

Review

The dilemma of the federal system in West Cameroon, 1961 – 1972

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The question of the independence of the Southern Cameroons was resolved following the United Nations organised plebiscite on 11 February, 1961 when the territory opted to join the Cameroon Republic under Ahmadou Ahidjo. These were two different political entities which operated under different political systems, one enjoying power-sharing and the other a centralised system. To solve this problem after reunification, a federal structure was created with a view to respect the cultural differences in both states and work toward a truly united Cameroon nation. With time this dream was never realised and the larger Republic of Cameroon was perceived to have annexed the former British territory. At the end of the federal structure in 1972, the dream of Southern Cameroonians brought disappointment rather than enjoyment of the fruits of independence. This paper makes an attempt to show how unworkable the federal system was in relation to the state of Southern Cameroons, later referred to as West Cameroon after its independence and reunification in 1961.

Key words: Constitution, federation, implementation, dilemma.

INTRODUCTION

The victory of the Kamerun National Democratic Party (KNDP) in the United Nations organised plebiscite on 11 February, 1961 led to the merger of Southern Cameroons with the already independent Republic of Cameroon under Ahmadou Ahidjo. The two Cameroons had been groomed under two different political cultures, the British and the French, for forty years. Born out of these considerations, the reunification of the two Cameroons required setting up politico-economic structures that would accommodate these cultures in order to provide equality in unity for the newly created nation. The constitutional arrangements which were arrived at Foumban and Yaounde resulted in a centralised federal structure with more powers vested on the president against the loose system advocated by the KNDP leadership under John Nguh Foncha (NAB, 1961). This paper attempts to show how the aspirations of West Cameroonians were never met and the role they played in that direction; and how the federal constitution was simply an annexation of the state of West Cameroon by the Republic of Cameroon.

FOUMBAN AND THE DESTINY OF WEST CAMEROON

Historians have given little attention why Foumban was chosen as the venue for the constitutional talks. Throughout Cameroon's colonial history, Foumban was hardly a centre of political activity or even acted as a social magnet to other ethnic groups, let alone playing a significant economic function. It is probable that the choice of Foumban for the talks might have been due to its stable traditional political system under the Njoyas.¹ The stability in the kingdom, with Foumban as its capital, was recognised by all (NAB, 1961). It was far from centres of political activity like Douala, Yaounde, Edea,

¹ The Njoya dynasty began with Nchare, who was succeeded by Mbwe-Mbwe who expanded the Bamum Kingdom to Mbam and Noun Rivers. Nsangu who became king after Mbwe-Mbwe taught the royal and other children the art of writing. However, it was under the reign of Njoya that the Bamum Kingdom became very prominent as muslin scholars came into Bamum, and a mosque and a school were opened to teach children how to read and write Arabic. Europeans visited Bamum and admired the level of culture and civilisation especially as Njoya invented a form of writing, the Bamum script.

Buea, Bamenda, Victoria and Kumba with sizeable populations opposed to Ahidjo's regime. Of even greater importance was the fact that the choice of Foumban was because Ahidjo went there for relaxation given his personal relationship with Sultans Seidou and Arouna Njoya. Foumban was an island of peace in an environment where terror reigned in the midst of an armed rebellion (Times and Post match Magazine, 1961). Whatever these considerations might have been, it was at Foumban that the destiny of Southern Cameroonians was decided.

THE FEDERAL CONSTITUTION

The American state since its independence has provided a model of federalism which has gained currency among the nations of the world. The concept of federalism can therefore be looked at from several perspectives. Four schools of thought have been identified in the discussion of federalism, namely, the Wheare, Livingston, Friedrich and Riker schools (Ngoh, 2004). In the Wheare School, federalism is a "method of dividing power so that the general and regional governments are each within a sphere, coordinate and independent" (Ngoh, 2004).

Federalism to the Livingston school is "a social diversity rather than one of constitutional mechanics because social diversity is given in all countries and societies" (Ngoh, 2004). To the Friedrich School, it is "a union of groups united by one or more common objectives but retaining their distinctive group character for the purposes" (Ngoh, 2004). The Riker School sums it up as the end result of a bargaining process, which produces a constitution that provides for two levels of government, each of which has at least one area in which it is autonomous and each of which has some guarantee ... of its contained autonomy within the sphere (Ngoh, 2004). In all of these, one thing is dominant and it is the existence of differences in the states that make up the federation and the acceptance of forbidden zones.

