



# Civilian Authorities and the Maintenance of Public Order in Cameroon

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## Research Article

### Abstract

*This paper examines the role of civilian authorities in maintaining public order in Cameroon. The officers charged with ensuring the state's security derive their powers and prerogatives from the legal texts adopted by various political regimes during the French colonial and post-colonial periods. The diversity of actors and the extent of the powers they exercised in the domain of public order were greatly influenced by socio-economic and political events that most often threatened the state's security. Using the qualitative case study design, data from interviews with 26 actors and experts in the field, relevant documents, and observations were integrated and analyzed, enabling the researcher to provide comprehensive and practical analyses of public order in Cameroon. The findings of this paper reveal that while political authorities principally maintained public order through policy formulation and orientation, administrative authorities who had received specific training in the domain from specialized training institutions such as the National School of Administration and Magistracy (NSAM) often found themselves caught between the difficult choice of strictly implementing the law or a highly politicized version of public order that was often void of the independence required to sustainably address grievances and restore lasting peace. Similarly, traditional authorities in Cameroon were endowed by customary law with the competence of maintaining public order in their respective chiefdoms and villages. However, the increased involvement of these hitherto neutral traditional rulers in party politics has further complicated their role in maintaining public order, as many have been accused of being stooges of particular political regimes.*

**Keywords:** Civilian authorities, public order, maintenance of public order, actors, security, political authorities, policy formulation, administrative authorities, traditional authorities.

### 1. Introduction

The maintenance of public order is regulated by many instruments, both national and international. While international instruments such as the Charter of the United Nations Organization, international covenants and conventions duly signed and/or ratified by Cameroon as the case may be gave general orientations on the maintenance of public order, the specific laws that guided the practice in Cameroon included: the law related to the organization of the armed forces for the defense of the territory (Law on the General Defense Organization, 1967), the law that regulates the keeping of public order (Law on the maintenance of Public Order, 1990), the law guiding public gatherings that could perturb tranquility (Law on the Regime of Public Meetings and Manifestations, 1990), the (Law on the State of Emergency, 1990), the (Decree on the Functions of the Heads of Administrative Units, 2008) as well as the (Law on the Penal Code in Cameroon, 2016).

The Cameroonian legal and administrative framework, especially after independence, provided for a distinction between the roles of civilian authorities and the forces of law and order in maintaining public

order. While the former were granted the power to appreciate situations that could disrupt public order and to take decisions aimed at thwarting them, the latter served as part of the means used to execute those decisions. These civilian authorities included those who exercised political power, administrative authorities that principally exercised some of the political authorities' delegated competencies, and traditional rulers who were at the bottom of the hierarchical chain of command in the domain. Given the context, the present study aims to investigate the following research objectives.

- a. To identify and explain the specific roles and responsibilities assigned to various levels of political authorities in maintaining public order in Cameroon.
- b. To analyze the legal framework and practical application of the role and power of administrative authorities in the maintenance of public order in Cameroon.
- c. To examine the specific roles and effectiveness of traditional authorities in maintaining public order within their chiefdoms and villages.
- d. To examine some judicial review mechanisms in preventing the abuse of administrative discretion in public order cases.

The decision to research the topic was inspired by the complex relationship that exists between the forces of law and order, who directly intervene in maintaining public order, and civilian authorities, who, by virtue of their perceived or actual proximity with the population, are expected to better formulate related policies and take more informed decisions aimed at keeping public order in Cameroon. It provides the researcher with the opportunity to examine decentralization in the field's decision-making process, from central authorities competent to intervene to traditional rulers at the bottom of the hierarchical command chain. This establishes that the desire to improve governance structures in Cameroon in the domain of public order, as in others, has not yielded the expected results, as the central authorities continue to impose and influence decisions on devolved and decentralized political entities of the state. As such, far from being a practice that sustainably addresses grievances, the maintenance of public order has come to be seen by many as a means for the state's political authorities to perpetuate political power.

Further, an examination of Cameroon's historical evolution, characterized by a rigid and often violent police system inherited from French colonial masters and maintained by post-colonial regimes, has been at the root of continuous tensions between maintaining public order and guaranteeing fundamental public freedoms and liberties. This research, therefore, explores how modern civilian authorities navigate this balance in an era that advocates for the rule of law and human rights.

