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Citations:

Bluebook 20th ed.
English translation of the French original text for the Constitution of 1964 151
(1964) Title I: The State and Sovereignty

ALWD 6th ed.

Chicago 7th ed.
, "Title I: The State and Sovereignty," Constitution of Dahomey : 151-152

McGill Guide 9th ed.
, "Title I: The State and Sovereignty" 151.

MLA 8th ed.
"Title I: The State and Sovereignty." Constitution of Dahomey, , , p. 151-152.
HeinOnline.

OSCOLA 4th ed.
, 'Title I: The State and Sovereignty' 151

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CONSTITUTION of DAHOMEY¹

January 11, 1964

PREAMBLE

The people of Dahomey, on the morrow of the Revolution of October 28, 1963, reaffirm their fundamental opposition to any regime based on arbitrary and personal power.

They solemnly proclaim their attachment to the principles of democracy and the rights of man as defined in the Declaration of the Rights of Man and the Citizen of 1789, in the Universal Declaration of 1948, and as they are guaranteed by this Constitution.

They affirm their desire to co-operate in peace and friendship with all of the peoples who share their ideal of liberty, justice, human solidarity, on the basis of the principles of equality, of mutual interest and mutual respect for national sovereignty and territorial integrity.

They proclaim their attachment to the cause of African unity and undertake to do everything in their power to achieve this.

TITLE I

THE STATE AND SOVEREIGNTY

Art. 1. The State of Dahomey is an independent and sovereign republic.

The national emblem is the tricolor flag: starting from the staff, one green stripe across the top of the flag and covering two fifths of its height, two equal horizontal stripes, the upper one yellow and the lower one red.

The seal and armorial bearings of the State shall be determined by law.

The national anthem of the Republic is "*L'Aube Nouvelle.*"

The motto of the Republic is "fraternity, justice, work."

The official language is French.

¹ Ordinance No. 8 G.P.R.D./S.G.G., Supplied by Ministry of Foreign Affairs. Translated by the Editor.

Art. 2. The Republic of Dahomey is one and indivisible, secular, democratic and social.

Its principle is government of the people, by the people and for the people.

Art. 3. National sovereignty belongs to the people.

No section of the people, no community, nor any individual may usurp this right.

Art. 4. The people shall exercise its sovereignty through its elected representatives and by means of referendum. The conditions for recourse to referendum shall be established by law.

The Supreme Court shall supervise the regularity of referendum operations and shall proclaim their results.

Art. 5. Suffrage shall be universal, equal and secret.

All Dahomean nationals of both sexes who have reached their majority and who enjoy civil and political rights may vote under the conditions to be determined by law.

Art. 6. Political parties and groups shall be instrumental in the expression of the suffrage. They shall be formed freely and they shall carry on their activities freely on condition that they respect the laws of the Republic, the principles of democracy, of national sovereignty and of territorial integrity.

TITLE II

THE RIGHTS AND DUTIES OF THE CITIZEN

Art. 7. The Republic of Dahomey guarantees the fundamental liberties. It guarantees freedom of speech, press, assembly, association, procession and manifestation under conditions determined by law.

Art. 8. The Republic of Dahomey recognizes that all citizens have the right to work and shall attempt to create the conditions to make this right effective.

Art. 9. The freedom of the worker to form unions and to strike is recognized. This right shall be exercised under conditions stipulated by law.

Art. 10. No one may be arbitrarily detained.

All accused persons shall be presumed innocent until their guilt has been proved as the result of a procedure providing the guarantees indispensable to their defence. The judicial authority, guardian of individual liberty, shall ensure respect for this principle under the conditions stipulated by law.

Art. 11. The domicile is inviolable.

Art. 12. The law guarantees secrecy of correspondence.

Art. 13. The Republic ensures equality before the law to everyone

without distinction of origin, race, sex, religion or political affiliation. It respects all beliefs.

All particularist propaganda of a racial, regional or ethnic character, as well as any manifestation of racial discrimination shall be punished by law.

Art. 14. The defence of the nation and of the territorial integrity is a sacred duty for every Dahomean citizen.

TITLE III

THE PRESIDENT OF THE REPUBLIC

Art. 15. The President of the Republic shall be the Head of State. He shall uphold respect for the Constitution. He shall ensure, by his arbitration, the regular functioning of the governmental authorities, as well as the continuance of the State.

He shall be the guarantor of national independence, of the integrity of the territory, and of respect for international treaties and agreements.

Art. 16. The President of the Republic shall be assisted by a Vice-President of the Republic, Head of the Government.

The President and Vice-President of the Republic shall be elected for five years by direct universal suffrage. They shall be eligible for reelection.

The election shall be by a majority vote on the first ballot. The voters shall be summoned by decree taken in the Council of Ministers.

