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The Originating Summons in Cameroon's Courts: Procedural Divergence and the Case for Training Reform

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Abstract

Cameroon's bijural judicial system, combining civil law in Francophone regions and common law in Anglophone areas, creates unique training demands that its judicial institutions have struggled to meet. Using doctrinal analysis and comparative review of three unreported primary judgments, this article examines the decade-long controversy over the Originating Summons procedure in Anglophone Cameroonian courts as a lens through which to analyse the structural training deficit at the heart of the bijural judiciary. The article demonstrates that the same statutory provision, Section 10 of the Southern Cameroons High Court Law 1955, produces opposed judicial outcomes across different courts and different time periods. This divergence is shown to be structurally produced by the absence of systematic continuous professional development and failure to issue harmonising procedural guidance. The omission of a dedicated English-speaking judicial intake in the 2025/2026 recruitment cycle appears to signal the effective discontinuation of the Common Law Section, although no formal decree abolishing the Section has been identified, which has intensified this deficit. The article proposes targeted reforms anchored in a comparative analysis of successful bijural judicial training models.

Keywords: Judicial training; bijuralism; Cameroon; Originating Summons; common law; procedural inconsistency; continuous professional development; judicial independence; rule of law.

1. INTRODUCTION

On 17 May 2022, the High Court of Fako Division, held at Buea, struck out a civil action as 'dead on arrival.' The action was commenced by way of Originating Summons, a procedure which the court subsequently held to be no longer applicable in Anglophone Cameroonian courts. One year later, on 1 June 2023, the High Court of Mezam Division held at Bamenda received, heard, and determined on its merits another civil action commenced by the same procedure, Originating Summons, without any comment or challenge as to its validity. Two courts in the same country, applying the same law and the same procedure within the space of a year, reached opposite outcomes.

This article argues that this divergence is the procedural surface manifestation of a deeper structural crisis in the continuous training of judges in Cameroon. Cameroon's bijural constitutional order requires its magistrates to navigate two fundamentally distinct legal traditions: the civil law system inherited from France, which predominates in the Francophone regions, and the common law system inherited from Britain, which applies in the Anglophone North West and South West Regions. The National School of Administration and Magistracy (ENAM), which trains all Cameroonian magistrates, was designed primarily within the civil law tradition. The Common Law Section, created in 2017 following the Anglophone lawyers' strike of 2016, ceased to receive a dedicated intake in the 2025/2026 recruitment cycle, indicating its suspension or possible discontinuation, although no formal legal instrument abolishing the Section has been identified.[1] The result is a judiciary whose magistrates are often ill-equipped to

[1] Republic of Cameroon, Decree No 2018/240 of 9 April 2018 Reorganising the National School of Administration and Magistracy (ENAM). The Common Law Section created pursuant to the 2017 post-crisis reforms ceased to receive a dedicated English-speaking intake in the 2025/2026 academic cycle, indicating its possible suspension or discontinuation: see MINFOPRA Recruitment Arrêtés for 2025/2026, which omit the dedicated English-speaking judicial personnel intake that had operated since 2017. No formal instrument abolishing the Section has been identified.

navigate the very legal tradition they are required to apply and whose consequent inconsistencies directly harm the litigants who depend on them.

The Originating Summons controversy is the ideal case study for this structural argument for three reasons. First, it involves a specific, traceable legal question, the procedural status of Originating Summons under Section 10 of the Southern Cameroons High Court Law 1955, that permits systematic comparison across multiple judicial decisions. Second, it has generated a decade of documented judicial disagreement across different divisions of the Anglophone High Courts, providing primary case law evidence of inconsistency that is not dependent on interview opinion or institutional assertion. Third, it connects directly to the training deficit: the divergence between the 2012, 2022, and 2023 decisions reflects differences in how individual judges understand the relationship between English legal developments and established local practice, differences that adequate, harmonised judicial training should have prevented.

