

Hermeneutics of Administrative Tolerance in Advertising in Cameroon

Agnes Enanguè

Higher Polytechnic National School of Douala, University of Douala, Douala, Cameroon

Email address:

aenanguel@yahoo.fr

To cite this article:

Agnes Enanguè. Hermeneutics of Administrative Tolerance in Advertising in Cameroon. *Frontiers*. Vol. 3, No. 2, 2023, pp. 12-17.

doi: 10.11648/j.frontiers.20230302.11

Received: August 15, 2023; **Accepted:** August 28, 2023; **Published:** August 31, 2023

Abstract: Advertising is a commercial activity that generates billions. In Cameroon, its contribution to the country economy is facing challenges among which is the administrative tolerance. However, advertising is regulated by the 2006's Law that defines the nature, roles and interactions between the various players including regulators, advertisers, advertising agencies, and consulting agencies. Therefore, there was a need to understand the mechanisms that contribute to the survival of administrative tolerance that does not serve the development of country's advertising. Furthermore, the discourse of advertising players concerning administrative tolerance, which is an important characteristic of advertising was analysed using different theoretical perspectives. This epistemic eclecticism used to understand field information related to administrative tolerance placed the research work within a communicational analysis and the theory of ethnomethodology to justify the choice made in descending on the various fields to exchange with the actors involved in the advertising phenomenon observed. Results showed that there are many types of administrative tolerance. It involves many concepts, definitions, and is due to different reasons. The concepts used and which enabled attempting an interpretation of administrative tolerance in the Cameroon advertising environment were the strategies of actors in the sense of Crozier and Foucault's panopticon as well. The thematic content analysis of primary and secondary information revealed negative opinion of stakeholders on the law (73% of the respondents), panoptic (53 % of the respondents) and search for personal interests (53 % of the respondents) as practices leading to the administrative tolerance. In fact, advertising regulators are excusing certain advertising misconducts. At first glance, this may seem like a spontaneous outburst of compassion and understanding (20% of the respondents). However, the concepts of panopticism and strategy have enabled us to understand that it was a calculated logic, fuelled by carefully considered interests.

Keywords: Advertising Regulation, Administrative Tolerance, Ethnomethodology, Actors' Strategies, Foucauldian Panopticon, Calculated Tolerance

1. Introduction

Administrative tolerance in advertising survives despite the fact that all stakeholders' unanimity that it does not serve the development of Cameroonian advertising. Tolerance is an issue of interest to several fields of knowledge. For researchers in political science, the question of tolerance encompasses several areas of life. It assumes that what could be forbidden is accepted [9]. It takes into account a number of projects undertaken by the State to satisfy its citizens. Rea questioned the concept of tolerance in the context of immigration policies [12]. In her view, the process of harmonising European immigration policies justifies the increase in rights and freedoms available to European

citizens. From the term "immigrant workers" to that of "illegal workers", one can nevertheless observe a certain tolerance from the part of the State. The benevolent face of this tolerance is nothing but an illusion, because of their irregular situation; these workers can't fully enjoy or claim their rights. Tolerance is also sometimes synonymous of reorientation. It gives the impression of putting forward the interests of individuals as human beings, but it is pure instrumentation. However, sometimes rules and tolerance have to exist side by side to cope with the realities' complexity. The regulator in charge of applying the rule encounters difficulties that force him to let things pass that would have been condemned under the regulations in force [6]. Tolerance can be considered as a real weapon used by the authorities in European countries to keep part of their

economy going, which needs a workforce that is insufficient in Europe¹.