The election shall take place on the same day as that fixed for the general elections.

At the end of the terms of the President of the Republic, of the Vice-President of the Republic and of the members of the National Assembly, a provisional government of five members shall be instituted with the task of preparing new elections within thirty days from the end of these terms.

This provisional government shall be composed of the President of the Supreme Court, as President of the provisional government, and of four persons appointed by him under the conditions to be determined by an organic law.

A law shall determine the conditions of eligibility and ineligibility for for filing of candidacies, the conduct of elections, counting of votes and proclaiming the results. The Supreme Court shall supervise the regularity of these operations.

Art. 17. In the event that the Presidency of the Republic has been vacated, for any cause whatsoever, or impeded in its functioning, as officially noted by the Supreme Court, to which the matter has been referred by the Government and which shall rule by an absolute majority of its members, the functions of the President of the Republic shall be tempo-

rarily exercised by the Vice-President or, if the latter is also impeded from exercising his functions, by the President of the National Assembly.

In the event that the Presidency has been vacated by death or resignation, or when the impediment is declared definitive by the Supreme Court, the election of a new President of the Republic shall take place twenty days at the least and fifty days at the most after the beginning of the vacancy or the declaration of the definitive character of the impediment.

Art. 18. The functions of President and Vice-President of the Republic shall be incompatible with the exercise of any parliamentary mandate, of any public employment and of any professional activity.

Art. 19. During their term of office the President, the Vice-President of the Republic and the members of the Government may not, either themselves or through intermediaries, buy or lease anything that falls within the domain of the State without prior authorization by the Chamber of Accounts under conditions stipulated by law. They may not take part in sales of supplies nor in adjudications relating to administrations or institutions dependent on or controlled by the State.

Art. 20. The President of the Republic shall take the oath before the National Assembly before taking office.

Art. 21. The President of the Republic shall preside over the Council of Ministers and shall cause to be prepared and preserved a record of meetings.

Art. 22. The President of the Republic shall promulgate the laws within fifteen days following their transmission to him by the President of the National Assembly. This time limit may be reduced to five days in cases of emergency so declared by the National Assembly.

He may, before the expiration of this time limit, ask in the Council of Ministers for a second reading of the law or of certain of its articles by the National Assembly. This second reading may not be refused.

He may also, within the same time limit and in the Council of Ministers, ask that the second reading not take place before the next ordinary session following the one at which the text was adopted in first reading. This may not be refused.

The vote on the second reading shall be by a majority of two thirds of the members of the National Assembly.

Art. 23. The President of the Republic after agreement with the Head of the Government and with the Secretariat of the National Assembly, may submit to referendum any text which seems to him to require direct consultation with the people.

When the referendum has resulted in the adoption of the bill, the President of the Republic shall promulgate it within the time limits provided in the preceding article.

Art. 24. The President of the Republic shall accredit Ambassadors and

Envoys Extraordinary to foreign powers; foreign Ambassadors and Envoys Extraordinary shall be accredited to him.

Art. 25. The President of the Republic shall appoint in the Council of Ministers the following: the Grand Chancellor of the National Order, the members of the Supreme Court, Ambassadors, Envoys Extraordinary, judges, general officers and higher officers, and high officials the list of which shall be drawn up by an organic law.

Art. 26. The President of the Republic shall be the Supreme Head of the armed forces.

He shall appoint in the Council of Ministers the members of the High Council of Defence and shall preside over meetings of that Council.

The composition, organization and functioning of the High Council of Defence shall be determined by law.

Art. 27. When the institutions of the Republic, the independence of the Nation, the integrity of its territory or the fulfilment of its international commitments are threatened by a clear and present danger, and when the regular functioning of the constitutional governmental authorities is interrupted, the President of the Republic shall take the exceptional measures commanded by the circumstances in the Council of Ministers and with the agreement of the National Assembly convened in extraordinary session. The measures which are taken must be inspired by the desire to ensure to the constitutional governmental authorities the means to fulfil their tasks within the least possible delay. In such circumstances he shall have sole control over the armed forces.

He shall inform the Nation of these measures in a message.

Under no circumstances may he call upon foreign armed forces to intervene in a domestic conflict.

Art. 28. The President of the Republic has the right of pardon. He shall exercise this right in accordance with the conditions provided in Article 82.

Art. 29. The President of the Republic shall communicate with the National Assembly by messages drawn up in the Council of Ministers, which he shall have read and which shall not be followed by any debate. He may address the people under the same conditions.

Art. 30. The acts of the President of the Republic, other than those provided in Articles 24, 26, and 28, shall be countersigned by the President of the Council and, where circumstances so require, by the Ministers responsible for their implementation. The State Seal shall be affixed to the end of the original of such acts.