In relation to new African nations, David P. Curie (Cited in Ngoh, 2004) provides a discussion on federalism which he notes is the allocation of powers between the central and state governments with each having an exclusive field of competence not to be interfered by the other. This field of competence means that the views of the minority are protected. Federalism therefore is the quest to secure union without unity meaning that the federal government operates in matters of common concern while the state governments operate in matters of state concern.

These views of federalism give an insight on the operation of a federal structure. It is hoped that these were the considerations of Southern Cameroonian politicians in advocating a federal constitution for a reunified Cameroon nation. The quest for a federal constitution dated back to the pre-reunification period. It can rightly be argued that this was right from the period of

the partition of German Kamerun in 1916. For the reunified Cameroon nation, Foncha advocated a loose federation wherein each state would have its own sphere of influence while Ahidjo stood for a strong centre and weaker states. Ahidjo remarked at the opening of the Foumban talks that during his talks with Foncha, they had agreed on "a federal framework ... because linguistic, administrative and economic differences do not permit us to envisage seriously and reasonably a state of the unitary and centralised type" (NAB, 1961).

To this, Foncha added that "they proposed a form of government which will keep the two cultures in the areas where they now operate and blend them in the centre" (NAB, 1961). This meant the creation of a loose federation with powers shared between the centre and the periphery. Ahidjo saw a federal structure as the only one that suited Cameroon's situation after the merger but rather than have a loose system he wanted a close coming together to avoid all that might have hindered the growth and development of the new Cameroon state.

The union between former Southern Cameroons and the Republic of Cameroon was a merger of two distinct political cultures. The British system provided for power being shared between the states while the French were inclined to a unitary system with absolute concentration of powers in a few hands. Therefore, Foncha's call for a loose federation was opposed to Ahidjo's desire for the creation of a unitary state. Federalism was not part of the French political culture. The French political culture was inclined to the formation of unitary state with all powers concentrated at the centre. In this system, there was no sharing of power between the centre and the periphery.

THE FEDERAL CONSTITUTION AND THE STATE OF WEST CAMEROON

The federal constitution that was finally adopted gave the head of state absolute powers as stated in Articles 5 and 6. Article 5, for example, listed powers which belonged to the central government such as defence, foreign policy and security. Foncha saw these as state powers. Revenue allocation between the two was never discussed meaning that West Cameroon gave up its sources of revenue such as customs duties. The state of West Cameroon was financed by federal subventions until a formula was fixed which was never done. For this reason, West Cameroon continued to depend on the federal government for its finances (Ekali, 2004). In this way, the state of West Cameroon was economically paralysed and made it dependent on the federal government.

There was an important clause in the constitution that the delegation from Southern Cameroons did not discuss at Foumban. This was the federal administration in the constitution of the Republic of Cameroon. Soon after reunification, Ahidjo issued Decree No. 61-DF-15 of 20

October 1961 wherein the federation was divided into administrative regions with a federal inspector in each administrative region accountable to the federal president. The inspectors represented the federal government in all acts of civil life and in judicial matters, supervised and enforced federal laws and regulations, maintained order according to the laws and regulations in force, and had at their disposal the police force and gendarmerie, and federal services (Ebune, 2004; cited in Ngoh, 2004).

By this arrangement, West Cameroon was made one region and Jean Claude Ngoh was appointed the Inspector General by the President. The Federal Inspectors were responsible for federal government in all acts of civil life and in judicial matters. They were to supervise the enforcement of federal laws and regulations, to maintain order according to the laws and regulations in force, having at their disposal the police force and gendarmerie and federal service. This imparted West Cameroon in the sense that the Federal Inspector considered himself the equal of the Prime Minister, and there was constant friction for jurisdiction between the top officials until late sixties. This was evident of Ahidjo's desire to concentrate powers in a few hands.

IMPLEMENTATION OF FEDERALISM IN WEST CAMEROON

The discussions on the constitutional talks at Foumban were necessary in part as they provided a yardstick for the evaluation of the workability of a federal system. A federal structure called for power sharing between the states meaning that there was equality as each state maintained its legitimacy but this is not what was achieved at Foumban. First and foremost, the union was an unbalanced one; as Ahidjo noted:

"The Cameroon Republic and the territory previously under British trusteeship constituted a single historic unit ... But on the other hand, they were two distinct political entities: on one side, an independent sovereign state (the Cameroon Republic) possessing an international legal personality; on the other, a territory (Southern Cameroons) without a political international status (Ahidjo, 2004; cited in Ngoh, 2004).