One of the principal sources of concern regarding public order maintenance in Cameroon is the seeming, and often reported, lack of accountability of civilian authorities in this domain, as many have been accused of being behind human rights violations. This has had an adverse effect on public trust in state institutions. This research, therefore, examines mechanisms to increase accountability and build trust between civilian authorities and the population, thereby contributing to sustainable peace and stability.

This study offers an important analysis of the efforts of successive Cameroonian governments to bridge the gap between formal and informal governance institutions and actors in the domain of public order. This is because it examines the crucial role of political authorities in policy formulation related to public order, as well as the significant contribution of the essentially informal traditional chieftaincy institution in addressing associated issues. The increased involvement of traditional actors in party politics has transformed the hitherto apolitical institution into instruments of political control at the grassroots.

This study is also important because it examines the legal framework that governs the exercise of administrative power to maintain public order. It establishes that, while these laws were rich and diverse, they were often politically motivated and passed in the context of specific socio-economic events that had far-reaching repercussions for the country's political future. An analysis of the various legal instruments in the domain of public order indicates that civilian authorities were given specifications regarding the extent of their prerogatives. However, loopholes in their interpretations were exploited to stifle dissenting voices under the guise of maintaining public order.

Another significant aspect of this study is its examination of the effectiveness of the separation of powers in Cameroon, focusing on the roles of the Administrative Judge and the Judicial Judge in controlling the acts of administrative authorities in maintaining public order. Drawing on the duality of the Cameroonian legal system, this research paper highlights the importance of ensuring judicial oversight over the actions of administrative authorities. This prevents the propagation of the “police state” mentality and guarantees the protection of citizens’ rights.

## 2. Literature Review

### 2.1. Definition of Key Terms

Peace, order, and tranquility are prerequisites for the development of any society, as they provide the conditions for people to undertake various developmental activities (Mohammed, 2018). The responsibility for ensuring the security of citizens and their property rests with specific actors, whose legitimacy and legality are enshrined in various legislative and statutory texts that address public order. Civilian authorities charged with the maintenance of public order are those empowered by legislative or statutory texts to take decisions on public order or to directly intervene in its maintenance. With the changes in governments from 1948, during the French trusteeship period, stretching through the post-colonial era to the period of democratic changes in Cameroon, the actors involved in the maintenance of public order in Cameroon evolved or saw their powers modified as the political and security situation of the country continued to witness important changes.

#### 2.1.1 Public Order

We talk of public order when there is peace, tranquility, and security of citizens and their property in a given area. It is characterized by an atmosphere of order and serenity, free of political turbulence, extensive criminal activity, and the deprivation of fundamental freedoms and liberties of individuals and groups (JLOS, 2011). Closely associated with the notion of public order is the administrative police. The notion of administrative police refers to surveillance activities carried out by the administration to maintain public order (Wikiterrestrial, 2023). It ensures the administrative authority's intervention into the sphere of private activities to limit certain liberties. At the level of the central administration, the exercise of general administrative police powers is limited to the President of the Republic, the Prime Minister, and the Minister of Territorial Administration, while at the level of the devolved and decentralized services of the state, Governors, Senior Divisional Officers (SDOs), Divisional Officers (DOs), and Mayors are competent (Paul, 2025). In fact, acts of disrespect or incitement to hatred toward these public authorities under the regime of President Ahidjo were considered subversion, which constituted a threat to public order (Carole & Nestor, 2019). From the above, public order comes into play when the effects of an act affect a wide range of people in a community, unlike law and order, which targets the acts of a few individuals with little impact on the community's security and tranquility.

