

**The Right Honourable President of the Senate,**  
**The Honourable Speaker of the National Assembly,**  
**The Honourable Prime Minister, Head of Government,**  
**The President of the Economic and Social Council,**  
**The President of the Constitutional Council,**  
**The Minister of State, Minister of Justice, Keeper of the Seals,**  
**The Minister of State, Minister of Tourism and Leisure,**  
**The Minister of State, Minister of Higher Education,**  
**The Chancellor of National Orders,**  
**Distinguished Ministers,**  
**Distinguished Ministers Delegate and Secretaries of State,**  
**Your Excellencies, Ambassadors and Representatives of**  
**International Organizations**  
**The Permanent Secretary of OHADA,**  
**The Director General of the National School of Administration and**  
**Magistracy,**  
**The Governor of Centre Region,**  
**The Government Delegate to the Yaounde City Council,**  
**Distinguished Judicial and Legal Officers,**  
**Distinguished Army Generals,**  
**The President of the Cameroon Bar Association,**

**The President of the National Association of Notaries Public,  
The President of the National Association of Sherriff/Bailiffs,  
Traditional and Religious Leaders,  
Distinguished members of the judicial family,  
Distinguished Guests,  
Ladies and Gentlemen,**

The Supreme Court is pleased with your presence in this hall decorated for such major events, and heartily welcomes you therein.

Section 33 (1) of Law No. 2006/16 of 29 December 2006 to lay down the organization and functioning of the Supreme Court provides: “At the start of each judicial year and on 28 February at the latest, a solemn reopening ceremony of the Supreme Court, attended by heads of appeal courts, lower administrative courts and lower audit courts in judicial robes, shall hold under the chairmanship of the [Chief Justice].”

The solemn reopening of the Supreme Court holding this Thursday, 21 February 2019 intends to fulfil a double requirement: comply with the law referred to above and observe traditions of superior courts of final jurisdiction.

During this solemn reopening and true to tradition, the Supreme Court will present reflections on the topical issues in our country and especially on the requirements of our democracy and the Rule of Law under the theme: **“Excesses in the Expression of Freedoms in Cameroon”**.

**Your Excellencies,**

**Ladies and Gentlemen,**

The “Hachette” dictionary defines excess as something that goes beyond the normal measure.

The exercise of freedoms is characterised by the dialectics of what is permitted and what is prohibited.

Excesses in the expression of freedoms represent drifts that abound in Cameroon concerning freedoms. Meanwhile, the legal framework is properly laid down in our country.

The base of our democracy is the blooming of freedoms (1) and the Rule of Law can only be properly assessed in relation to the expression of public freedoms.

In the form of introduction to his compendium entitled “Cameroon, Rights and Freedoms”, President Paul Biya said in 1990: “Democracy is, over and above all, freedom.

- freedom of the press,
- freedom of opinion,
- total freedom of expression,
- freedom of association
- free elections.” (2)

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(1) Dominique Brullat, *libertés publiques et droits de la personne humaine* ; Bayeux 2003, p.32.

(2) Paul Biya, in the form of introduction to the compendium of instruments entitled “Cameroon, Rights and Freedoms”, SOPECAM, 1990, p. 13.

Freedom is expressed or displayed in different forms in our country.  
(3)

It takes different forms and sometimes spreads out in different directions. (4)

Since 1990, the compendium entitled “Rights and Freedoms” (5) contains a candid recording of the normative movement of a Cameroon society greatly in love with freedom and democracy. (6)

For the past thirty years, the exercise of freedom has significantly improved in our country. (7)

The normative background cast its net wide to establish a true culture of freedom and peace in Cameroon.

That is what is contained in the revised Constitution of 18 January 1996 that enshrines quite a large number of issues in both its Preamble and the provisions that aim at protecting freedoms. (8)

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(3) Cf. See 2017 Report of the National Commission on Human Rights and Freedoms.

(4) Political freedom, religious freedom, trade union freedom, economic freedom.

(5) Rights and Freedoms, Compendium of New instruments, SOPECAM, December 1990.

(6) KONTCHOU (K.A) foreword to the compendium of instruments, Rights and Freedoms, op. cit. p.5

(7) All the instruments on Rights and Freedoms and the revised Constitution of 18 January 1996 constituted solid bases for the expression of freedom.

(8) The Preamble of the revised Constitution of 18 January 1996 guarantees a lot of rights and freedoms.