This is why at Foumban, Ahidjo made it clear that he "could accept suggestions but that he and his delegation would be the final arbiters of what would be accepted (Ahidjo, 2004; cited in Ngoh, 2004). The outcome of this was that the Head of State was given all the powers; head of state and head of government. This concentration of powers in the head of state was used to undermine the federal constitution. Cameroon's federation was doomed to fail from the onset because it was only a step towards the creation of a unitary state. Ahidjo's goal from the beginning was to establish a centralised system of government. The achievement of this goal was facilitated by the great disproportion in

population and economic development between the Republic of Cameroon and Southern Cameroons, which was to the former's advantage. This led to a situation whereby the Republic of Cameroon established her hegemony over the less populous and less economically developed Southern Cameroons (Ngoh, 2001).

Ahidjo's implementation of the constitution can be judged from the overwhelming powers vested in him. As a result he failed to respect the clauses that provided for checks on his powers. For example, he circumvented the constitutional guarantees as well as the checks and balances protecting the rights of his opponents. Article 18 for example stated that "before a law was promulgated, the President ... may request a second reading ... the law shall be adopted only if the majority specified in the preceding article comprised a majority of the votes of the deputies of each of the federated states" (Ngoh, 2001). In addition, the law providing for the revision of the constitution was never respected, as seen in Article 47 which stated that:

"The power to initiate the revision of the constitution shall belong equally to the President of the Republic after consultation with the Prime Ministers of the Federated States, and the Deputies of the Federal Assembly....(Federal Constitution of the Republic of Cameroon, 1996).

Although there are no recorded instances when the Deputies and the Prime Ministers said no to the revision of the constitution, the end result was that the interests of West Cameroonians were ignored. Apart from this, state power was concentrated in the presidency which enabled the president to eliminate competitive party politics by closely regulating political participation (Federal Constitution of the Republic of Cameroon, 1996). Article 59 also dealt a blow to the Southern Cameroonians. The article stated, "the revised constitution shall be published in French and English, the French text being authentic" (Federal Constitution of the Republic of Cameroon, 1996). Unfortunately, the delegates from the Southern Cameroons never objected this. This shows the dominant role the former Republic of Cameroon exercised in the federation to the detriment of Southern Cameroons. This explains why throughout his tenure of office he ruled by decrees, and dictated the economic life of the country.

THE FALSEHOOD OF FEDERALISM IN WEST CAMEROON

The accounts given above indicate the false nature of the federal system. If there was one area where federalism was most negatively exercised in West Cameroon, it was in the economic domain. At independence, the economy of East Cameroon was based on entrepreneurship and industrialisation, and between 1967 and 1971, about 20 billion francs were invested in about 700 industrial firms which included food, chemical, textile and aluminium industries, water and electricity power production (Ekali,

2004). In West Cameroon, only 27 industrial firms mainly plants for agricultural products were operational showing that investment in the industrial sector was low. An estimated 63.4% of West Cameroon's gross domestic product came largely from the agricultural sector while in East Cameroon, agriculture provided 45% (Ekali, 2004). Within the same period, the industrial sector accounted for 13% of East Cameroon's gross domestic product while in West Cameroon it was 7.8% (Ekali, 2004). It was the Cameroon Development Corporation that dominated West Cameroon's economy by growing crops such as rubber, cocoa, banana, oil palm and tea. All of these indicated that at reunification, the two states operated differently on their economic pursuits with the result that the standard of living in East Cameroon was comparatively higher than that in West Cameroon where the incomes of the people were lower.

Of particular importance was the absence of a revenue allocation formula between the federal and state governments in the federal constitution. The constitution provided that the federal government could regulate "currency, the federal budget, taxation and other revenue to meet federal expenditure" (Federal Constitution Article 5 Section 8). Nothing was said about how the state governments could raise revenue although it allowed for the levying of taxes which were sent directly into the federal treasury. The Federal Government provided revenue to the federated states through grants on an ad hoc basis and in response to requests made by each state government. For example, between 1962 and 1972, the Federal Government's financial subventions to West Cameroon accounted for about two-thirds of that territory's recurrent budget. Between 1962 and 1963, West Cameroon received 1.150,000,000 francs from the federal government while in 1963 and 1964 the amount stood at 1.270,000,000 francs (Ekali, 2004).