The importance and influence of advertising in today's society is considerable. In fact, every day, advertising of products and services interferes in people's lives and has become part of their daily lives, creating new ways of thinking and acting. Cameroon needed to rethink the regulation of the advertising sector because of its strong development overtime. Thus, the law N° 2006/018 of 29 December 2006 governing advertising in Cameroon was promulgated. It organises advertising activities, defines the rules relating to the form and content of messages, and sets the general framework for the control and regulation of advertising activities. Unfortunately, advertising is still heavily criticised for its abuses including overlapping of trades, billboards in unauthorised areas, conflicts of jurisdiction between players, unsigned advertising messages, despite a comprehensive definition of the regulatory framework. The institutional regulatory bodies responsible for regulating, monitoring and even punishing advertising offences are almost morbid. This situation led to believe that there was a certain tolerance in the repression of advertising offences by regulators [6]. Hence the present work was seeking to understand not only the reasons for the discrepancy between the laws on advertising and their actual application in the field, but also the mechanisms that contribute to the survival of administrative tolerance in the

sector. It was presumed that analysing the discourse of advertising players on the problem and proposing a hermeneutic of administrative tolerance could be a way towards a better understanding of the decried phenomenon.

2. Methodology

The constraints of the advertising environment in Cameroon force the players to adopt behaviours that enable them to survive and continue to exist beyond the provisions of the law. Ultimately, interrelated elements were investigated and exploited for an effective interpretation of the advertising phenomenon observed. In the procedure, people were essential because their willingness to construct reality led to the access to the logics that justify the administrative tolerance, which was the objective of this research work.

2.1. Population Sampling

A comprehensive approach described by Becker [2, 3] where actors are central to the construction of scientific phenomena in the Information and Communication Sciences was used. It seeks to understand the rationale that leads various actors to tolerate infringements in the advertising sector in Cameroon. A total of 30 actors formed the sample. The sampling didn't spare advertising regulatory authorities (Table 1).

Table 1. Details of persons sampled.

Actors	Specificity	Number of people interviewed	Inclusion/exclusion criterion
MTN	Advertiser	02	Recorded offence
ORANGE	Advertiser	02	Recorded offence
SAGO	Advertiser	02	Recorded offence
SABC	Advertiser	02	Recorded offence
PROMOTE	Advertiser	02	Recorded offence
MEDIA PLUS	Advertising agency	02	Recorded offence
OCEAN OGILVY	Consultancy agency	02	Recorded offence
MC CANN DLA	Consultancy agency	02	Recorded offence
SOPECAM	Advertising agency	02	Recorded offence
ACMAR PATNER	Advertising agency	02	Recorded offence
TENDANCE SC	Consulting agency	02	Recorded offence
CNP	Advertising regulator	02	Tolerant
ACPR	Advertising regulator	02	Tolerant
LCC	Advertising regulator	02	Tolerant
ACCORD PUB	Advertising regulator	02	Tolerant

2.2. Data Collection

Data were collected from January to September 2019 using interview guides (Table 2). Semi-structured interviews and direct observation were carried out in Douala and Yaoundé.

Douala is the heart of the economy, while Yaoundé is the political capital. These two cities have a very high concentration of advertising professionals.

Table 2. Interview guide.

Section 1. Overall view of the 2006's Law	
1 -	How do you feel about the law on advertising in Cameroon?
2 -	Which texts are directly related to your activity and what do you think of them?
3 -	What do your colleagues say about these texts?
4 -	In the opinion of your colleagues, are these laws respected?
	Few examples
Section 2. Link between public behaviour and the emergence of the business sector	

5 -	Can compliance with the 2006 law be beneficial for Cameroonian advertising? Explanation
6 -	What are the advantages and disadvantages that those involved in advertising in Cameroon may encounter in complying with the law?
7 -	Do you think that players can do good business by complying with the law?
8 -	In your opinion, do those involved in advertising have enough markets to get by? A few selected pieces
Section 3. Players compliance with the law		
9 -	Do you think the players make an effort to comply with the law? Are advertising agencies often taking contracts for message design?
10 -	Why does the regulator remain blind to certain misconduct? Explanation.
11 -	In your opinion, what justifies the silence of the regulatory authorities in the face of breaches of the law?
12 -	Anything else you would like to add?

Furthermore, a documentary analysis of some of the elements in the corpus was carried out that helped to define the notion of administrative tolerance in Cameroonian advertising. In this way, other types of discourse from actors of the advertising sector in Cameroon were obtained. Cross-referencing data from different sources enabled identifying the meanings of administrative tolerance that were important to the work.