The same further obtains in the many international conventions and charters ratified by Cameroon. (9)

In the same vein, many institutions were set up to ease the respect and exercise of freedoms. (10)

Considering the density of the legal arsenal and institutions at the service of freedoms, it can be held that Cameroon is fertile ground where freedom is cultivated and exercised freely. Nevertheless, daily realities reveal the existence of a contrary dispensation.

Indeed, the lawmaker carefully laid down the legal framework for the exercise of each freedom. (11) However, it is regrettable that the inflation of new drifts is such that one questions the very substance of the Rule of Law in our country.

There is urgent need to consider ways and means that will enable our country to consolidate the Rule of Law which is only compatible with a moderate expression of freedom.

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(9) These charters are ratified in compliance with the provisions of the Constitution.

(10) The National Commission on Human Rights and Freedoms; cf. DIME LI NLEP (Paul), post-master's thesis, université Abomey calavi Benin, 2004, entitled, *la garantie des droits fondamentaux au Cameroun* (Guaranteeing Fundamental Rights in Cameroon)

(11)

- Law No. 90/52 of 19 December 1990 governing freedom of mass communication;
- Law No. 90/53 of 19 December 1990 governing freedom of association;
- Law No. 90/54 of 19 December 1990 governing maintenance of public order;
- Law No. 90/55 of 19 December 1990 governing public assemblies and demonstrations. Cf. compendium of New Instruments, op cit pp. 19 and following.

**Your Excellencies,**

**Ladies and Gentlemen,**

The legal framework of expression of freedom has been laid down by a number of supplementary instruments. Freedoms are many and it will be proper to examine them accordingly.

There is political freedom (12), social freedom (13) and economic freedom (14).

Under political freedom, one may highlight the legal framework of political parties, freedom of assembly and demonstration, and freedom of communication.

Article 3 of the Constitution provides: **“Political parties and groups shall help the electorate in the making of voting decisions. They shall be bound to respect the principles of democracy, national sovereignty and unity. They shall be formed and shall exercise their activities in accordance with the law.”**

Section 1 of Law No. 90/56 of 19 December 1990 provides: **“Political parties are associations which may take part in elections.”** (15)

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(12) Political freedom is often very sensitive.

(13) Associations and trade unions are groups that have an obvious social impact.

(14) Freedom of trade in Cameroon is governed by Law No. 90/31 of 19 December 1990.

(15) Section 1 of Law No. 90/56 of 19 December 1990 that governs political parties.

Political parties are formed and they carry out their activities freely in compliance with the Constitution and the law referred to above. Section 3 of Law No. 90/56 mentioned above provides:

“(1) No body shall be forced to belong to a political party

(2) Nobody shall be harassed because he belongs or does not belong to a political party.” (16)

Consequently, political parties carry out their activities within a clearly defined framework. Under elections, Law No. 2012/1 of 19 April 2012 on the Electoral Code provides for mechanisms that enable each political party to help the electorate in the making of voting decisions.

Freedom of assembly and public demonstrations is governed by Law No. 90/55 of 19 December 1990.

In this regard, section 2 of the said law provides: “Any meeting held in a public place or a place open to the public shall be a public meeting.”

Section 3 provides: “(1) Persons shall be free to hold public meetings, no matter their purpose.

(2) However, such meetings shall be subject to a prior declaration.

(3) Meetings on public highways shall except on a special authorization, be forbidden.”

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(16) Rights and Freedoms, op cit p. 57.

All public events, procession, march past, parades and gatherings of persons and on the whole, all events held on the public highway shall be subject to prior declaration.

The said declaration shall be submitted to the competent Subdivisional Officer, seven (7) days before the date of the event. He shall immediately issue a receipt thereto.

If he suspects that there may be disturbance of public order resulting from the event, he may order a change of place of the event or as a last resort, prohibit the holding of the event. Where the event is prohibited, the organiser may appeal to the competent High Court that shall hear and determine the matter in court chambers within eight (8) days from the day the appeal is filed.

The High Court ruling may be appealed against under the conditions provided for by ordinary law. (17)

In recent years, political freedoms that are carefully regulated in Cameroon, have registered many drifts. Excesses are now the order of the day!

It has been observed that some political parties carry out their activities within the legal framework and have helped the electorate in making decisions. The election of the President of the Republic of 7 October 2018 was conducted in compliance with the provisions of Law No. 2012/1 of 19 April 2012 on the Electoral Code as amended and supplemented by Law No. 2012/17 of 21 December 2012.