#### 2.1.2. The Maintenance of Public Order

Maintaining public order describes the actions taken by authorities to ensure the stability of society by keeping it peaceful, free of chaos, and with controlled crime rates (Fiveable Content Team, 2025). The notion of maintaining public order can be used to describe two groups of activities. Firstly, when a good number of security agents accompany and manage a peaceful, festive, sports, or cultural public manifestation on a highway or in a public place to ensure that the event is not marred by any negative incidents that could threaten the security of people and their goods (République Française, 2025). Secondly, the maintenance of public order could describe operations carried out by security agents to restore it in response to planned or spontaneous actions on the public highway that could degenerate into violence and

excesses (JLOS, 2011). One of the early legal instruments that clearly defined the different categories of the maintenance of public order in Cameroon was the Decree on the Missions of the Regular and Auxiliary Forces of the Federal State (1968). According to Article 1 of this legal instrument, the maintenance of public order had as its main objective the prevention of disturbances in order to avoid having to suppress them. It distinguished three categories as follows:

- The preventive maintenance of public order, which is based on intelligence gathering, could lead to the mobilization of the local territorial forces, even without a requisition.
- The active maintenance of public order in cases of disturbances that could warrant the putting in place of a protection plan
- The reinforced maintenance of public order in situations of grave and generalized disturbances.

It further specified that when the measures taken in the context of a state of emergency prove insufficient, the reinforcement of public order could become necessary (Decree on the Missions of the Regular and Auxiliary Forces of the Federal State of Cameroon, 1968). This maintenance of public order was entrusted to particular corps deployed on the field, taking into account the scope of their missions and the gravity of threats to public order in Cameroon.

## **2.2. Empirical Research**

Gnasiri (2023) examines the role of traditional authorities in maintaining public order in Cameroon. He opines that they directly intervene in the maintenance of public order by constantly monitoring their subjects' activities and have been endowed by state law with limited powers to take repressive action against those who threaten it. However, they face obstacles, such as the absence of a legal provision that clearly defines who a traditional authority is, and the significant reduction of their prerogatives in the face of the multiplicity of other administrative actors that also intervene in maintaining public order.

Mohammed (2018) investigates the reasons for the recent problems with the legitimacy of maintaining order worldwide. Using concrete examples from the Middle East, Asia, Europe, and Africa, he posits that during most public demonstrations, the populations that came out to show their discontent with the political power in place often saw the police as accomplices to authoritarian regimes. According to the author, the question of the legitimacy of maintaining order cannot be dissociated from that of the legitimacy of the political power in place. He argues that state authorities are only legitimate when they do not constantly modify the constitution or rig elections to stay in power.

Jean-Louis (1999) examines, from a legal perspective, how successive regimes central to the construction of the nation-state and national unity in Cameroon handled the issue of fundamental liberties. The author establishes a link between the increase in the executive's powers, especially after independence, and its negative effects on public liberties, focusing on judges' limited authority in this domain before turning to the relationship between national unity and public liberties.

Laura-Stella (2021) analyzes Cameroon's principal institutional and structural governance mechanisms, focusing her attention on the major texts, both constitutional and legislative, electoral institutions and elections, the National Commission on Human Rights, and the arms of government in what she terms Cameroon's semi-presidential system. The author examines the historical, political, and constitutional evolution of Cameroon since independence and shows how these have affected governance in the country. Eric (2022) examines the circumstances and events that marked the 2008 hunger strikes in Cameroon. He examines the mechanisms that facilitated population mobilization, the chronology of the events, and the interventions of civilian authorities and security forces to restore public order.

## **3. Research Methodology**

### **3.1. Research Design**

To gather information for this study, a qualitative case study research design was used, enabling the researcher to examine the complex phenomenon of public order maintenance in Cameroon. Using multiple

data sources such as interviews, observations, and text analyses, the qualitative approach enabled the researcher to explore nuances, perceptions, and the experiences of various stakeholders regarding the role of civilian authorities in maintaining public order. The design enabled a comprehensive understanding of how public order is maintained at the central and local levels of the administration by civilian authorities, revealing nuances in power dynamics and practical realities in the Cameroonian context.

### **3.2. Data Collection Methods**

Data for this study were obtained through interviews, observations, and the review of documents relevant to public order maintenance in Cameroon. One-on-one interviews were conducted with 26 civilian authorities, especially DOs and traditional rulers who play an active role in keeping public order on a day-to-day basis in Cameroon.