This article proceeds in six parts. Part 1 provides the introduction; Part 2 sets out the research methodology; Part 3 provides a comparative analysis of the three judgments; Part 4 identifies the structural causes of the inconsistency; Part 5 draws comparative lessons and proposes reforms; and Part 6 concludes.

2. RESEARCH METHODOLOGY

This article employs doctrinal legal analysis combined with a structured comparative methodology. The primary sources are three unreported judgments of Anglophone Cameroonian High Courts, accessed directly from the relevant court registries. The judgments were selected on the following principled criteria: (i) each addresses the same specific legal question, the procedural status of Originating Summons under Section 10 SCHCL; (ii) together they span a decade (2012–2023) and cover two of the three Anglophone court divisions, thereby providing the minimum dataset necessary to demonstrate temporal and geographic inconsistency; and (iii) they represent three distinct judicial positions on the same statutory provision, making the interpretive divergence analytically tractable.

The comparative analysis in Part 5 draws on Canada, Rwanda, and the United Kingdom as reference jurisdictions. These were selected based on: (a) structural comparability, all three are bijural or multi-tradition legal systems with documented judicial training responses to tradition-management challenges; (b) data availability, each jurisdiction has published institutional documentation and independent academic assessment of its training models; and (c) the specific relevance of each model to one of the three structural deficits identified in Part 4 (training governance, law reporting infrastructure, and practice direction mechanisms respectively).

This study is necessarily limited by the small number of reported and accessible judgments addressing the precise procedural question examined. The analysis does not rely on interviews, judicial surveys, or quantitative data, and the findings therefore do not permit broad statistical generalisation. Rather, the three judgments provide a focused doctrinal illustration of interpretive divergence within Anglophone Cameroonian courts, sufficient to demonstrate the existence and persistence of the inconsistency this article seeks to explain. The comparative material is used illustratively rather than as a controlled cross-jurisdictional study.

3. THE ORIGINATING SUMMONS CONTROVERSY

3.1. Justice Menyoli's 2012 Ruling: The Case for Continuity

The foundational judgment in this controversy is Justice Charles Namme Menyoli's ruling of 2 July 2012 in Enonchong v Enonchong and Others (Suit No HCF/0281/AP/10) at the High Court of Fako Division, Buea.[2] The procedural ruling that Menyoli J delivered in response to counsel's application to resolve what he aptly described as a "vexing procedural issue" is what makes this case a landmark.

Two earlier and directly contradictory rulings of the same court had created a procedural vacuum. In David Nanjia Carr v Enow Likowo Esther Carr and Others (Suit No HCF/0037/05/06-07), a full panel of the Fako High Court had unanimously held that since England had replaced Originating Summons (OS) with Part 8 (Alternative Procedure for Claims) of the Civil Procedure Rules 1998, Cameroonian courts were required under Section 10 of the Southern Cameroons High Court Law 1955 (SCHCL) to follow suit.[3] Originating Summons was held to be no longer applicable. Yet in Benjamin Enow Agbor and the Divisional Officer Tiko (Suit No HCF/012/AP/2012), Justice Chi Valentine had refused to entertain a Part 8 claim, holding that Part 8 applied only to English County Courts and not to High Courts. [4] The combined effect was that both OS and Part 8 were invalid. Practitioners had no clear procedural basis for commencing certain civil actions.

[2]Enonchong v Enonchong and Others, Suit No HCF/0281/AP/10, High Court of Fako Division (Buea), ruling of 2 July 2012, Menyoli J (unreported).

[3]David Nanjia Carr v Enow Likowo Esther Carr and Others, Suit No HCF/0037/05/06-07, High Court of Fako Division (Buea) (unreported).

[4]Benjamin Enow Agbor and the Divisional Officer Tiko, Suit No HCF/012/AP/2012, High Court of Fako Division (Buea), Chi Valentine J (unreported).