The withdrawal of grants which were provided by the Colonial Development and Welfare Schemes at independence contributed to this worsening financial state. Furthermore, the loss of control over import and export duties, and other sources of external revenue made the economic viability of West Cameroon questionable. Also, the drop in banana revenue contributed in worsening the economic situation in West Cameroon, leading to heavy dependence on the federal government for its survival. It is this dependence that led Benjamin to argue that this "left the West Cameroon Government at the mercy of the Federal Government" (Ekali, 2004), as only about 25% of its budget each year could be raised from taxes; income and poll taxes levied by the state assembly and fees and penalty payments levied by each Native Authority (Ekali, 2004). Half of the funds collected by the Native Authorities were sent to the state government while the rest was distributed to the various town councils of the N.As. As a result, West Cameroon depended on Federal Government for its survival.

The federal constitution placed the guidance of the economy and development planning under federal jurisdiction, but the states continued to work in these fields for several years. Unfortunately, corruption and inefficiency in state-financed corporations cost the state of West Cameroon a great deal (Willard, 1970). West Cameroonians themselves were responsible to this unhealthy financial situation because individuals placed their interests first before the state.

In West Cameroon, the structure responsible for economic development was the West Cameroon Development Agency (WCDA). This body made frantic efforts to initiate and become a partner in many projects like R.I Eyo's sawmill in Mamfe, Brandler and Rylke Cameroon Ltd, Cameroon Fisheries Ltd., Buea Mountain Hotel, the Tiko Market and Cameroon Bank. Despite all these efforts many of the projects failed to generate the required revenue resulting in the economic woes of West Cameroon. This situation was aggravated by the poor management of WCBA under the leadership of incompetent directors appointed not because of their capabilities but on the basis of their political affiliations (Willard, 1970). The Cameroon Bank for example was one project in which WCDA had invested so much. The failure of the Bank was indicative of WCDA's inability to transform the economy of West Cameroon. The Bank had no lending policy on granting of loans and overdrafts to individuals.

Judging from all these, West Cameroon's hope to develop her economy became a mere dream. This was so because revenue allocation between the two states was never discussed when drawing the federal constitution at Fouban. Besides, West Cameroon gave up its sources of customs and other revenue and was to be financed by federal subventions until a formula was fixed. Such a formula was never fixed and West Cameroon continued to depend on the largesse of the federal government. The situation grew worse in 1966 when the state could not pay civil servants' salaries. In an attempt to save the situation, the federal government invested money in the Cameroon Bank and investigated the activities of the Bank. The outcome of the investigation was that many of the persons appointed to the Board of the WCDA were of extremely low calibre to the extent that some of them could hardly write their names and could not participate in Board deliberations (Ekali, 2004). Throughout the period of the federation, West Cameroon depended on the federal government for its well being. It is this which led Ahidjo to declare that:

"It will also be seen that although most services have been federalised, the budget of the state of West Cameroon is still experiencing difficulties in spite of balancing subsidy from the federation totalling more than 2.000 million francs, that is to say an amount equivalent to approximately three quarters of the budget" (Rubin, 1971).

The discussion above leaves one to wonder whether the federal structure built for the reunified Cameroon nation

was really what West Cameroonians went in for. In a situation where Ahidjo became the sole political actor, with Foncha playing a nominal role, West Cameroonians enjoyed little of what federalism really calls for. Theirs was an experience that shattered their hopes for the development of their state in all domains. These shattered hopes were due to the failure of West Cameroonians to discuss and come out of Foumban with a constitution that protected their interests.

THE CREATION OF ADMINISTRATIVE REGIONS

Immediately after reunification, Ahidjo issued Decree No. 61-DF-15 of 20 October 1961 which specified that the federation should be divided into administrative regions with federal inspectors in each administrative region accountable to the federal President. As stated above, the federal inspectors were responsible for representing the federal government in all acts of civil life and in judicial matters. The administrative regions were Centre-South, North, West, East, Littoral and West Cameroon. They were to supervise the enforcement of federal laws and regulations, to maintain order according to the laws and regulations in force by making use of the police force and gendarmerie.

