

# JOURNAL OF AFRICAN LAW

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## NOTES AND NEWS

### INTEGRATION OF LAWS IN CAMEROON

One of the most interesting aspects of contemporary legal development in Africa is the formation of federations in which the constituent states or regions have general legal systems of different types or traditions. Apart from the Somali Republic (for which see [1964] J.A.L. 56) and the defunct Federation of Rhodesia and Nyasaland, the only other present example of a combination of this kind is the Cameroon Republic, which unites the former Republic of Cameroun and the former Southern Cameroons. The Federal Republic was constituted on October 1, 1961; and under the constitution each federated state retained its own judicial and legal system. Article 6 of the constitution, however, gives power to the federal authorities—the National Assembly or the President—to legislate on most aspects of civil and criminal law, and on the administration of justice (other than customary courts in West Cameroon).

The policy of the federal government is in favour of the integration of laws as between East and West Cameroon, replacing or combining the present legal systems, one of French and the other of English type. To this end a Federal Decree of February 29, 1964, established two commissions of legislative reform. The first, the *Commission fédérale de législation pénale*, is charged with the task of preparing new integrated codes of criminal law and procedure. The second, the *Commission fédérale de législation civile et coutumière*, is charged with the responsibility of preparing a civil code, a code of civil and commercial obligations, and code of civil procedure. Membership of the commissions is representative of both sides, and work is already in progress.

Other aspects of the present dualism of laws may be found in the system of legal education and the regulations for admission to professional practice. The Federal University at Yaoundé has a Faculty of Laws, which at present is almost exclusively concerned with conducting instruction in French law; but serious efforts are being made by the university authorities to extend legal instruction so as to cover at least the elements of the English law.

As for admission to practice, a Federal Law, 63-37 of November 5, 1963, provides, by article 3 as regards practice in West Cameroon, that admissions to the Bar shall be granted by the Chief Justice when satisfied that the applicant (i) is of good character; (ii) has not been removed from the Bar under article 20 of this law; and

(iii) is shown to be fit for the Bar by—(a) a degree in the legal system in force in West Cameroon given by the Federal University of Cameroon or by a University accepted by the Chief Justice, followed by at least one year's pupillage with a member of the West Cameroon Bar; or (b) a licence to practise as *Avocat-Defenseur* before the courts of East Cameroon, together with a sufficient knowledge of the law and procedure in force in West Cameroon; or (c) call to the Bar or admission as a solicitor, without having been removed from such profession, in any country having a sufficiently analogous system of law and sufficiently high standards for such call or admission.

By article 9, the Chief Justice may authorize, subject to 30,000 fr. stamp duty for each case, any member of a foreign bar, assisted by a member of the Bar of West Cameroon, to appear in any particular case. Apart from this, under article 8 practice is restricted to members of the West Cameroon Bar.

## INTERNATIONAL AFRICAN LAW ASSOCIATION NEWS

The Annual General Meeting for 1963 was held at the University of Ife (Ibadan Branch), Ibadan, Nigeria, on Friday, August 28, 1964. The President, (The Hon. Mr. Justice G. B. A. Coker) was in the chair. The Treasurer's report and accounts for the year 1962 were presented and adopted.

The following amendment to Statute VIII was proposed and carried: *Delete* third sentence and *substitute*:

"Retiring members of the Council shall be eligible for re-election but so that a member shall not be eligible to hold office as President for more than four consecutive years. The retiring President shall be *ex officio* a member of the Council during the year subsequent to his tenure of office."

The following officers and members of the Council were elected for the year 1964: As President: the Hon. Mr. Justice G. B. A. Coker; as Vice-Presidents: the Hon. Sir A. Ademola, Mr. Justice Ollennu, Dr. P. J. Idenburg, Prof. J. N. D. Anderson, Prof. F. Luchaire, Prof. A. A. Schiller, Dr. P. Contini; as Secretaries-General: Prof. M. Alliot (French-speaking), Prof. A. N. Allott (English-speaking); as Treasurer: Mr. E. Cotran.

The President, in his report, said *inter alia* that this was an historic occasion. After several years of effort, the Council had at last succeeded in arranging for the Association to meet in general meeting on African soil. He hoped that this would be the precursor of many similar meetings.

He desired to thank the University of Ife for their kindness in permitting the Association to hold its meeting on the premises of the University and in conjunction with the University's conference on the integration of customary and modern laws in Africa.

The President explained the circumstances which had led to the unavoidable postponement of the General Meeting scheduled for December, 1963.