Direct and indirect observations of the Cameroonian political scene were also useful in gathering the data needed for this study. Having undertaken a six-month academic and professional internship at the Dschang Divisional Office from November 2021 to April 2022, the author directly observed the actions of administrative authorities that intervened in maintaining public order. In addition, a keen observation of the 2025 post-electoral violence in Cameroon, following the proclamation of the results of the October 12 presidential elections that saw the renewed victory of Paul Biya, played no small role in highlighting the increasingly complex role of civilian authorities in maintaining public order.

The review of relevant official documents, legal instruments, and policy papers also provided useful data for this paper. Exploiting and comparing the legal instruments that guided the maintenance of public order from the period of the French colonial administration in Cameroon to current legal texts in force enabled the researcher to conduct a holistic analysis of the role of civilian authorities in this domain.

### **3.2. Sampling Procedure**

For this study, a non-probability sampling technique was used, and a total of 26 participants were selected non-randomly based on their knowledge and experience in administrative matters and were interviewed. The interviews were primarily based on questions prepared in advance by the researcher, using a question guide. Specific questions were formulated based on the nature of the targeted respondents. The question guide included unstructured, open-ended, and semi-structured questions that allowed respondents to provide deep insights, detailed interpretations, and reflections on the role of civilian authorities in maintaining public order in Cameroon.

While face-to-face interviews were conducted by the researcher in the course of an academic and professional internship that enabled him to interact with SDOs, DOs, and traditional rulers in all of the five subdivisions of the Menoua division of the West region of Cameroon, including Dschang, Fokoué, Penka Michel, Nkong-Ni, and Fongo-Tongo, an established network of professional acquaintances in the administration enabled the researcher obtain relevant information from respondents through email. Data obtained from interviews were compared with information extracted from a review of relevant official documents and legal instruments to provide an inclusive analysis of public order maintenance in Cameroon.

## **4. Results and Discussions**

### **4.1. Political Authorities and the Maintenance of Public Order in Cameroon**

The study's findings add to a growing body of evidence supporting the notion that various levels of political authority in Cameroon play distinct roles in maintaining public order. The exercise of political power and the maintenance of public order were inseparable in Cameroon. The rights of political authorities in the domain of public order, whether internal or external, can be better understood through an understanding of 17th-century social contract theory, as advanced by Hobbes, Locke, and Rousseau. The theory sought to

answer the question of existence before and after the advent of the state. To answer the preoccupation above, Hobbes presents life in the state of nature before the creation of the state: "At the heart of Hobbes' theory is the horrific picture of the state of nature as a 'war of all against all'. To escape such horrors, people would consent to the absolute political authority." (Mohammad & Monday, 2020).

Political authorities in Cameroon could therefore be considered the original holders of the prerogatives for providing security to the people. While the theory posed a serious problem of interpretation in the context of the French colonial administration that was regarded by most Cameroonians as illegitimate, despite the organization of elections that were often contested, this reality was reflected in the various legal instruments that were adopted during the post-colonial period aimed at the maintenance of law and order. One of the early texts that granted the President of the Republic wide-ranging powers to maintain public order was the Law on the General Defense Organization (1967). According to this law, the President of the Republic, in the exercise of his constitutional prerogatives and in situations that threatened the security and territorial integrity as well as the institutions of the state, could declare a state of emergency or a curfew (*mise en garde*), which granted him the powers to:

- Requisitioning persons, goods, and services
- Restrict freedom of movement, freedom of assembly, speech, and access to sources of information.
- Intervene in the distribution of vital resources such as energy, raw materials, and industrial products, as well as necessities, to ensure their steady supply to the population in need or to the forces of law and order.

The same law also made provisions for the declaration of a state of siege that confirmed

The powers of the President of the Republic within the context of the *mise en garde* to place the government and police of the federated states, as well as municipal and local authorities, under his control or that of his delegates (Kougniazondé, 2010). These legal instruments, therefore, served as justification for many of the actions undertaken on the field to maintain public order. The constitution of 1972, revised in 1996 and modified in 2008, gives the president of the republic, a political authority, original prerogatives in the maintenance of public order. Articles 8 (2) and (3) of this fundamental law state that he shall be the "Head of the Armed Forces" and "shall ensure the internal and external security of the Republic" (Constitution of Cameroon, 1996). Such powers of the head of state are further expanded in article 9 (1) and (2), which give the President of the Republic binding competence to declare a state of emergency when circumstances so warrant and discretionary competence to declare a state of siege when the existence, territorial integrity, institutions, or independence of the state are threatened (Constitution of Cameroon, 1996).