The appointment and empowerment of federal inspectors ignored the federal nature of the country and in the case of West Cameroon, Jean Claude Ngoh considered himself the equal to the Prime Minister. The fact that the Federal Inspectors were answerable to the President meant that by law he had more powers than those of the Prime Ministers especially in the case of West Cameroon. The outcome was constant friction over jurisdiction between top officials. This was why in 1962, the West Cameroon government wrote to Ahidjo complaining on a number of issues like administrative organisation, official languages and the national gendarmerie. Ahidjo in his reply noted that all of these were within the confines of the federal constitution (Secret 324/CF/CABB/PR). The failure by Foncha to ensure the creation of a loose federation which he had promised Southern Cameroonians was reflected in his inability to secure a revision of the clause which dealt with federal administration. This failure made the centre stronger than the governments of the federated states meaning that the state of West Cameroon did not enjoy any benefits of federalism.

One area in which Ahidjo asserted his ambition to stifle the federal system in West Cameroon was in the function of political parties. Multiparty politics operated in the two states before the 11 February 1961 plebiscite. In West Cameroon, the KNDP was the party in power while Dr. E.M.L. Endeley's CPNC was the opposition party in parliament. By the end of June 1961, Ahidjo had succeeded in planting a de-facto one party in East Cameroon and what remained of his political agenda of

centralisation of power was the replication of this regime in West Cameroon.

The CPNC was a staunch advocate of multipartism, but the state of affairs led it to change its political stance for a single party. One of its parliamentarians, S.N. Agebe-Sone, during a parliamentary debate observed that the state was passing through a difficult period and added that West Cameroon was filled with depression, confusion, and general discontent arising from politics (West Cameroon Government Press Release, 1963). He noted with dissatisfaction that recruitment and promotion in the civil service were based on party loyalty rather than academic qualification; the result was inefficiency, favouritism, bribery and corruption by the people themselves. In this regard, the CPNC felt that only a single party regime would ensure its survival. Endeley then became more enthusiastic for a single party state believing that this would enable him play a meaningful and constructive role in national politics.

Within the ranks of the KNDP, the struggle for the leadership of that party since Foncha had to move to Yaounde as Vice president had its own sad story. S.T. Muna's bid to become the Vice President of the KNDP ended in Augustine Ngom Jua's victory with Nzo-Ekha Ngaky as Secretary General of the party (Ngoh, 1996). Muna resigned and formed the Cameroon United Congress Party with headquarters in Victoria (now Limbe). The outcome of Muna's resignation from the KNDP was that political uncertainty stepped in.

Against this background, Ahidjo exploited these differences to form a one-party system of government. He came knocking at the doors of West Cameroon with the vision of a single party which the party leaders did not hesitate to buy. The fear of an Endeley-Ahidjo alliance led Foncha's KNDP to accept the formation of a KNDP-UC "National Coordination Committee" on 27 April 1962 to work out ways by which a national party could be created (West Cameroon Government Press Release, 1962). This move suited Ahidjo's political ambition because of his fear of a possible merger between the KNDP and any of the Southern opposition parties in East Cameroon. After years of political discussions, Ahidjo's desire to concentrate power in a few hands bore fruit when in June 1966, he called a meeting of political leaders in West Cameroon.

THE CONTRIBUTIONS OF WEST CAMEROONIANS TO THE FALL OF THE FEDERAL SYSTEM

If federalism failed in West Cameroon, West Cameroonians also gave their blessing for its fall in 1972 when a unitary system replaced it. Even before the 1961 plebiscite, there was much division of opinion and mistrust among them. This may have started right from the 1959 Mamfe Plebiscite Conference when they failed to agree on what form the British Southern Cameroons'

independence had to take, either joining Nigeria or Cameroon Republic. This division was most pronounced within the KNDP which culminated in the birth of a new party, the CUC. The sharp differences shown by the KNDP and CUC governments between the people of the grass fields and those from the forest regions were only the beginning of its failure.