2.3. Data Analysis

Formulation of hypotheses made it possible to identify the key concepts of the work. The various concepts were used to obtain dimensions, indicators and finally indices of administrative tolerance. On the basis of all these elements, a matrix was constructed to analyse the various above-mentioned corpora. Interpretation of the matrix was carried out in the light of the basic concepts that enabled building a bridge between the survey data and the theoretical framework.

3. Results and Discussion

3.1. Administrative Tolerance Derived from Willingness, Flexibility and Laxity

The theory of administrative tolerance, as posited in this work, showed that tolerance is often the result of the will of the actors at the centre of an activity. In fact, actors analyse the malpractices of the players in the field and find them tolerable. Administrative tolerance was also understood as the result of flexibility and laxity.

3.1.1. The Will of the Players at the Heart of Administrative Tolerance

The willingness to let individuals "fend for themselves" because there are few job opportunities in Cameroon justifies the tolerance observed. It is even somewhat daring to consider the behaviour of regulatory actors as tolerance. This is why tolerance is perceived in the field refers to 'tolerability'. In fact, tolerability is a characteristic that makes the manifestation of otherness (or the rule that authorises or protects it) easier to accept by the members of the majority. In this case, no matter how advertising players' behaviour is appreciated (good or bad), what counts for them is to continue to enjoy the fact that, thanks to advertising, they

manage to make a living. It should be remembered that administrative tolerance in advertising in Cameroon is linked to the country's historical context. Advertising in Cameroon is poorly understood. In fact, 73% of the respondents found the 2006's Law bad (Table 3). One cannot expect those who barely understand advertising to be quick to obey the laws governing it.

Understanding the impact of the history of advertising on the behaviour of those involved justifies this *laissez-faire* attitude to certain things. Empirical surveys have shown several facts that justify tolerating misconduct in advertising in Cameroon. The "*laissez-faire*" attitude is seen every time so that an individual loses practically nothing in allowing those involved in advertising to carry out certain reprehensible acts. It is not surprising to register that 46% of the respondents did not see any relationship between the Law and their business. Only 23% of the respondents considered that the Law was connected to the business (Table 3). At this level, administrative tolerance in advertising becomes a virtue in the christian sense of the term. Over and above the financial gains and the economic importance for which one works, the advertising regulator in Cameroon is also a man in the full sense of the term. Those involved in advertising in Cameroon are vulnerable people because they work in a sensitive domain. Administrative tolerance in advertising in Cameroon is linked to sympathy in the primary sense of the term.

The fear of being judged in turn turns advertising into a mess where everyone does what he thinks is right, and no one is exempt from blame. Their reasoning for breaking the rules of advertising is akin to the theory of social peace. Understanding and laxness fit in the same cell and were coincidentally recognized by 20% of the respondents each (Table 3) as causes of administrative tolerance. In theory, all the players denounce the malfunctioning of the advertising sector. Apart from the rules and positions in the world of advertising in Cameroon, there are the human relationships maintained by the various members. Aware of the possibility of a future change of status, those involved in advertising take care not to be disagreeable. Social peace is therefore advocated among the reasons put forward by the regulator for tolerating certain practices prohibited in advertising in Cameroon. In practice, the search for peace is above the law

of advertising. Furthermore, everyone remains aware of the power that others may have over them in the social arena, and this dampens their ardour with regard to what the law on advertising stipulates.

Each player in the advertising's domain tries to fit into the environment while preserving the good relationships maintained with others. Administrative tolerance of advertising in Cameroon is a way of safeguarding peace, of carving out a place for oneself in the industry. Administrative tolerance of advertising does not stand aside from this way of doing things. Actors who go against the rules of advertising enjoy the empathy of the State and certain regulators instead.

3.1.2. Flexibility and Laxity in the Service of Administrative Tolerance

Advertising regulators are planning to relax the rules when it comes to monitoring practices in the field. There are many players who, in one way or another, decide not to comply with the rules governing advertising activities. Viewed in this angle, administrative tolerance was understood as the result of the flexibility or understanding (20% of the respondents) shown by the legislator with regard to the rules laid down for the management of advertising. His flexibility is translated into a desire to save face [10, 11]. Consideration should be given to who decides to relax his rigour with regard to the rules surrounding advertising and who benefits from this favour granted.