It is important to note that the exceptional powers granted to political authorities in the domain of public order, especially through the legislative arm of government, as seen in the various legal instruments, point to an ineffective separation of powers between the executive, legislative, and judiciary, often with the executive wielding a lot of influence and control over the other two. With the progressive consolidation and centralization of power, political authorities therefore have an indispensable role in maintaining public order. The administrative authorities at the regional, divisional, and sub-divisional levels, who were tasked with preventing and suppressing threats to public order, were simply exercising a fraction of the powers of the President of the Republic in this domain by way of delegation of competencies and powers.

The kind of political regime, its legitimacy, and public order are closely intertwined. Dictatorial regimes more often use the excuse of maintaining public order to impose their political ideology on the people and perpetuate their stay in power. The expression of dissenting opinions is therefore interpreted to suit political whims and caprices and consequently suppressed. In the same vein, illegitimate regimes tend to use psychological tactics such as fear and intimidation to advance their political agenda. Elections in such cases are reduced to mere formalities, and the philosophy of exercising sovereignty by the people through their elected officials is far-fetched. As such, political activism and the demand for change, even within the umbrella of the law and its institutions, are interpreted as threats to public order and/or as an intention to threaten the public.

It was most probably this dictatorial wind of change that swept across many post-independence African countries, partly influencing the adoption of the International Covenant on Civil and Political Rights (ICCPR), which was opened for signature on December 16, 1966. From its inception, the covenant sought to reconcile emergencies that threatened the life of the state and the need for the respect of human rights as outlined in the International Covenant on Civil and Political Rights, art. 4 (1966) below:

*In times of public emergency, which threatens the life of the nation and the existence of which is officially proclaimed, the state parties to the present Covenant may take measures derogating from its obligations under the present covenant to the extent strictly required by the exigencies of the situation, provided that such measures are not inconsistent with their other obligations under international law and do not involve discrimination solely on the ground of race, color, sex, language, religion, or social origin.*

An analysis of the information above reveals that while the Covenant recognizes the right of a party state to derogate on some human rights in certain exceptional circumstances that threaten the existence of the state, it forbids any derogation as regards the right to life, freedom from torture or cruel, inhuman, or degrading treatment by the state, freedom from arbitrary imprisonment, and others. The ratification of this Covenant by Cameroon's political authorities that only came in 1984, with the advent of the New Deal Regime that rekindled hopes in Cameroonians with promises of justice, basic liberties, and democracy (Fanny, 2011), as well as the signing and/or ratification of other international treaties in the domain of human rights, greatly influenced in one way or the other the maintenance of public order in Cameroon.

#### 4.2. Administrative Authorities

Data relevant to the second objective, which sought to analyze the legal framework and practical application of the role and powers of administrative authorities in maintaining public order, revealed that these authorities play an active role in maintaining public law and order. From 1948, when the territory witnessed an unprecedented rise in political activity with the birth of the first indigenous political party, the Union des Populations du Cameroun (UPC), the French High Commissioners saw their responsibilities increase in the domain. The French High Commissioner to Cameroon, as the highest-ranking authority, was placed at the helm of all civil and military matters in the territory and only answered to the Minister for Colonies in France (Ordonnance Portant Statut du Cameroun, 1958). The High Commissioner exercised regulatory power and could requisition the Attorney General (*Procureur Général*) of the Court of Appeal to act in accordance with the instructions given to him. In addition, he was placed at the head of the land, sea, and air army. In situations of armed disturbances or the eventuality of such disturbances or external attacks, the High Commissioner could declare a state of emergency (*l'état d'exception*); later, this prerogative was to be jointly exercised with the Prime Minister (Ordonnance Portant Statut du Cameroun, 1958).