TITLE IV
THE GOVERNMENT

Art. 31. The Vice-President of the Republic shall be the Head of the Government. In this capacity he shall bear the title of President of the Council.

Art. 32. The President of the Council shall determine and conduct the policy of the Nation.

Art. 33. The President of the Council shall choose the members of his cabinet, the Ministers and Secretaries of State, from within or without the National Assembly. Their number may under no circumstances exceed ten.

He shall present them to the President of the Republic who shall appoint them by decree. He shall terminate their functions under the same conditions.

Art. 34. At the beginning of each legislature, the President of the Council shall present to the National Assembly the Government's general political program and shall inform them of the composition of his Cabinet.

Art. 35. In the event that the Presidency of the Council has been vacated by death, resignation, or for any other reason, the functions of the President of the Council shall be temporarily exercised by the President of the National Assembly. The new Vice-President, Head of the Government, shall be elected within thirty days after the beginning of the vacancy.

Art. 36. The functions of member of the Government shall be incompatible with the exercise of a parliamentary mandate, of any activity of professional representation of a national character, or of any public employment or professional activity.

The replacement of members of Parliament appointed to ministerial duties shall take place in accordance with the provisions of Article 44.

Art. 37. The President of the Council and the Ministers, before taking office, shall take an oath before the National Assembly.

Art. 38. The President of the Council shall direct the action of the Government. He shall preside over meetings of the Cabinet and shall co-ordinate the activities of the different ministers.

He shall be responsible for the national defense.

He shall ensure the execution of laws and decisions of the courts.

He shall exercise the regulatory power and make appointments to civil and military posts other than those provided in Article 25.

He shall have control of the police, the constabulary, and shall ensure the maintenance of order and security.

He shall ensure the general direction of the governmental services.

He shall have the right to initiate legislation, together with the members of the National Assembly.

Bills shall be considered in the Council of Ministers after taking the advice of the Supreme Court.

Art. 39. The President of the Council may delegate certain of his powers to the ministers.

Art. 40. The Council of Ministers must consider:

- decisions which determine the general policy of the Republic;
- bills;
- ordinances and regulatory decrees;
- appointments to the higher offices of the State listed in Article 25.

Art. 41. The acts of the President of the Council shall be countersigned, when circumstances so require, by the ministers responsible for their execution.

Art. 42. A law shall determine the responsibilities of ministers in civil, financial and criminal matters.

TITLE V

THE LEGISLATIVE POWER

I. The National Assembly

Art. 43. Parliament shall comprise a single assembly, called the National Assembly, whose members shall bear the title of deputies.

Art. 44. Deputies to the National Assembly shall be elected by universal direct suffrage.

The term of the legislature shall be for five years.

A law shall determine the number of members of the National Assembly, the conditions of eligibility and ineligibility, the offices incompatible with membership in the Assembly, the system of the elections, and the conditions for the filling of empty seats.

In case of dispute, the Supreme Court shall rule on the eligibility of candidates.

Art. 45. The National Assembly shall rule finally on the validity of the election of its members.

The National Assembly shall draw up its rules of procedure.

Art. 46. The President of the National Assembly shall be elected for the duration of the legislature. The other members of the secretariat of the National Assembly shall be reelected at the beginning of each ordinary session.

Art. 47. In the event that the Presidency of the National Assembly has been vacated by death, resignation or for any other reason, the Assembly shall elect a new President within fifteen days after the beginning of the vacancy, if it is in session; otherwise it shall meet automatically.

Art. 48. The President of the National Assembly shall be required to furnish to the National Assembly any explanations requested on his administration or on his actions.

The method of information and supervision shall be the written question.

In the case of a written question, the National Assembly may appoint a commission of inquiry charged with drawing up a circumstantial report.

On the basis of this report, the National Assembly may, by a majority of two thirds of its members, require the resignation of the President of the National Assembly. In such a case, the President of the Assembly shall be automatically dismissed from his functions.

The National Assembly shall proceed within a time limit of eight days to the election of a new President.

Art. 49. Meetings of the National Assembly shall be public.

An *in extenso* report of the debates shall be published in the *Journal Officiel*.

At the request of the President of the Council or of one third of the deputies, the Assembly may sit in secret committee.

Art. 50. Each year the National Assembly shall meet by right in two ordinary sessions.

The first session shall open on the last Wednesday of April and its duration may not exceed three months.

The second session shall begin on the first Wednesday of October and shall end on the third Friday of December.

Art. 51. The National Assembly shall be convened in extraordinary session by its President to consider a specific agenda at the request of the President of the Council or of an absolute majority of deputies.

Extraordinary sessions shall be opened and closed by a decree of the President of the Republic taken in the Council of Ministers.

The duration of each extraordinary session may not exceed fifteen days. Extraordinary sessions shall be closed by decree of the President of the Republic as soon as their agenda has been exhausted.