Justice Menyoli resolved the contradiction by rejecting both positions. His analysis proceeded through six steps. First, he demolished the factual premise of the second ruling by demonstrating, through Practice Direction 8A paragraphs 9.1 to 9.4, that Part 8 applies in the Chancery Division of the High Court of England, not only in County Courts. [5] Second, he analysed Section 10 of the SCHCL and identified its true structure: English High Court practice is a residual source, applicable only 'in the absence' of local rules and orders of court, not a continuous obligation to track English procedural developments. [6]

Third, and most consequentially, he established a fifty-year evidential record of OS usage in Anglophone Cameroon courts, tracing it from the West Cameroon Law Reports 1965–1967 through to the North West Court of Appeal's 2011 judgment in Edwin Motsa Puwo and Guarantee Express Company Ltd v Che Chi Joseph (Suit No CAMWR/42/2010), which had affirmed OS as 'the appropriate procedure' for matters of document construction. [7] He concluded that OS had 'firmly established itself as an acceptable mode of commencement' and had 'attained the status of a rule of the Court.' Fourth, he grounded this conclusion in Section 32 of the Judicial Organisation Law 2006, which mandates High Courts to continue applying rules of procedure, practice, and usages previously applicable. [8]

Fifth, he deployed a practical argument of considerable force: even if the legal case for Part 8 were accepted, Section 10 requires 'substantial conformity' with English practice, and Part 8 in England requires electronic filing under Practice Direction 5c, a requirement that was not feasible in Cameroonian courts in 2012.[9] He cited with approval Michael Yanou's observation that, "the practice of Originating Summons in Cameroon may have had its early origin in England, but it later evolved as a practice developed by the courts as independent institutions over decades." [10] Sixth, he held that any change of such procedural importance required a formal Practice Direction from the President of the South West Court of Appeal. [11]

His conclusion was unambiguous:

> *Until further notice, the Originating Summons Procedure, as opposed to the Alternative Procedure for Claims, shall continue to be applied in our courts in suitable cases... Until the Chief Justice of this Region directs otherwise, the Alternative Procedure for Claims (Part 8) shall not be applied in our Court.*

3.2. The Fako High Court 2022 Ruling: The Reversal

A decade after Menyoli J's ruling, a different judge sitting in the same court reached the opposite conclusion. In Beatrice Ewusi v Registrar of Births, Deaths and Marriages, Fako Division (Suit No HCF/092MS/2021), delivered on 17 May 2022, the Fako High Court struck out a civil action commenced by Originating Summons on the ground that OS was no longer the correct procedure in Anglophone Cameroonian courts. The case arose from an application to have a birth certificate declared null and void. [12]

The 2022 ruling revived the Nanjia Carr reasoning that Menyoli J had explicitly rejected. Three elements distinguished its approach from the 2012 position. First, it reinstated the reading of Section 10 SCHCL as a continuous conformity obligation: since England had replaced OS with Part 8 in 1998, Cameroon must follow. Second, and this is the analytically most significant development, it directly addressed Menyoli J's practical objection. The 2022 court held that Cameroon's internet infrastructure had improved sufficiently to adopt Part 8 simplified forms. The Fako High Court Registry now has Claim Forms, Acknowledgment of Service Forms, and Response to Claim Forms available. The material impossibility argument no longer holds. [13] Third, it emphasised the efficiency rationale of Part 8: requiring both parties to file all evidence upfront so the court could potentially determine the claim at the first hearing, a compelling argument given Cameroon's chronic case backlog problem.