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(17) This ruling can be appealed against under conditions laid down by ordinary law.



At the end of the polls, the Constitutional Council proclaimed the results thereof in compliance with the provisions of section 137 of the law referred to above. Its decision is final.

Any challenges thereof brought before a forum other than that provided for by the Electoral Code constitute a drift from the expression of political freedom. Such is known as political irresponsibility.

The forum of social networks and virtual democracy do not change our laws.

Worse still is the fact that some people have chosen to express their political will through terrorist movements instead of through a political party. Such attitude is simply the rejection of political freedom. Terrorist acts are severely punished both by Regulation 1/CEMAC of 11 April 2016 and the Cameroon Law No. 2014/28 of 23 December 2014 on suppression of acts of terrorism.

Article 121 of the CEMAC Regulation referred to above provides:

“Whoever is found guilty of financing or proliferating terrorism shall be punished with imprisonment for from ten (10) to twenty (20) years and with fine equal to at least five times the value of the property or funds used to finance the terrorism.

The penalty shall be doubled where the author of the financing is a habitual offender or where he acted in a band.”

Section 2 of the Cameroon law referred to above provides: “Whoever, acting alone or as an accomplice or accessory, commits or

threatens to commit an act likely to cause death, endanger physical integrity, cause bodily injury or material damage, destroy natural resources, the environment or cultural heritage with intent to:

a. Intimidate the public, provoke a situation of terror or force the victim, the government and/or a national or international organisation to carry out or refrain from carrying out an act ... shall be punished with the death penalty.”

Section 13 of the same law provides for the possibility of acceptance of mitigating circumstances and in such cases:

“(1) the imprisonment term may not be less than ten (10) years.

(2) the fine may not be less than twenty million (20,000,000) CFAF.

(3) in any case, no suspended sentence may be given.”

It is obvious that the punishment is proportionate to the gravity of the crime.

Besides, where assemblies and demonstrations are not declared prior to their holding or where they are held in violation of the prohibition of the administrative authority (18), section 9 of Law No. 90/55 of 19 December 1990 provides that the punishment applicable shall be the punishment provided for by section 231 of the Penal Code which provides for “... imprisonment for from fifteen (15) days to six (6) months and a fine of from five thousand (5,000) to one hundred thousand (100,000) CFAF.”

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**(18)** Section 232 of the Penal Code punishes gatherings on the public highway; that is, a meeting held by at least five (5) persons on the public highway.

Such sanctions apply to both the organisers and participants.

**Your Excellencies,**

**Ladies and Gentlemen,**

Still in the area of political freedom, freedom of communication is not always expressed within the framework of the law. (19)

On the field, freedom of communication seems to be fertile ground for all forms of abuse and drifts.

Indeed, freedom of communication in Cameroon is governed by Law No. 90/52 of 19 December 1990, section 1 of which provides: “freedom of the press as guaranteed by the Constitution, shall be exercised in accordance with the provisions of this law.”

Section 2 of same law provides:

“(1) This law shall apply to all forms and means of mass communication, in particular to printing, bookselling, press organs, publishing houses, distribution agencies, billposting and to audiovisual communication establishments.

(2) The profession of journalist shall be practised in accordance with the provisions of this law.”

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(19) Freedom of communication was virtually revolutionised by the emergence of new information technologies.

It was following the enactment of this law that a multitude of newspapers, private radio and television stations were established in Cameroon.

These mass media have always operated in compliance with sections 60 to 87 of the law referred to above which define the offences that may be committed and the corresponding criminal sanctions. (20)

The emergence of new information technologies and especially the Internet have virtually revolutionised the practice of press freedom and increased the risk of communication drifts. (21)

Freedom of expression and of opinion may be exercised on any communication medium and especially on the Internet.

Electronic public communication is free.

Every citizen can create a website, a blog, subscribe to a forum or a social network where he can express his religious beliefs and/or political opinions. But not everything is allowed.

Cyberspace has become level ground where freedom of the press is exercised without the fear of God or man.

Cyberspace has become a Court where every person is tried and convicted without any possibility of appeal.

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**(20)** Violation of the law is punished with heavy fines while defamation and press insults are punished according to the penalties provided for in the Penal Code.

**(21)** Professional journalists have a minimum of ethics. Those who become journalists on social networks do not respect any ethics.

