by individuals whose mission was to sow discord within the ranks of

⁶⁰ See, for example, Fombad and Fonyam, *supra*, n. 9; J Takougang, “The 2002 Legislative Election in Cameroon: A Retrospective on Cameroon’s Stalled Democracy Movement”, 41(3) (2003) *Journal of Modern African Studies*, pp 421–435; Konings *supra* n. 9, pp 16–20; G Ngwane, “The Opposition and their Performance of Electoral Power in Cameroon (1992–2007)”, *gngwane.com*, n.d., https://www.gngwane.com/files/cameroon_opposition_and_electoral_performance.pdf (accessed 1 May 2024).

⁶¹ See Konings, *supra* n. 9, p 8.

the opposition parties that had been struggling to form a united front. It has now become clear that many so-called opposition parties, such as the UNDP, UPC, MDR, and FSNC (parties whose leaders in some cases have been in government continuously since 1992), were formed strategically not to promote a policy agenda but to provide an opportunity for them to negotiate with Biya to share in the spoils of power. It was these leaders that in the early 1990s not only betrayed the cause of the opposition parties but sowed the seeds of the discord and division that persist today.

The divisions and ultimate betrayal within the ranks of the opposition started at the very early stages of the reintroduction of multipartyism. At the time when the SDF and its leader enjoyed nationwide popularity that not only threatened the survival of the CPDM but far surpassed that of the other newly formed parties, the most prominent being Bello Bouba Maigari of the UNDP and Ndam Njoya of the UDC, these parties and a host of others met to discuss the possibility of putting forward a single candidate to contest the presidential elections of 1992. What emerged then, and has been the pattern since, was that none of the francophone opposition leaders were ready to support a coalition led by Fru Ndi or any anglophone leader. This became apparent in the muted reaction of Ndam Njoya and Bello Bouba Maigari to the serious election irregularities and human rights violations in the North-West region when the people protested against what was widely regarded as Fru Ndi's "stolen victory".

The fragmentation of the opposition was aggravated by contradictions. As noted above, neither the Constitution nor any of the laws regulating political parties says anything about internal democracy. As a result, the leadership of opposition parties has displayed all the authoritarian tendencies, intolerance of dissenting views, and personality-cult dynamics of which they accuse Biya and his government. This, more than anything else, explains why the once-dominant SDF, which started as a national party set to replace the CPDM, degenerated into an anglophone, a regional, an ethnic, and, finally, a personal party.

Fru Ndi led the party from 1990 until his death on 12 June 2023 when a new party chairman, Joshua Osih, the former deputy chairman, was elected on 28 October 2023. Before his death, anybody who dared challenge Fru Ndi's leadership was demonised and purged from the party. The increasing perception over the years that it was an anglophone party cost it the broad support it once enjoyed in the francophone regions. It was finally Fru Ndi's intolerance and elimination of all potential leaders who disagreed with him

or threatened his position that resulted in many senior officials leaving the party.

What happened within the SDF has happened to almost all other opposition parties. Those who created these parties have remained leaders and, in most cases, those members who threatened their positions were also, as in the case of the SDF, purged and, like Hamadou Moustapha and Issa Tchiroma Bakary of the UNDP (see Table 2), who left and formed their own parties.

5.6 Political-party funding and abuse of incumbency

Substantial sums of public funds are set aside for the funding of political parties. The manner in which this is distributed is heavily skewed in favour of the ruling party, as its historical domination of the National Assembly, along with its 100 per cent control of the Senate after the 2023 elections, has meant that most of the funding goes to itself. Even when the government allocates money, there is no guarantee that it will be paid as promised. For example, during the campaign for the presidential elections of 2004, the SDF was promised CFA 400 million but allegedly received only CFA 46 million.⁶²