The 2022 ruling does not appear to engage with the principal reasoning advanced in Enonchong, including the Section 32 argument, the historical record of judicial usage, and the significance of a formal

[5] Civil Procedure Rules 1998 (UK), Practice Direction 8A, paras 9.1–9.4.
[6] Southern Cameroons High Court Law 1955, s 10.
[7] Edwin Motsa Puwo and Guarantee Express Company Ltd v Che Chi Joseph, Suit No CAMWR/42/2010, North West Court of Appeal (2011) (unreported). See also Sunday Ogoke and 2 Others v Linus N Ihe and 5 Others, Suit No WC/34/67, reported in West Cameroon Law Reports 1965–1967, pp 44, 48.
[8] Law No 2006/015 of 29 December 2006 on Judicial Organization (as amended), s 32.
[9] Civil Procedure Rules 1998 (UK), Practice Direction 5c.
[10] MA Yanou, Practice and Procedure in Civil Matters in the Courts of Records in Anglophone Cameroon (2011) p 27.
[11] Enonchong (n 2).
[12] Beatrice Ewusi v Registrar of Births, Deaths and Marriages, Fako Division, Suit No HCF/092MS/2021, High Court of Fako Division (Buea), ruling of 17 May 2022 (unreported). This suit number and party names were obtained from the Fako High Court registry; the case concerned an application to declare a birth certificate null and void.
[13] Ibid.

Practice Direction. Whether the 2022 judge was unaware of the 2012 ruling or chose not to engage with it, the absence of that engagement is itself analytically significant, as Part four of this article argues.

3.3. The Mezam Division 2023 Judgment: OS Used Without Controversy

The third case, Anita Mbuli and Others v The Probate Registrar, High Court of Mezam Division and Yenkung Lucy Ngwenzak (Suit No HCB/001M/2020), decided by Justice Ching Tom Ngong at the High Court of Mezam Division on 1 June 2023, adds a different dimension to the controversy. [14] Here, the action was commenced by Originating Summons supported by a fourteen-paragraph affidavit with ten annexes. No preliminary objection was raised to the procedure. The court received the proceedings, heard the matter (after a protracted period involving more than fifteen adjournments at the instance of the second defendant), and granted declaratory relief on the merits.

The substantive content of the judgment is itself a rich demonstration of common law reasoning operating at a high level in an Anglophone court. Justice Ching Tom Ngong applied the Wills Act 1837, the Administration of Estates Act 1925, Order 48 Rules 1-3 of the Supreme Court Civil Procedure Rules Cap 211, the Non-Contentious Probate Rules 1987, and the classic common law principle, “where two equities are equal, the first in time prevails”.[15] Citing Lord Greene MR's definition of a void marriage in De Reneville v De Reneville, he held that the deceased's third marriage was null and void ab initio as bigamy, and that the second wife had no standing to administer the estate.[16] This is competent, well-reasoned common law adjudication.

The Mezam 2023 judgment is procedurally significant precisely because of its silence on the OS question. The North West courts continued using OS without comment one year after the South West courts had declared it dead. The same procedure, simultaneously valid in one Anglophone jurisdiction and void in another, in the same country, under the same constitutional order.

4. STRUCTURAL CAUSES OF INTERPRETIVE DIVERGENCE

4.1. Training as the Root of Interpretive Divergence

The conflict between the three decisions is not primarily legal. It is a conflict about how to interpret the law, and that interpretive difference appears to be substantially influenced by deficiencies in harmonised judicial training and institutional guidance. Menyoli J's reasoning is characteristically common law in its methodology: he approached the Section 10 question through the lens of established local practice and judicial usage, privileging what Cameroonian courts had actually done over fifty years rather than what English courts had recently changed. This is stare decisis reasoning, the preference for institutional continuity and the accumulated wisdom of practice over abstract conformity to a foreign model that may not fit local conditions.

The 2022 court's reasoning reflects a different training instinct: the instinct to track the metropolitan source of the borrowed law and to treat 'substantial conformity' as an ongoing dynamic obligation rather than a residual fallback. This is closer to the civil law posture toward received legal text, treating the originating source as continuously authoritative. Neither approach is irrational. What makes the divergence a continuous training problem is that both judges were applying the same statutory provision, and neither had access to a harmonised jurisprudential framework, produced by either a Practice Direction, a Supreme Court ruling, or a unified training curriculum, that would have told them how to approach Section 10.