In their relationship with themselves, the regulatory bodies recognise the need to leave things unsanctioned because the 2006's Law on advertising is very ambitious in relation to the current reality of advertising communication in Cameroon [6]. In reality, it is difficult to imagine advertising without breaking the rules and the feature depicts the image of the country advertising sector. Moreover, it is very difficult to find a regulatory professional who speaks openly of tolerance in advertising. The discourse is rather qualified by saying that there are no application texts that would give full powers to the control bodies to make a point of honour of punishing those who destroy the image of advertising in Cameroon. In fact, several respondents failed to mention the presence of the "Saint Andrew's cross"² on several posters as well as the suspension of the continuity of several campaigns that do not meet the ethical standards of advertising law in Cameroon. The first specific hypothesis of this study, which states that Cameroon's advertising law is very ambitious but poorly implemented on the ground. In fact, it should be noted that the level of organisation of advertising in Cameroon is not yet strong enough and did not require 2006's Law The field itself being influenced by a host of informal players and according to the respondents, the law disseminated by all the official channels is, rather a set of things to do if you want to disappear from the advertising market. In reality, not being flexible towards those who "violate" the law would be to row against the tide of the well-being of advertising, because it is in these practices that the true history of Cameroonian advertising is written, far from the idealisms that the law presents to us. The advertising environment in country has

succeeded creating new perceptions and new rules, far from the legislator's intentions.

Ultimately, the flexibility of the advertising regulator reflects a shift in values, so that working in advertising regulation in Cameroon means understanding it and acting accordingly. Magnanimity is at maximum, because advertising is a buoyant sector of activity and it is important that those who work in it comply, for fear of costing the State a lot of money. In addition, malfunctioning of a sector of activity does not generate revenue in the billions, unfortunately, this is the case with advertising in Cameroon. For many professionals interviewed during the empirical investigation, advertising in Cameroon has chance of taking off if directives are respected by everyone. The absolute respect of the provisions of the law on advertising in Cameroon by advertising professionals places the latter in a psychological dimension that is not negligible.

3.2. Administrative Tolerance in Advertising in Cameroon Due to Economic Issues and Player Strategies

Administrative tolerance in advertising is a consequence economic issues that run through this environment, and is also an expression of the players' strategies.

3.2.1. Economic Challenges Facing Advertising in Cameroon

In Cameroon, advertising is an important area in which billions circulate [1-3]. As a market for goods and services, advertising ensures the functioning of the country economy in its own way. All the players involve consultancy agencies, advertisers, advertising sales houses, consumers. Regulatory bodies work to generate sustainable wealth of the sector in Cameroon. The influence of the environment cannot be ruled out in analysing the facts observed in Cameroon.

Here, tolerance can be understood as pertaining to a macroscopic level, that of the State. It is the case of a geographical tolerance that is influenced by the desire to aim for peace between the different people who share the same space. The game of denying the rules of advertising is really very complicated. The malaise stems from the fact that advertising should continue to play a decisive role in the country's economic development despite players' infringements of expected practices, there are even plans afoot to create a genuine advertising industry in Cameroon. It should be noted that the malfunctioning of a sector of activity does not generate revenue in the billions, but this is the case with advertising in Cameroon. This means that administrative tolerance is not synonymous with generosity. One might even be tempted to say that administrative tolerance is a panopticon in Bentham's sense (53 % of respondents, Table 3).

Applied to the context of this work, administrative tolerance is sometimes seen as a virtue of the State by some, sometimes as laxity by others (20% of the respondents). For several professionals interviewed, advertising in Cameroon has a chance of taking off if everyone does what he knows how to do. Surveillance with tolerance is therefore a flexible

process that does not allow the various players to be suspicious of anything. Hence, administrative tolerance allows those involved in regulating advertising in Cameroon to create a kind of power shift. Since, in reality, the tolerance seen as a laxity on the part of many is a flexible way of gaining leverage over offenders. Administrative tolerance locks the players into the cells of a symbolic prison without them realising it. The actors exchange part of their freedom by allowing themselves to be corrupted by a tolerance that is not really tolerance in reality (53 % of the respondents, Table 3). The Foucauldian vision [7, 8], of the panopticon is highly

visible here, as it allows us to grasp the prison that is administrative tolerance in the context of the world of advertising communication in Cameroon. Applied to the case of the behaviour of advertising actors in Cameroon, the aim is to show that their proximity to those who regulate the sector of activity is a showcase where the regulators control them on a daily basis. The first impression one might get is that they are subversives who defy the law by doing as they please in the world of advertising. In short, they are working for personal interests.