Besides the limited public funding which is made available to the opposition, there are several other obstacles to the effective operation of opposition parties. They have very limited access to state-owned media, comprising radio and television channels as well as a newspaper (the *Cameroon Tribune*); the latter are all controlled by the government and openly serve as the semi-official propaganda mouthpiece of the ruling party. In addition, as mentioned, the officials of the main bodies responsible for elections, MINAT and ELECAM, are appointed, controlled, and answerable to the government.⁶³ Finally, because all senior officials are appointed by the government, they are required, especially during election periods, to go out to their regions of origin to campaign for the ruling party. Some of these abuses of incumbency by the ruling party could have been checked in a

⁶² See D Tande, “State Funding of Political Parties: A Democratic Imperative or Hush Money for the Opposition?” *Scribbles from the Den*, 18 July 2007, <https://www.dibussi.com/2007/07/state-funding-o.html> (accessed 1 May 2024).

⁶³ For the appointment of the senior officials of ELECAM, see sections 12 and 24 of the Electoral Code. Although the President is required to consult opposition parties and other stakeholders, this is a mere ritual.

system where the rule of law is in force, but as we will see, this is not the case in Cameroon.

5.7 The absence of the fundamentals of constitutionalism and the rule of law

After Eritrea, Cameroon has the weakest constitution in Africa. It lacks all the fundamentals of constitutionalism, in the sense that the constitutional protection of human rights is very weak.⁶⁴ Equally weak is the system of separation of powers, which allows considerable scope for arbitrary changes to the Constitution at the whim of the President. Yet perhaps the biggest challenges to constitutionalism and effective operation of the rule of law lie in two basic flaws of the Constitution.

First, the system of constitutional review, in which reviews are carried out exclusively by the Constitutional Council (a body that also has exclusive powers to resolve electoral disputes), is deeply flawed. All the members of this council are appointed directly or indirectly by the President, and their appointment does not depend on any objectively stated criteria other than loyalty to the government. The chances of their ruling against the government are thus remote, to say the least. Indeed, the furthest they have come to being objective was when the Supreme Court deliberated on the controversial presidential elections in 1992 and, much like Pontius Pilate, made the flabbergasting declaration that although there were discomfiting irregularities, its duty was only to declare the results, and not to investigate electoral irregularities.⁶⁵ Since then, the Constitutional Council has indeed applied itself to investigating such irregularities, albeit in a manner that serves the government's interest.

The second flaw is especially troubling: the country lacks an independent judiciary. Judges are all appointed by the President and virtually serve at his pleasure.⁶⁶ The net effect of this is that Cameroon is a classic example of a state governed according to the personal rule of one man, its president,

⁶⁴ For a discussion of the fundamentals of constitutionalism, see CM Fombad, "Challenges to Constitutionalism and Constitutional Rights in Africa and the Enabling Role of Political Parties: Lessons and Perspectives from Southern Africa", 55 (2007) *American Journal of Comparative Law*, pp 1-46.

⁶⁵ See Fombad and Fonyam, *supra* n. 9, pp 480-481.

⁶⁶ See CM Fombad, "Judicial Power in Cameroon's Amended Constitution of 18 January 1996", 9 (1996) *Lesotho Law Journal*, pp 1-11.

where elections are a ritual and constitutionalism and the rule of law are a forlorn hope. Moreover, as we will now see, the ruling elite and its patronage network of colluding “opposition” parties have nothing to fear from external pressure and criticism.

5.8 Continued international support for the Biya government

The first and probably only elections that the Biya regime allowed national and international election observers to observe freely were the twin 1992 elections. After the presidential elections of that year drew heavy criticism, particularly in the report of the NDI in 1992 and that of the Commonwealth in 2007, the regime took to being highly selective in deciding which election observers to allow entry to. For the 2020 elections, it all but kept them out and instead created its own fictitious international election observer team from TI, which as we saw earlier, quickly disassociated itself from this claim.

In the aftermath of the 1992 presidential elections and the repressive state of emergency declared in the North-West region for three months, most Western governments, except France, not only condemned the Biya government but also imposed various sanctions or suspended loans to it. This aggravated an economy that was already under strain from previous nationwide strikes, and a collapse was averted only due to financial support provided by France.