The provision is genuinely ambiguous, and its correct interpretation requires a comparative legal methodology, an understanding of the functional difference between English courts' relationship with their own procedural rules and Anglophone Cameroonian courts' relationship with English procedural rules as an inherited and adapted framework. That comparative legal methodology is precisely what bilingual judicial training should produce. The fact that two judges in the same court reached opposite conclusions on the same provision ten years apart is evidence that it has not been produced. Three alternative explanations must be acknowledged and distinguished: First, the divergence may reflect deliberate judicial distinction: the 2022 judge may have been aware of the 2012 ruling and chosen, for unstated reasons, not to follow it. Second, it may reflect a failure of counsel: if the advocates in the 2022 proceedings did not cite the 2012 ruling, the omission is partly a limitation of the bar rather than of the bench. Third, it may reflect differences in individual judicial philosophy, or in the quality of the argument presented, rather than training as such. None of these alternatives can be entirely excluded on the available evidence. Each, however, reinforces rather than displaces the training analysis: a robust system of continuing professional development, accessible law reporting, and binding

[14] Anita Mbuli and Others v Probate Registrar, High Court of Mezam Division and Yenkung Lucy Ngwenzak, Suit No HCB/001M/2020, Judgment No 320/CIVInt1/2023, High Court of Mezam Division (Bamenda), Ching Tom Ngong J, 1 June 2023 (unreported).

[15] Wills Act 1837, s 9; Administration of Estates Act 1925, s 9; Supreme Court Civil Procedure Rules Cap 211, Order 48 Rules 1–3; Non-Contentious Probate Rules 1987, s 22.

[16] De Reneville v De Reneville [1948] P 100 (CA), Lord Greene MR.

Practice Directions would substantially reduce the divergence regardless of which cause predominates.

4.2. The 2025 ENAM Restructuring and its Consequences for Bijural Training

The structural deficit documented in Part 4.1 has been significantly deepened by the apparent suspension of ENAM's Common Law Section in the 2025/2026 cycle. The Section had been established by Order No 002257/MINFOPRA of 15 May 2017 as a targeted institutional response to the Anglophone legal crisis of 2016, mandating the recruitment and training of English-speaking pupil magistrates specifically for deployment in the North West and South West Regions. Under this arrangement, instruction was delivered in English and focused on common law principles alongside unified Cameroonian law.

The Section's operational basis, however, was always precarious. It was sustained not by a permanent legislative mandate but by annually renewed ad hoc recruitment orders (arrêtés) issued by MINFOPRA. This structural fragility became decisive in the 2025/2026 academic cycle, when the recruitment arrêtés for that year omitted the dedicated English-speaking judicial personnel intake entirely. No decree formally abolishing the Common Law Section has been identified; the omission of a dedicated English-speaking intake in the 2025/2026 recruitment arrêtés appears to indicate discontinuation by administrative silence rather than by formal legal instrument.

The practical consequences for bilingual training are severe. The 2025 restructuring returns Anglophone judicial candidates to the general civil-law-dominant ENAM curriculum. Common law procedural methodology, case-law reasoning, and the interpretive approach to provisions such as Section 10 SCHCL, which the Common Law Section had begun to address, however imperfectly, are no longer delivered in a dedicated pedagogical stream. Magistrates trained post-2025 and deployed to the North West and South West Courts will encounter the Section 10 question, and others like it, with even less preparation than their predecessors. The OS controversy, which this article documents, is therefore likely to persist and multiply across procedural domains, not merely in the South West courts but wherever a post-2025 magistrate is required to apply common law principles that their training never systematically addressed.

4.3. The Missing Practice Direction

Menyoli J concluded his 2012 ruling with a specific institutional call: the President of the South West Court of Appeal must issue a Practice Direction resolving the OS/Part 8 question definitively. That Practice Direction was never issued. A decade passed. The procedural uncertainty that Menyoli J had sought to eliminate persisted. Litigants in 2022 had their cases struck off for using a procedure that was still being accepted in 2023 in a different division of the same court.

