



Arbre à palabre, Palaver tree

CONSTITUTIONAL OPTIONS PROJECT

PEACE POLICY PAPER

MANAGING DUAL OFFICIAL LANGUAGES

INFORMATION NOTE

This Policy Paper starts out by examining the new legal framework adopted in December 2019 regulating the use of official languages by State entities, their employees, and citizens during interactions with the public sector. It finds that the Law does not place upon individual State employees, an obligation to be ready to use both official languages in a given interaction. While the Law grants each citizen the right to communicate and obtain services from the public administration in the official language of their choice, it does not require *individual State employees* to be bilingual. The law's effect is therefore that *State entities and departments* need to have within them, language capacities to render services in both official languages.

It notes the evolving structural requirements for bilingualism in the State's workforce, notably the 2018 revised Decree organizing ENAM which legitimizes bilingualism proficiency as a requirement for completion of its programs of study. It highlights the potential value of bilingualism as a criterion for access to State managerial posts given the language spread of staff supervised, of including official language proficiency in the annual performance evaluation criteria for State employees, and language competency assessments and incentives for State employee postings. The Paper also notes that while the Official Languages Law requires all Cameroonian laws and regulations to be available in both languages, it does not cover the increasingly significant body of legally binding texts emanating from CEMAC sub-regional entities.

The Paper notes that the Official Languages law creates an exception to the citizen's right to be rendered service by public entities in the official language of their choice, when the

public entity in question is a Court of law of the judiciary. In law courts, the actual *proceedings* may be conducted *indiscriminately* in either official language (irrespective of the citizen-litigant's preference). However, the citizen-litigant only has the right to obtain the *judgment/ ruling* of the Court in their preferred official language. It observes that where litigants in civil proceedings face official language dissonance, this places the burden of securing interpretation on the parties. While criminal cases have improved language protections under separate criminal procedure laws, it also highlights the challenge – in rendering Judgements – where the parties are language dissonant.

The Policy Paper then examines the regulation of Official Languages from a territorial standpoint, specifically by assessing the Special Status regime for the Northwest and Southwest regions, and how it intersects with the stature of the English language. The Official Languages Law's principle of equal use without distinction of both official languages in all public interactions, is emphatically of nationwide application and makes no exceptions, derogations, or differential official language weighting for any Regions.

Highlighting census data which shows the demographic prevalence of use of official languages (between English-speaking predominant, and French-speaking predominant regions), the Paper notes that the Legislator founded the Special Status of the NW and SW regions on a "*language specificity*", which along with associated *Anglo-Saxon education* and *legal systems*, form the three pillars or core domains of legislatively recognized specificity of the said regions. However contrary to education and legal systems (where the State shall/may consult the Special Status regions in public policy formulation), the Special Status provisions are silent on their prerogatives regarding language. It recommends that for legislative coherence, the Special Status regions should be afforded the latitude to adopt derogation regulations to govern the primary *working language* in public entities in the NW and SW.

The Paper observes that the Special Status regions are not afforded a prerogative to be consulted on national policies pertaining to official language use, regulation, and bilingualism. It argues that by logic of constitutional reasoning, the legally recognized "language specificity" of the NW and SW regions (like their other specificities) which constitutes a basis for their Special Status, should be considered legitimate "regional interest" of the two regions, for purposes of the Constitution. It assesses whether a language protection regime (in favour of predominant English language use) would have been apposite for the two Special Status regions, given that existing official language use demographics, and developments in the two regions prior to the crisis show the official languages have an unequal *rapport de force*. It analyses whether preserving the vitality of both official languages would be served by affording the lesser-used language a non-exclusive, but secure zone of predominant use.

The Paper then examines language policy and planning, language choice shifts and mitigating conflict around official languages in Cameroon. It argues that Cameroon needs but does not have an over-arching Language policy. Drawing on the work of eminent

Cameroonian linguists and language planners, it conveys that Cameroon's *exogenous official* and *endogenous national* languages are often in competition for use – creating a survival of the fittest scenario between languages which is not harmonious and prone to conflict. It also counsels that Cameroon needs a dedicated institution tasked with overall language (exogenous and endogenous) policy development and regulation.

The Paper notes the increasing trend of demographic shifts in the composition of users of the respective official languages, notably through cross-enrolment by children of historical French users into English medium-of-instruction schools. It draws attention to the different prevailing economic incentive structures to acquire proficiency in the second official language, with French speakers having stronger incentives to do so (to access the globalized world of English use), whereas English speakers have weaker incentives to do so (French having one-fifths of the number of global English users) – and recommends the latter's incentives be corrected.

The Paper concludes by examining social identities acquired by or ascribed to official language users and their potential for conflict. It notes that a very large number of Cameroonians remain behind an official language barrier – unable to communicate with others across it. It identifies social stereotyping, slurs, epithets, and clichés ascribed to users of either official language – which are important to monitor and curb, to prevent linguistic intolerance that fuels conflict.