In fact, French influence has had, and continues to have, a negative impact on the operation of multipartyism in Cameroon. After the controversial 1992 presidential elections, the French minister of interior justified France’s support for the government by declaring that “an Anglophone cannot be president of Cameroon”.⁶⁷ The French did everything they could to counter the threat posed by the SDF and its charismatic leader, Fru Ndi. Not only did they fabricate stories claiming that Fru Ndi was involved in illegal arms imports, but the French Ambassador in Cameroon, Gilles Vidal, and other French embassy officials undertook missions to the strongholds of the SDF in the francophone regions to persuade them to abandon the party.⁶⁸

⁶⁷ See TN Fonchingong, “Multipartyism and Democratization in Cameroon”, 15(2) (1998) *Journal of Third World Studies*, pp 119–136, 130.

⁶⁸ Ibid, pp 130–131.

Continuous French support over the years has not only contributed to the demise of the SDF and other parties that could threaten the Biya government but in fact is behind the present military operations which the government is conducting in the two anglophone regions.⁶⁹ In some cases, the French have gone to absurd lengths. For example, in the 2004 presidential elections, the French president, Jacques Chirac, embarrassed even the francophone election observer mission when he sent a message of congratulations to President Biya commending him for his “brilliant” re-election even though the results had not yet all come in and the vote counting commission had barely begun to work.⁷⁰

Given that France has made francophone Africa its fiefdom through its *francafrique* policies,⁷¹ most Western countries have left it to manage these countries as it wishes. In fact, the attitude of many of them, particularly the United Kingdom, Canada, Germany, and the US, is increasingly ambivalent. Their criticism of the situation in Cameroon has become muted. This is so because, on the one hand, they prefer to support the devil they know who can maintain peace and stability, regardless of the implications for democracy; on the other hand, their indifference to the abuses of democratic process is dictated by the objective of promoting their national economic interests and that of their companies, many of which have lucrative contracts in Cameroon’s huge natural and mineral resources sector.

It is not clear whether France in particular and the West at large have learnt from the French debacles in Burkina Faso, Mali, and Niger, which led not only to coups d'état in these countries but the replacement of the French by the Russians, with the Chinese waiting in the wings. At present, it could be argued that China and Russia have joined the French in supporting the Biya government and ensuring its survival as the best way to promote their own economic interests.

69 After President Macron’s visit to Cameroon in July 2022, he appointed General Thierry Marchand, head of the Directorate of Security and Defence Cooperation and a person with extensive experience in military training and operations across Africa, as France’s new ambassador to Cameroon.

70 See B Adams, “SDF Protests Chirac’s Congratulations to Biya”, *PostNewsLine*, 18 October 2004, https://www.postnewsline.com/2004/10/strongsdf_prote.html (accessed 1 May 2024). The SDF protested “vehemently” at this interference by the French government.

71 See T Korkmaz, “‘La Françafrique’: The Special Relationship between France and Its Former Colonies in Africa”, *Insamer*, 2 August 2019, https://en.insamer.com/la-francafrique-the-special-relationship-between-france-and-its-former-colonies-in-africa_2307.html (accessed 1 May 2024).

6. Conclusion

President Biya reluctantly revived multipartyism in Cameroon in the 1990s. Whilst he weathered the early storm that came with the transition from a one-party repressive autocracy, he has done no more than transform the country into a repressive multiparty democratic autocracy in which elections are the same symbolic rituals they were before the 1990s. Unlike in the past, there is, in addition to a constitutional framework, an elaborate set of laws that regulates the operation of political parties, but this is merely part of the sophisticated autocratic toolkit put in place to keep the ruling party in power. As we have seen in the preceding discussion, the nature of the legal framework and the manner of its implementation is such that the prospects of an opposition party or opposition leader winning elections have progressively diminished. The reality is that the chances of an opposition leader winning a presidential election, or an opposition party winning an absolute majority in Parliament, are as good as one's winning of the South Africa's Powerball jackpot, that is, near to zero.⁷² In short, all the stops have been pulled to rule out any prospect of an opposition party victory through the ballot box in Cameroon. We can summarise the reasons for this bleak state of affairs under three points.