This reflects a systemic absence of the institutional coordination mechanisms that would allow the judiciary to respond systematically to identified legal and procedural development needs. There is no mechanism in the current governance architecture of the Cameroonian judiciary that reliably translates a senior judge's identification of a procedural problem into an institutional response. The Higher Judicial Council is chaired by the President of the Republic and administratively dominated by the Ministry of Justice, making it primarily an instrument of career management rather than judicial practice development. ENAM is supervised by MINFOPRA rather than by a judicially governed body, meaning that the formal training institution for magistrates has no structural connection to the practical jurisprudential development needs identified by serving judges. [17]

4.4. The Technology Dimension

One dimension of the OS controversy that deserves separate attention is the role of technological change. Justice Menyoli's most practically powerful argument in 2012 was that Part 8 requires electronic filing, which was not then feasible in Cameroonian courts. The 2022 court's direct answer, that the Fako registry now has Part 8 forms available, demonstrates that the correct procedural answer was not fixed in 2012 but conditional on infrastructure development. This is a significant lesson for judicial training policy: when the legal correctness of a procedural answer is contingent on technological capacity, magistrates need CPD that keeps them current with technological developments in court administration. A magistrate trained in 2012 and never re-trained would carry the 2012 understanding of OS's validity into 2022, and the 2023 Bamenda judge's uncontested use of OS suggests that in some courts, that understanding persisted. This suggests that any one-time training intervention, however comprehensive, will become outdated as infrastructure changes. The reform proposals in Part 5 must therefore include a mechanism for continuous technology-tracking updates, not merely an initial bilingual curriculum.

5. REFORM PATHWAYS: COMPARATIVE LESSONS

5.1. Canada: Bijural Training as Institutional Design

Canada offers the most directly applicable comparative model. As a bilingual federation, Canada

[17] Law No 82/14 of 26 November 1982 on the Organisation and Functioning of the Higher Judicial Council, art 8(1) (presidential chairmanship); Constitution of the Republic of Cameroon (Law No 96-06 of 18 January 1996), art 37; on ENAM's supervision by MINFOPRA, see Decree No 2018/240 of 9 April 2018.

has developed a judicial training architecture that serves both its civil law (Quebec) and common law jurisdictions through a single, judicially governed institution, the National Judicial Institute (NJI), which operates independently of the executive.[18] Quebec's Institut national de la magistrature (INM) employs what it calls 'interface pedagogy: teaching from the intersection of the two traditions rather than in parallel streams, producing magistrates who understand both systems as co-participants in a shared legal order rather than as alien traditions to be managed. [19] The OS controversy is a Canadian-type problem, a bijural seam where two legal cultures produce different answers. Canada's response has been pedagogical integration.

5.2. Rwanda: Technology, Reporting, and Institutional Reconstruction

Rwanda's judicial transformation since 1994 provides the most instructive model for the specific infrastructure failures this article has identified. Rwanda has deployed a comprehensive national case management system, [20] a digital judicial library providing free access to all court decisions, and an e-learning platform through the Rwanda Justice Academy that keeps magistrates continuously updated on legal developments. [21] The Rwandan model directly addresses the two conditions that allowed the OS controversy to persist: the absence of a national law reporting infrastructure and the absence of a CPD mechanism that delivers updated legal knowledge to all magistrates regardless of geographic posting. A Rwandan judge in 2022 would not have been unaware of a 2012 ruling by a colleague on the same court because all such rulings are centrally published and searchable.