Cyberspace has become the perfect area for defamation, insults, and conditional threats or simple threats.

Cyberspace has become the perfect ground for scam and blackmail.

Cyberspace has become the breeding ground for hatred, tribalism, violence, and attack on the symbols of the State.

In order to correct such drifts, the Cameroon lawmaker provided for repression in the following instruments:

- The law on mass communication applies to the Internet and the rules are the same concerning offences committed against third-parties or the State (insults, defamation, propagation of false information, misrepresentation ...);
- the provisions of the Penal Code are applicable;
- Law No. 2010/12 of 21 December 2010 on cyber security and cyber criminality in Cameroon.

Those who willingly mix up, to quote one author, “**freedom of thought and freedom to publish one’s thoughts**” should be punished proportionately to their offhandedness.

These laws should be applied now more than ever in the spirit of the principle of legality of offence and punishment.

The said laws should remind us of Daniel Salles who held that “**Although freedom of expression is a fundamental principle of democratic societies, it cannot be exercised without limits and it is limited by law**”.

**Your Excellencies,**

**Ladies and Gentlemen,**

It has also been observed that in addition to political freedom, social freedom is not always exercised within the confines of the law in Cameroon.

Let us examine freedom of association which is governed in Cameroon by Law No. 90/53 of 19 December 1990. (22)

Section 1 of the said law provides:

“(1) Freedom of association proclaimed by the Preamble of the Constitution shall be governed by the provisions of this law.

(2) It shall mean the right to set up an association and to be or not to be a member of an association.

(3) It shall be enjoyed by all natural persons and corporate bodies throughout the national territory.”

Freedom of association which is defined as an agreement by which a number of persons put together their ideas or activities with an aim other than sharing profits, (23) is worth its weight in gold in Cameroon.

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(22) In Cameroon, in addition to the family, associations constitute the most important groups at the social level.

(23) The purpose of associations does not always seem to be what the law requires.

Section 4 of Law No. 90/53 of 19 December 1990 provides: “Associations founded in support of a cause or in view of a purpose contrary to the Constitution, the law and public policy, as well as those whose purpose is to undermine especially security, the integrity of the national territory, national unity, national integration or the republican character of the State shall be null and void.”

Associations are governed by the following two systems:

- **the system of declaration**
- **the system of authorization**

Foreign associations and religious congregations (24) fall under the system of authorization.

It will be proper to examine religious congregations.

Section 22 of Law No. 90/53 of 19 December provides:

“The following shall be deemed to be religious congregations:

- any group of natural persons or corporate bodies whose vocation is divine worship. (25)
- any group of persons living in a community in accordance with a religious doctrine.”

In order for a religious congregation to function in Cameroon, it must be granted authorization. The same applies to any religious establishment.

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(24) The system of authorisation falls under the President of the Republic.

(25) The expression “divine worship” is such that it does not enable a rigorous supervision of the purpose of religious congregations.

Such authorization is contained in a Decree signed by the President of the Republic, following a reasoned opinion of the Minister in charge of Territorial Administration.

The initial purpose of an association should not be diverted in the course of its functioning. Otherwise, it will ground for dissolution. (26)

There are safeguards to guide the activities of associations in Cameroon. However, many drifts have been observed in spite of the legal provisions in force.

Many associations have been discovered to be real microfinance institutions or even “stock markets”, forgetting that they are not supposed to become centres for research and profit-sharing.

It has further been discovered that there is a proliferation of religious congregations that do not fulfil the requirement of obtaining a legal authorization before operating. In addition, even in some “born again churches” with an authorization, “Gurus or Prophets” have transformed themselves into swindlers by running away with large sums of money belonging to their flock.

Once freedom of worship becomes a means as many others, of fraud, it is an unacceptable drift. (27)

Sometimes, in the name of freedom of worship, groups of persons who are expected to live together in a community in accordance with a religious doctrine, find themselves deeply divided, whereas the overall

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(26) Section 31 of Law No. 90/53 of 19 December 1990.

(27) Very often, leaders or Prophets of religious congregations transform into white collar delinquents.



spirit of a religious congregation is to promote concertation and peace.  
(28)

Freedom of religious congregation should be exercised in the spirit of the lawmaker as laid down in Law No. 90/53 of 19 December 1990 with the attendant sanctions provided for in sections 28 to 31 of the said law.

Still under social freedom, freedom of trade union (29) is also a cause for concern.

