



# Constitutionalism and Legal Order in Beninese Transitions, 2012 Perspective

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## Abstract

Benin is a West African country where constitutionalism has been a cornerstone of governance since independence in . In recent years, Benin has experienced multiple political transitions, each with varying degrees of adherence to its constitution and the rule of law. The study employs a mixed-methods approach, combining quantitative data from official legal documents and qualitative insights gathered through interviews with legal experts and judicial officials. A thematic analysis was conducted on selected case studies to provide context-specific understanding of constitutional implementation. During the period under review, there were notable fluctuations in the stability of the legal order, with instances of both robust adherence to constitutional provisions and lapses in enforcement. Specific themes emerged regarding the impact of political pressures on judicial independence and the effectiveness of oversight mechanisms. The findings suggest that while Benin has made strides towards a more constitutional governance model, persistent challenges related to institutional integrity and compliance with constitutionality remain significant barriers to achieving full legal order. To enhance the robustness of the legal framework in future transitions, it is recommended that Benin strengthens its oversight mechanisms, ensures judicial independence, and fosters greater public awareness and participation in constitutional governance processes.

**Keywords:** *African geopolitics, constitutionalism, legal positivism, rule of law, decentralization, federalism, jurisprudence*

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