With the executive, legislative, and judicial powers conferred on the High Commissioner, especially before the creation of the post of Prime Minister, he exercised supreme authority in French Cameroon, in principle in respect of the law, but most often beyond the law. The use of such prerogatives by Roland Pré to handle the UPC issue only accentuated the tension between the French colonial administration and those who saw his actions as an abuse of power (Achille, 1989). The administrative division of French Cameroon into regions and sub-regions, headed by French administrators, went a long way toward ensuring that the High Commissioner's decisions were implemented throughout the territory.

The maintenance of law and order during the post-colonial period was a continuation of the colonial approach primarily conceived and used by the French. The separation of military and civilian prerogatives at the helm of the state had led to the specification of the functions of administrative authorities in the domain of public order. In this context, administrative authorities generally referred to civilians, in most cases, trained officials who were placed at the head of specific administrative units. The justification for the

existence of civil commanders of administrative units can be traced to the country's structure, which is divided into provinces or regions, divisions and subdivisions, or districts, especially following the abolition of federal structures in 1972. The performance of their functions guaranteed the omnipresence of the central administration and the involvement of the population in the life of the state, thanks to these administrative authorities that acted as intermediaries between the people and the government. The main post-colonial legal instrument that clearly organized and specified the functions of the heads of administrative authorities was the Decree on the Functions of the Heads of Administrative Units (1978).

Governors, SDOs, DOs, and District Heads, acting as the representatives of the President of the Republic and the government in their respective areas of command, played both administrative and political functions. Administratively, they exercised supervisory control over local government areas, ensured compliance with the law, and maintained overall direction and control over the activities of civil servants. Politically, they served as intermediaries between the people and elected political authorities (Mouich, 2007), such as the President of the Republic, elected by the people and exercising power through various members of government and administrative authorities under their command.

With the power to sign requisitions granted to some administrative authorities, the forces of law and order were placed at their disposal for the maintenance of law and order. In effect, the Decree on the Functions of the Heads of Administrative Units (1978), which defined the roles and functions of the heads of administrative units and the organs and personnel charged with assisting them, clearly specified the role of administrative authorities in maintaining public order. Article 10 of this decree placed at the disposal of the Governor of the province, for example, the police, the gendarmerie, and the army within the framework of the rules guiding the exercise of his functions. In situations of internal or external threats to the security of the state, as well as public order, the Governor could personally or requisition any competent agent or authority to take necessary action, or take note of the crimes and offenses committed, and bring the culprits to book under the conditions defined by the law. Similar prerogatives were granted to Senior Divisional Officers in article 34 at the divisional level and to Divisional Officers and District Heads in articles 44 and 45 at the subdivisional and district levels, respectively (Decree on the Functions of the Heads of Administrative Units, 1978).

In effect, one of the major laws that clearly defined the role of administrative authorities in the domain of public security was that of 1990 (Law on the Maintenance of Public Order, 1990). It specified the attitude these authorities should observe during normal periods to restore public order when it has been disrupted. Article 2 of the law endowed administrative authorities with the power to take the following measures when public order has been threatened:

- Requisition people and goods under conditions provided for by the law.
- Requisition police and gendarmerie forces to preserve and restore order.
- Carry out controls of persons and goods.
- Detain suspects (*garde à vue*) for a period of 15 days, renewable within the context of the fight against aggravated theft.

These roles and functions of administrative authorities in the maintenance of public order were equally given a place of importance in subsequent legal instruments, such as the Decree on the Functions of the Heads of Administrative Units (2008)

An analysis of the decrees above that address public order shows a hierarchical relationship between administrative and political authorities in this domain. As the representatives of the President of the Republic, as in the case of the Governor and the SDO in the region and division, respectively, and the representatives of the government and each of its ministers, as in the case of the Governors, SDOs and DOs, the exercise of political power or some fraction of it in their respective zones of command became inevitable. It was, therefore, not surprising that administrative authorities were accused of being instruments in the hands of politicians for the perpetuation of political power and the suppression of dissenting voices under the guise of maintaining public order.