First, elections in Cameroon are won by the ruling party long before the first votes are cast. Electoral districts have been manipulated in advance to favour it; voting access is restricted in those areas that are likely to vote for the opposition; and opposition leaders and supporters are harassed, beaten, locked up, and sometimes killed. Even in those few urban cities that opposition parties win, the law allows the President to appoint senior officials such as chief administrative and finance officers.

What is more, the funding of political parties is skewed in favour of the ruling party, which takes advantage of its incumbency to control the state-owned media. The bodies responsible for managing elections – chiefly ELECAM and MINAT – are controlled by the government. Ever since the reintroduction of multipartyism, opposition party leaders have been neutralised by being co-opted to share in the spoils of power. Similarly, top government officials who nominally have a role in the proper functioning

⁷² See B Coetzer, "South Africa's R120 Million Powerball Jackpot", *BusinessTech*, 24 January 2024, <https://businesstech.co.za/news/wealth/744917/south-africas-r120-million-powerball-jackpot-here-are-your-actual-odds-of-winning/> (accessed 1 May 2024). Putting this differently, the odds of one's joining the list of jackpot winners are infinitesimally small – 1 in 20,358,520, to be precise.

of the political system, such as top security officials, senior administrative officials at the local, regional and national level, and the judiciary, have been given financial inducements and other privileges that lead them to identify themselves with the survival of the regime.

At the same time, greed, lack of a clear alternative vision for the country, factionalism and division, and the failure to unite in presenting a common front, have contributed to the undoing of opposition parties. It is a weakness that has been exploited by the regime, which is aided and abetted by the international community, especially France. With their national economic interests bound up in deals with the Cameroonian government, most foreign countries and financial institutions have moderated their criticism of its abuse of democratic processes.

Secondly, the prospect of there being credible, responsible, and effective opposition parties that could threaten the hegemony of the CPDM has been further compromised by the absence of the core elements of constitutionalism and respect for the rule of law in Cameroon. Particular manifestations of this are the absence of full recognition and protection of fundamental human rights, the lack of an effective separation of powers, the lack of an independent judiciary, and the lack of a credible system of judicial review. Ultimately, the combination of a weak system of respect for the rule of law and a weak foundation for constitutionalism has led to a system where Biya is above, rather than subject to, the Constitution. He makes and unmakes laws, often with a complicit Parliament, as it suits his selfish wishes and those of the ruling clique.

Thirdly, the negative impacts of French policies on Cameroon's political developments are not likely to end soon, especially when dealing with a wily, ruthless autocrat and an entrenched corrupt elite determined to hang on to power at all costs. Their survival game now is to play the French and the West against the Chinese and Russians. The latter have no qualms whatsoever in supporting dictators like Biya and, moreover, will be only too happy to perfect his syllabus in authoritarian democracy.

In many respects, the multiparty aeroplane in Cameroon stalled before it could even taxi to the end of the runway. There is little to suggest that anything will change with or without the architect of this autocratic multiparty farce, Biya. Indeed, the main concern for the future is that any new leader or party that might displace the present leadership or party will only start another cycle of autocratic renewal disguised in new promises of change. The culture of "it's our turn to eat" is heavily ingrained in

the mindset of Cameroonian political elites, and the present repressive outdated constitutional framework is too attractive to be changed.

The constitutional entrenchment of multipartyism and the elaborate legislative framework adopted to implement it has failed to provide a foundation for a genuine multiparty democratic culture to emerge in the country. What is required is a new constitution based on the fundamental elements of constitutionalism and the rule of law. This can come about only if opposition parties put aside their differences and campaign vigorously for a new constitutional dispensation. It would never be handed down on a platter; hence, the people must revive the spirit of the SDF of the early 1990s that forced the regime to reintroduce the multiparty system. Without a new constitutional dispensation, one based on an inclusive and broadly participatory process that draws lessons from the best processes and best constitutions on the continent, such as the Kenyan and South African constitutions, the multiparty autocratic system which is now in place will only become more deeply entrenched regardless of who the President is or which party happens to have a majority in Parliament.

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