At the independence of the Southern Cameroons, after the plebiscite of 11 February 1961, many of its senior civil servants were Grade II teachers, who had done crash courses in administration. They became more powerful than their Secretaries of State. They considered their Secretaries of State less qualified than themselves. These civil servants always threatened to ground government business if they were not given a free hand to increase their salaries to expatriate scales (Nkese, n.d). Young graduates returning from universities were placed on salaries later equated to "Category C". Some of them were forced to go abroad as they could not cope with the poor treatment they received from these Grade II teachers. The Permanent Secretaries, who were less educated than the young university graduates, seemed to be suffering from an inferiority complex which always made them think their positions would be taken over by these graduates. At Kumba, a Master's degree holder in the Botanic Sciences was forced to abandon his job having been accused of subversion. His Conservator of Forests had no diploma. This poor treatment on the educated class as noted already forced many to leave the country for greener pastures leading to brain drain (Nkese, n.d).

In fact, Nkese blames secretaries of states for the collapse of the West Cameroon government because they never gave civil servants better salary indexes. That is why they vigorously campaigned for the unitary state. Ahidjo asked the Permanent Secretaries in West Cameroon ministries to re-categorise them and in this way won their support for his political ambitions (Nkese, nd). Ahidjo was only too happy to exploit these differences among the people of West Cameroon.

The mistrust and discrimination that existed in West Cameroon contributed in the collapse of the federal system in the country. The indigenous people of the coastal region accused J.N. Foncha of refusing them appointments and treating them as supporters of the opposition party. Foncha openly told Neriuss Namaso Mbile that his people would never benefit even a pinch of salt from the KNDP Government if they continued to support the opposition (Nkese, n.d). It is this discrimination that led to the creation of a movement, the Victoria-Kumba-Mamfe (VIKUMA), which became the mouth-piece of the people of the forest region. Dr. David Ako Mengot, a degree holder from Mamfe, in solidarity with his coastal people refused to be Secretary of State for Education. He preferred to remain Director of Education and Culture when his Secretary of State for Education was a Teachers' Grade III certificate holder

(Nkese, n.d). A government that relied on the services of less qualified men, and built on ethnic sentiments was bound to go the way the KNDP did meaning that a viable civil service would be difficult to create.

There were other areas where West Cameroonians, during the era of federalism, showed less interest in the development of their state. Institutions were created which were intended to raise revenue with which this development could be carried out. One of these was the Cameroon Bank, which was established with government funds. Members of government made themselves shareholders without investing a franc in it (Nkese, n.d). Loans were given out to persons based on the interventions of members of government. On the other hand, the general manager was accused of inflating the amounts got as loans and withdrawing the excess. This led to the collapse of the bank (Nkese, n.d).

The WCDA cited above was created to promote economic development and under its control were state enterprises. Among these were the Dibanda Motors which sold and serviced Opel Cars. The government did nothing even when individuals looted the property of the enterprise. This was also noticed at Yoke Saw Mill, Globus Shop, Buea and the Santa Coffee Estate (Ekali, 2004). The collapse of these enterprises with the complicity of members of government provided no room for economic development of West Cameroon.

CONCLUSION

In drawing the federal constitution, consideration was taken of the different political, social, economic and cultures of the two states. In the true sense of federalism, the two states were expected to operate on an equal basis but the economic and cultural differences between them made it difficult for this to be attained. In this regard, the state of West Cameroon ended up depending on the former Republic of Cameroon for its survival, although Ahmadou Ahidjo in one of his visits to Tiko on 17 July 1960 declared that the East Cameroon was not going to annex the English-speaking part in a reunified Cameroon nation (Ngho, 2001). The poor economic structures left behind by the British led to the state of West Cameroon being less developed than the French-speaking part, with a more developed economy.

Furthermore, the Republic of Cameroon was already an independent nation that had to modify its constitution to accommodate the British Southern Cameroons. In the end, federalism proved a shadow of itself as the English-speaking part of the re-unified Cameroon depended entirely on the Federal government for its survival. That this was the case was partly due to the insensitive nature of West Cameroon politicians towards the development of West Cameroon. What seemed to prevail among them was their desire to satisfy their personal interests than those of the state. In the final analysis, what existed as a

federation was in essence, the annexation of the state of West Cameroon by the Republic of Cameroon; a situation that seemed to prevail even after the creation of a unitary state because of the division and suspicion among the West Cameroonians. The end result is the claim by English-speaking Cameroonians that they have been marginalised in their own country.

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