Table 3. Summary of respondents' opinions on administrative tolerance.

Explanatory facts of administrative tolerance	Scores of estimated facts linked to administrative tolerance		
	Good	Bad	Sometimes good and sometimes bad
Opinion of stakeholders on the law Score (%)	13	73	13
Existence of a relationship between law and business Score (%)	23	46	31
Reason of regulators' tolerance Score (%)	Understanding	Panoptic	Both understanding and panoptic
Justification for administrative tolerance in advertising Score (%)	Laxness	Personal interests	Both laxness and personal interests
	20	53	27

3.2.2. Actors' Strategies at the Heart of Administrative Tolerance

Administrative tolerance was previously presented as a panopticon [7]. In other words, it is a sort of prison that makes it possible to better monitor those who transgress the rules of advertising so that they do not commit the intolerable. The apparent generosity or understanding of the situation facing advertisers in Cameroon conceals the strategies of the players. Advertising regulators are worthy strategists. Before resorting to extreme sanctions, advertising regulators benefit from the largesse of those who break the rules based on the comments of some indiscreet people who sometimes do not belong to the profession. Relying on administrative tolerance, they monitor the advertising environment so that they can identify malpractices, particularly those that correspond to what the law proscribes. Although administrative tolerance is a panopticon, it allows monitoring players and punishing them if necessary. Not all those involved in advertising perform the profession in the same way.

In reality, some regulatory professionals do not necessarily make the choice to ensure that the rules are respected, but take action that enables them to be seen as protectors of morality in Cameroon, which is in the throes of serious disruption. In the first case, it is not only those involved in advertising who are aware of the offence. An earlier result of this work showed that latter feature occasionally generates conflict between private and public players.

The misunderstandings that the Law do not give the players free rein to govern, as they suggest. According to them, in order to understand the dynamics that occur in a formal system, the actors must be taken into account because they have their own stakes and objectives which are sometimes, and more often not different from those of the system itself. In fact, decisions of the various players are fuelled by a desire to live differently from what the

organisation or the advertising world suggests.

Although advertising professionals in Cameroon do not want to conform to the rules of the sector they well know, players still believe that the rules are a hindrance to their financial development. Even in an environment where the rules are well oiled, the players use their analysis of the environment to find the necessary means to get by. They act on the basis of their rationality to achieve their objectives. Therefore, they put in place stratagems that enable them to circumvent clearly established rules. The consideration of the 2006's Law as a bad one by 73% of them (Table 3) was in agreement with their constant desire to circumvent the Law. By drawing on very specific resources, the players set a strategy that corresponds to what they have identified as the issues, resources and constraints of the moment. Therefore, there are specific reasons for breaking the rules known by the control bodies.

The behaviour of the various players who make up the world of advertising communications in Cameroon can only be understood within a context of interdependence of the various players. It is difficult to say exactly how the various changes manifest themselves in the decisions of advertising regulators in Cameroon. The notion of player strategy as presented in the study is embarrassing enough. For the purposes of this research work, manoeuvres refer to the various actions taken by the different players who structure the advertising environment in order to get out of trouble [9-11].

Regulatory bodies which are conspicuous by their silence in the face of numerous breaches of the rules cannot be spared. Depending on the actions taken in the field, each organisation involved in the advertising in Cameroon forms a precise image in the eyes of the other players. At this level, it is a question of the perspectives that each player involved in the advertising in country generally sets for itself with the

aim of improving its image or consolidating the gains made thanks to past actions. These interrelated actions are expressed globally in the form of a strategic approach devised by each of the players observed in the field.