5.3. The United Kingdom: Practice Directions as Institutional Tools

The United Kingdom's Judicial College provides a model for the specific institutional gap that Menyoli J's requirement for a Practice Direction identified. The College operates under judicial governance, with a systematic curriculum development process that translates identified legal development needs into training content and, where appropriate, into Practice Directions or procedural guidance. [22] The failure of the South West Court of Appeal to issue the Practice Direction that Menyoli J called for in 2012 reflects the absence of precisely this kind of institutionalised judicial practice development mechanism.

5.4. Proposed Reforms

Four targeted reforms emerge from this analysis.

First, ENAM's Judicial Formation Division should be established as a judicially governed body with curriculum authority independent of MINFOPRA, modelled on Canada's NJI or Senegal's Institut des Métiers de la Justice. A core bijural curriculum module, the role of established local practice under Section 32 of the Judicial Organisation Law, and the interaction between English procedural developments and Anglophone Cameroonian courts should be mandatory for all graduating magistrates. [23] The apparent suspension of the Common Law Section's dedicated intake in 2025 makes this structural reform more urgent, not less: without a dedicated bijural curriculum embedded in an autonomous training institution, the pedagogical deficit will compound with every new cohort of magistrates deployed to the Anglophone courts.

Second, a National Judicial Digital Library, providing free, bilingual, publicly accessible online access to all Cameroonian court decisions from both traditions, OHADA materials, and relevant legislation, should be established urgently. The OS controversy's persistence across a decade of documented contradiction would have been resolved far earlier if the relevant decisions had been accessible to all magistrates. Canada's CanLII model offers a low-cost, open-source architecture. [24]

Third, mandatory annual CPD of a minimum of 40 hours for all serving magistrates, delivered through a bilingual National Judicial Learning Management System, would ensure that magistrates remain current with legal developments, including the specific infrastructure changes, like the availability of Part 8 forms at the Fako registry, that change the correct answer to procedural questions.

Fourth, a structured Practice Direction mechanism, operating through a judicially governed coordination body, should ensure that conflicts like the OS controversy, which Menyoli J correctly identified as

[18] National Judicial Institute, 'About the NJI' (NJI, 2024), https://www.nji-inm.ca, accessed 15 March 2026.

[19] Institut national de la magistrature, 'Interface Pedagogy: Teaching from the Bijural Intersection' (INM Quebec, 2023).

[20] AC Watson, R Rukundakuvaga and K Matevosyan, 'Integrated Justice: An Information Systems Approach to Justice Sector Case Management and Information Sharing' (2017) 8(1) International Journal for Court Administration 1.

[21] S Rugege, 'Some Aspects of Judicial Reform in Rwanda from 2004 to 2019' (2019) *Rwanda Law Journal* 1.

[22] Judicial College (England and Wales), 'Curriculum and Training' (2024) https://www.judiciary.uk/judicial-college, accessed 15 March 2026.

[23] On Canada's NJI model see also MA Yanou, Practice and Procedure in Civil Matters in the Courts of Records in Anglophone Cameroon (2011); on the ENAM reform imperative see Decree No 2018/240 of 9 April 2018.

[24] Canadian Legal Information Institute (CanLII) <https://www.canlii.org> accessed 15 March 2026

requiring institutional resolution in 2012, are resolved by formal guidance within a fixed timeframe rather than allowed to persist through decades of individual judicial disagreement.

6. CONCLUSION

The Originating Summons controversy demonstrates how procedural uncertainty can emerge when a bijural legal system lacks effective mechanisms for harmonised continuous judicial education, jurisprudential dissemination, and institutional coordination. The divergence identified in this article cannot be attributed exclusively to deficiencies in judicial training; however, the evidence strongly suggests that weaknesses in training and institutional guidance contribute significantly to inconsistent procedural outcomes.

Addressing these deficiencies through targeted reforms in judicial education, continuing professional development, and practice-direction mechanisms would strengthen consistency, predictability, and equal access to justice across Cameroon's dual legal traditions. The comparative experiences of Canada, Rwanda, and the United Kingdom demonstrate that such reforms are both feasible and capable of improving coherence within legally plural systems.

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