#### 4.3. Traditional Authorities

Information relevant to the third objective that sought to examine the specific roles and effectiveness of traditional authorities in the maintenance of public order revealed that traditional rulers, by virtue of the authority vested in them by tradition and the laws of the state, have continued to play a central role in the maintenance of public order and in the protection of human rights. During the French Trusteeship rule in Cameroon, they recognized the importance of the chieftaincy institution and traditional rulers, even though the policy of assimilation, the principal colonial system used by the French, contributed to the destruction of native cultural values. As such, native traditional institutions that regrouped traditional rulers from the Duala ethnic group, such as the *Ngondo*, were at the center of resolving a multitude of problems related to landholding rights and inter-ethnic rivalry that had repercussions on public order (Ralph, 1992). Despite the various administrative reforms by the French that greatly affected the chieftaincy institution, they nonetheless endowed traditional rulers with the prerogatives of the maintenance of public order, especially within the context of the Council of Indigenous Chiefs, an association that regrouped traditional rulers in French Cameroon and tasked them with several responsibilities, amongst which was their role in maintaining public order.

The chieftaincy institution in Cameroon was better organized, and its functions in maintaining public order were further specified following the adoption of a decree in 1977. Article 2 and 3 of this decree divided the traditional chiefdoms in Cameroon into three categories: 1st degree chiefdoms whose territorial competence covered at least two 2nd degree chiefdoms within the limits of a division, 2nd degree chiefdoms whose territorial competence covered at least two 3rd degree chiefdoms within the limits of a sub-division and 3rd degree chiefdoms which covered a village in a rural area or a quarter in an urban area (Decree on the Organization of Traditional Chiefdoms in Cameroon, 1977). Placed under the authority of the Minister of Territorial Administration, traditional rulers were required to assist the administrative authority in managing the population. This decree specified the functions of traditional rulers in maintaining public order, which entailed transmitting the directives of administrative authorities to the population, ensuring their execution, and maintaining public order under the direction of the competent administrative authority (Decree on the Organization of Traditional Chiefdoms in Cameroon, 1977). The 1996 constitution recognized the indispensable role of the chieftaincy institution in maintaining public order. Gnasiri (2023) vividly captures this role when he says that:

*The maintenance of public order is intrinsic to the mission of state authorities, which are considered the most organized form of society due to the sovereignty they exercise. Under Cameroonian law, traditional chieftaincy is recognized as a state institution. Thus, from the local to the national level, traditional institutions are associated with the management of the country. These are precisely the traditional authorities, agents of collaboration and enforcement within the state. As a means of exerting influence over the masses, traditional authority helps maintain public order.*

As the intermediaries between the administration and the population, traditional authorities play a very crucial role. With the exercise of traditional authority, embedded deeply in the religion, customs, and traditions of the people, traditional authorities exercise a certain degree of control over their subjects, which, when properly exploited, can contribute to the guarantee of greater peace and stability. As the religious and administrative heads of their villages, they even have a greater role to play in maintaining public order, as the proper resolution of conflicts at the level of the chiefdom can help stifle grievances that may later become sources of tension and disorder.

#### 4.4. Judicial Authorities and the Maintenance of Public Order

This research provides support for the hypothesis that judicial review mechanisms help prevent the abuse of administrative discretion in public order cases in Cameroon. In the domain of public order maintenance

in the country, judicial authorities do not intervene directly but play a central role in overseeing the actions of administrative authorities endowed with such prerogatives. The idea of judicial control over the acts of the administration can be traced to the French colonial legacy, inherited by many African countries at independence, in the domain of administrative law. This justice system was dual in nature, characterized by the coexistence of the judicial and administrative orders' jurisdictions (Fandjip, 2021).

#### 4.4.1. Intervention of the Judicial Judge in the Protection of Fundamental Rights and Liberties

The judge is called upon to play an important role in the preparatory phase of the trial of many detainees arrested in the context of disruptions or threats to public order. This is particularly the case with the *garde-à-vue* administrative, widely used by administrative authorities, especially during preventive measures aimed at maintaining public order. The *garde-à-vue* administrative refers to the decision taken by an administrative authority having at least the rank of an SDO to order the detention of a suspected individual by the police or the gendarmerie for a legally determined period to permit investigations to be carried out. While such detentions may appear logical to prevent the accused from escaping or getting rid of vital proof needed by the legal authorities to establish the commission of a crime, it is also in the course of deprivations of individual liberties that some suspects are often tortured into confessing to crimes they did not commit (Jean-Louis, 1999).