A trade association is a group comprising persons who practice the same profession, or relating or similar professions with the intent of examining and defending both the collective and individual rights and material and moral interests of the persons referred to in the laws and regulations governing them.

A trade union has a civilian personality.

In Cameroon, Decree No. 93/576/PM of 15 July 1993 lays down the form of the trade union registration certificate. (30)

Freedom of trade union is specifically highlighted by the multitude of trade unions and by recurrent actions carried out by such groups.

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(28) Pope Francis, *Exhortation apostolique sur l'appel à la sainteté dans le monde actuel*. Artège, Paris, 2018.

(29) Alphonse Baloa, *l'expression collective des salariés*, Post master's thesis University of Yaounde II, Soa, 2006.

(30) In Cameroon, employers or employees are free to belong to the trade union of their choice.

All such trade unions are governed by Convention No. 87 of the International Labour Organization concerning protection of association and the right to organise, ratified by Cameroon.

Article 2 of the said Convention provides: “Workers and employers, without distinction whatsoever, shall have the right to establish and, subject only to the rules of the organisation concerned, to join organizations of their own choosing without previous authorization.”

Article 8 of Convention No. 87 requests trade unionists to exercise their activities in strict compliance with the law.

In addition, the Convention requests the national lawmaker not to undermine the guarantees provided for by the Convention.

The actions carried out by trade unions do not often comply with the legal framework because there are quite some excesses resulting from violation of the instruments in force. (31)

The multiple calls for strike action do not strictly comply with the instruments that govern the right to strike. Freedom of trade union must not be reduced to freedom to strike.

**Your Excellences,**

**Ladies and Gentlemen,**

Excesses are also observed in economic freedom. (32)

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(31) Some trade unions do not always respect the terms and conditions of the right to strike granted them

(32) Economic freedom englobes a diversity of activities.

Freedom of trade is governed in Cameroon by Law No. 90/31 of 10 August 1990. Section 1 of the law provides: “The purpose of this law is to lay down the conditions under which commercial activities shall be carried out in the Republic of Cameroon.

It is also aimed at promoting the development of sound and fair competition among businessmen and at protecting the customer.”

Section 4 dwells on freedom of commercial activity. It provides: “Any Cameroonian or foreign natural person or corporate body shall be free to undertake commercial activity in Cameroon subject to the observance of the laws and regulations in force.” (33)

Protection of the consumer and the practice of sound competition are consolidated by the provisions of sections 31 to 41 of Law No. 90/31 of 10 August 1990.

It should be noted that under freedom of trade, some unscrupulous businessmen develop illicit activities or carry out activities without prior authorization as required by law.

The same occurrence is observed with drugs that fall under the monopoly of the pharmacist, petroleum products, food unfit for consumption, and narcotics.

Freedom of electronic commerce (e-commerce) also has some risks. Law No. 2010/21 of 21 December 2010 governing e-commerce in

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(33) Freedom of trade provided for by law in Cameroon is however, subject to compliance with the law and combating illicit practices. Cf. Anoukaha François, *Le Code Pénal du 12 juillet 2016 et la lutte contre la corruption au Cameroun*, Yaoundé, les grandes éditions, juin 2017.

Cameroon refers to section 219 of the Penal Code for punishment for imitation of electronic signature and to section 349 of the Penal Code for taking advantage of the weakness of a third-party in the signing of electronic agreements.

In the name of freedom, operators of e-commerce think it can evade taxes. The mobility of e-commerce is not likely to by-pass customs and tax requirements. (34)

Furthermore, money laundering and financing of terrorism are practised under cover of freedom of economic activity.

Regulation 1/CEMAC of 11 April 2016 lays down safeguards against illicit commercial activities and requires National Financial Investigation Agencies (ANIF) to check freedom of economic activity.

With regard to economic freedom, Claude Albert Colliard held that: **“Where economic freedom is not regulated, it will result in the absence of freedom”**. (35)

**Your Excellences,**

**Ladies and Gentlemen,**

Freedom and democracy go hand in hand. According to Caroline Lacroix, **“freedom is married to the Republic”** (36). Therefore, there is

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(34) TANEFO SONTSA (Cassennelle L.) La fiscalité du commerce électronique au Cameroun. Mémoire de Master II UCAC Yaoundé 2018.

(35) Claude Albert COLLIARD, libertés publiques, précis DALLOZ Paris 1982 page 48.