The players involved in these reflections do not always ask themselves what the manoeuvres that will be put in place will bring to the Cameroonian advertising community. In understanding so-called illicit actions in advertising, it must not be forgotten that the aim of managing an organisation is to make the best use of the resources at its disposal. Overall, the strategy put in place by advertising professionals in Cameroon enables them to deal with activities that are sometimes difficult to programme. Every time something changes, the players try to take this into account. Firstly, the strategic planning implemented by each organisation is presented as a communication choice. It is as if they have devoted areas of strategic activity.

For their part, advertising regulators show capability of reading the environment and understanding the strategies devised by the various players. Such an attitude makes it possible to place the behaviour of the regulators in the theory of the strategic actor [4, 5]. Ignorance of the aims of tolerance leads players to think that they are in a mess where everyone can develop as many strategies as he likes. Industry players accept that they are members of the advertising universe organisation and allow themselves to be influenced by it only if it enables them to achieve their personal objectives.

4. Conclusion

The aim of this work was to propose a hermeneutic of administrative tolerance in the advertising sector in Cameroon. The study showed that each player in the advertising sector takes action in order to solve his or her immediate personal problems. The proposals made are close to individual difficulties, even if the group takes a hit. Despite this, the regulator remains silent because he himself has an interest in this apparently negative situation. He only reacts when the transgression does not benefit him. So, there is no tolerance in the strict sense of the term, because reactions can vary. Statistics show that 73% of respondents believe that not only is regulator lax but that each player pursues their personal interest. Calculated administrative tolerance is the model proposed to explain the situation faced by the advertising sector in Cameroon. It is suggested that the

regulation be tailored to the context and be strictly applied by all the stakeholders involved.

References

- [1] Atenga, T. and Madiba, G., (2014). 4^{ème} de couverture de l'ouvrage la publicité au Cameroun: les marchés, les discours, les tendances, [advertising in Cameroon markets, discourses, trends], PAF.
- [2] Becker, D., Groninger, K. and Luzar, C. (S. D), Analyse psychosociale des conflits [Psychosocial conflicts analysis], Action de Carême.
- [3] Becker, H. (2002). Les ficelles du métier. Comment conduire sa recherche en sciences sociales, [The tricks of the trade]. How to conduct social science research Paris, La Découverte.
- [4] Crozier, M. and Friedberg, E. (1977). L'acteur et le système, [The actor and the system] Paris, Seuil.
- [5] Enanguè, A. (2010). La réglementation de la publicité au Cameroun: cas des régies publicitaires, [Advertising regulation in Cameroon: the case of advertising agencies], Master's thesis, Douala, University of Douala.
- [6] Enanguè, A. (2020). La régulation de la publicité: contribution à l'analyse communicationnelle de la tolérance administrative en contexte camerounais. [The regulation of advertising: contribution to the communication analysis of administrative tolerance in the Cameroonian context]. PhD/thesis University of Douala.
- [7] Foucault, M. (1975). Surveiller et punir [Supervision and punishment] Paris, Gallimard.
- [8] Garfinkel, H. (2001). L'ethnométhodologie - une étude radicale, [Ethnomethodology - a radical study] Paris, La Découverte.
- [9] Grabias, F. (2013). Contribution à une définition de la notion de tolérance administrative [Contribution to the definition of the notion of administrative tolerance], in Bioy, X. Lavergne, B. and Sztulman, M. Tolérance et Droit, Toulouse, Presses Universitaires de Toulouse. Pp. 25-43.
- [10] Goffman, E. (1987). Façon de parler, [A way of speaking] Paris, Minuit.
- [11] Mourgeon, J. (1989). Tolérance et règle de droit [Tolerance and the rule of law]. Les cahiers du droit, 30 (4), 979 - 986. <https://doi.org/10.7202/042989ar>.
- [12] Rea, A. (2003). Politique d'immigration criminalisation ou tolérance? [Immigration Policy criminalisation or tolerance?] Actes Sud, la pensée de midi, 10, 111-125.

1 The lack of work on tolerance in Africa means that researchers are forced to read about studies carried out in Europe. This work attempts to give a point of view on the question based on observations made in Cameroon.

2 This is a kind of red cross marked by a government authority to indicate that something is illegal in a given area.