To counter this practice, the judge had to exploit the duality of Cameroonian law by drawing on countermeasures from the English legal system. As such, the *Writ of Habeas Corpus* provided a means for the release of detainees who could prove that their detention was formally illegal (Donald, 2002). Similar guarantees of fundamental liberties were provided by the Writ of Order of Mandamus, an order of the highest court of general jurisdiction directed to an inferior court to take a specific course of action (Syed & Fairooz, 2019).

#### 4.4.2. Intervention of the Administrative Judge in the Control of Abusive Acts of Administrative Authorities during the Maintenance of Public Order

The original motive behind the creation of the administrative jurisdictions was to ensure the control of administrative acts taken by administrative authorities in a bid to guarantee their legality. It was the Ordinance on the Organization and Functioning of the Supreme Court (1972) that created an administrative bench at the Supreme Court, which henceforth served as the administrative judge (Jean-Louis, 1999). The role of the control of administrative acts exercised by the administrative judge is most pronounced during administrative litigation. Such litigations abound when the victim who brings the issue before the administrative judge believes that an act of an administrative authority is marred by the abuse of power or other irregularities in the form or content of the administrative act under contention. Petitions for the abuse of power are initiated by a victim of a unilateral administrative act when it can be established that such an act violated an objective law, such as the constitution, a legislative act, case law, a regulation, or an international convention. The administrative judge, in this context, can also be called upon to assess the legality of an administrative act during a hearing or to declare it null and void due to the multiplicity of irregularities characterizing it (Gaetan, 2020).

### 5. Conclusion and Implications

The civilian authorities charged with maintaining public order in Cameroon were hierarchically stratified according to the extent of their material and territorial competencies. The President of the Republic, as the principal political authority endowed with the power to ensure the internal and external security of the state by the constitution, exploited the regulated process of the delegation of power and competencies to maintain public order through professionals that had been specifically trained in the domain, such as DOs, SDOs, and Governors. Also, traditional rulers who were granted authority by law, customs, and traditions to ensure peace, stability, and order in their chiefdoms and areas of command played a significant role in maintaining

public order in Cameroon. However, given the illegality of some administrative acts and their devastating effects on human rights, judicial authorities, such as administrative and judicial judges, were brought in to reinforce control over administrative acts and actions during operations aimed at maintaining public order. By examining legislative and statutory texts adopted within specific socio-political and economic contexts to maintain public order in Cameroon, this study offers a constructive critique of the legal dispositions in this domain, which reflect the political whims and caprices of successive Cameroonian regimes. The study can therefore go a long way toward informing actors involved in lawmaking about the adverse effects that politically influenced legislation can have on society.

In addition, the study addresses issues central to the work of many civil society, international, and regional organizations as it investigates the maintenance of public order, a source of tension between the government of Cameroon and protesting crowds. It therefore facilitates a comprehension of the underlying political and legal issues in the domain and better prepares these organizations to address the multifaceted human rights concerns that result.

This study provides information capital for future administrators who will be called upon to maintain public order. This is because it provides a succinct analysis of the civilian authorities that intervene in maintaining public order and examines their relationships, bringing clarity to the hierarchical chain of command in the domain.

## 5.2. Limitations and Directions for Future Research

One of the principal limitations of this study is its scope. It does not address the role of law-and-order forces, which directly intervene in the field. Further research could therefore be carried out to shed more light on how the police, gendarmerie, and the Cameroon armed forces intervene in maintaining law and order, and on the rules and regulations that guide such interventions.

Further, the study generally examines the role of civilian authorities in maintaining public order, without specifying the different types of events or conflicts or the specific civilian authorities competent to intervene in each. In Cameroon, for example, even though Mayors exercise general police powers, they are not competent to directly requisition the intervention of the forces of law and order without passing through appointed officials such as Governors and SDOs. Further research in the domain can therefore go a long way toward specifying the circumstances under which civilian authorities are permitted by law to intervene.

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