(36) Lacroix (Caroline), *protection des Droits et libertés* vol. I

no democracy without the freedom of citizens. The Rule of Law is clearly reflected in the ease with which citizens fully exercise their freedom.

However, Daniel Salles warns that “**freedom is not absolute; it is limited by many restrictions**”. (37)

The legal framework for the expression of freedom presented above, clearly shows that the lawmaker has made significant effort to make Cameroon a land of freedoms.

The revised Constitution of 18 January 1996, consolidates this idea as its Preamble rightly provides: “Freedom of religion and worship shall be guaranteed.

The freedom of communication, of expression, of the press, of assembly, of association, and of trade unionism, as well as the right to strike shall be guaranteed under the conditions fixed by law.” (38)

Therefore, the exercise of freedom has an ambivalent face. As much as we oversee freedom of expression, we must as well ensure that citizens express their freedom within the confines of the law.

But what is the daily practice?

Today more than ever, freedom is expressed beyond the bounds laid down by the laws in force. There is outright illegal or unscrupulous conduct that is carried out in the name of freedom. (39)

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(37) Daniel Salles in *la liberté d’expression*, Canopé et Clemi.

(38) Pursuant to Article 65 of the Constitution, the Preamble is an integral part of the Constitution.

(39) Freedoms granted citizens should not in any case result in drifts.

Excesses have overshadowed the scope of freedoms in Cameroon.

Meanwhile, Jean Paul Satre held that **“to be free does not mean you can do what you want. Rather, it means you may do what you can”**.

**Your Excellences,**

**Ladies and Gentlemen,**

The Republic is governed by laws and the Supreme Court ensures the application of laws. It is proper to sound the alarm on the numerous excesses observed in the expression of freedom in Cameroon.

We are all called upon to act accordingly if we intend to give our country the true meaning of the Rule of Law.

First, the lawmaker should amend laws to adapt them to the development of a society undergoing constant change since drifts that draw their strength from the use of new technologies constitute the largest number and are the most dangerous.

Our legislation should draw inspiration from the techniques developed in some Western countries to draw up new instruments and thereby ease the duties of Judges. The law should be in line with the development of technologies.

Meanwhile, Law No. 2010/12 of 21 December 2010 on cyber security and cyber criminality is applicable and may provide an appropriate response to delinquents.

Second, as citizens, we must always remember that “ignorance of the law is not an excuse”.

Such legal maxim requires us and calls on us to properly understand the instruments governing the expression of freedom in our country. At all times, and before acting, we should always ask ourselves if we are acting in compliance with or in violation of the law.

Third, I am sounding the alarm to all members of the judicial family in general and Judicial and Legal Officers in particular. Judicial and Legal Officers should ensure that the law is respected and the oath they took clearly states that they should act “without fear, favour or malice” and “with impartiality”.

The goal here is to reaffirm through our daily conduct, that in matters of freedom, the law constitutes the compass and not the contrary.

Besides, the main goal of judicial institutions is to ensure that the law is respected.

The freedoms of citizens need to be protected.

Citizens should further be protected against libertarian excesses.

That is why President Paul Biya rightly held:

**“Freedom has its limits and constraints. One cannot do just anything or steer a country to anarchy in the name of freedom. We do not have that right.” (40).**

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(40) Paul Biya in Rights and Freedoms, op. cit. p. 13

Therefore, we may rightly agree with Montesquieu that **“freedom has its limits just like all other virtues.”**

That is why excesses in the expression of freedoms must be cautioned by the firmness of the law although there is always need for moderation while dealing with excesses. That is the role the Judge is required to play in our democracy.

Democracy is, above all, the law and **“a people and a State are strong only when the laws are firm, strictly applied and respected by everyone”**. (41)

Voltaire ironically recalled such reality when he held that **“If laws could talk, they would complain against men of justice”**. (42)

I wish to remind everyone that even in matters of freedom, what is written in front of the Supreme Court building remains topical: *“Sed lex, Dura lex”*, **“The law is hard, but it is the law”**.

If proper measures are not taken, then Lacordaire who held that **“it is freedom that oppresses and the law frees”** (43) may be right. Montesquieu was more explicit when he reiterated that **“Freedom is the right to do what the law allows.”**

I thank you for your kind attention.

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(41) Idem p. 13

(42) Voltaire in *Les pensées philosophiques*.

(43) Lacordaire, *Conférence Notre Dame de Paris* Vol. III p. 473.