Art. 52. Each deputy shall represent the entire nation. All binding instructions on deputies shall be null and void.

Art. 53. The right to vote of deputies shall be personal. However, the delegation of a vote may be permitted when a deputy is absent because of illness, to carry out an order or mission given him by the Government or the Assembly, to fulfil his military obligations, or for any other reason which the Assembly recognizes as valid.

No member may receive the delegation of more than one vote.

Art. 54. No delegate may be prosecuted, sought, arrested, detained or tried as the result of opinions or votes expressed by him in the exercise of his obligations.

Art. 55. No deputy may, during sessions, be prosecuted or arrested for criminal or minor offenses without the authorization of the National

Assembly except in *flagrante delicto*. When the National Assembly is not in session, no deputy may be arrested without the authorization of the Secretariat of the Assembly, except in *flagrante delicto*, cases of authorized prosecution or of final conviction.

Art. 56. Deputies shall receive an emolument the amount of which shall be fixed by law.

II. Relations between the Assembly and the Government

Art. 57. The President of the Council shall be kept informed of the agenda of meetings of the National Assembly and its commissions.

Art. 58. Members of the Government shall have access to meetings of the National Assembly. They shall be heard at the request of the Commissions. They may be assisted by Government Commissioners.

Art. 59. The National Assembly shall pass the laws and vote taxation.

Art. 60. Laws shall be passed by the National Assembly by a simple majority. Laws, however, which this Constitution characterizes as organic laws, shall be passed and amended under the following conditions:

- bills shall be submitted to deliberation and vote by the National Assembly only at the end of a period of fifteen days following filing with the Secretariat of the Assembly;
- the text may be adopted only by an absolute majority of the members of the Assembly;
- organic laws may not be promulgated until the Supreme Court has declared that they conform to the Constitution.

Art. 61. Laws shall establish the regulations concerning:

- citizenship, civil rights and the fundamental guarantees granted to the citizens for the exercise of their public liberties, the obligations imposed by the national defense upon the persons and property and citizens;
- nationality, status and legal capacity of persons, marriage contracts, inheritance and gifts;
- the procedure by which customs shall be recorded and harmonized with the fundamental principles of the Constitution;
- determination of crimes and misdemeanors as well as the penalties imposed therefor, criminal procedure, amnesty;
- the organization of all juridical systems and the procedure to be followed before them, the creation of new juridical systems, the status of magistrates, of ministerial officers and of assistants of the judiciary;
- the basis, the rate and the methods of collecting taxes of all types;
- the issuance of currency;
- the electoral system for the National Assembly and the local assemblies;
- the establishment of categories of public institutions;

- the general statute for public office;
- the general organization of the administration;
- martial law and siege law.

Laws shall determine the fundamental principles of:

- the general organization of national defense;
- the free administration of local communities, the extent of their jurisdiction and their resources;
- education;
- property rights, civil and commercial obligations;
- legislation pertaining to employment, unions and social security;
- transfers to and the administration of the state domain;
- benefit societies and savings;
- the organization of production;
- the system of transportation and telecommunications;
- the prison system.

Art. 62. The financial laws shall determine the financial resources and obligations of the State. Regulations shall control the implementation of the financial laws subject to the subsequent audit of the Nation's accounts by the Supreme Court.

Laws pertaining to national planning shall determine the objectives of the economic and social action of the State.

Art. 63. Matters other than those that fall within the domain of law shall be of a regulatory character.

Legislative texts concerning these matters drawn up before the entry into force of this Constitution may be modified by decrees issued after consultation with the Supreme Court.

Art. 64. The National Assembly shall authorize the declaration of war.

Martial law shall be decreed in a meeting of the Council of Ministers. The National Assembly shall meet automatically if it is not already in session.

Prorogation of martial law beyond fifteen days may be authorized only by the National Assembly.

If the National Assembly has not been called upon for its opinion in accordance with paragraph 2 above, no state of martial law may be decreed without its authorization within 60 days following the entry into force of a preceding state of martial law.

Art. 65. The Government may, in order to carry out its program, ask the National Assembly to authorize it, for a limited period, to take through ordinances measures that are normally within the domain of law.

The ordinances shall be enacted in meetings of the Council of Ministers after consultation with the Supreme Court. They shall come into force upon their publication, but shall become null and void if the bill for their ratification is not submitted to Parliament before the date set by the enabling act.

At the expiration of the time limit referred to in the first paragraph

of the present article, the ordinances may be modified only by law in those matters which are within the legislative domain.

Art. 66. Deputies shall have the right of amendment.

Art. 67. Bills and amendments which do not fall within the domain of law shall be inadmissible. Inadmissibility shall be decided by the President of the National Assembly.

In case of dispute, the Supreme Court, at the request of the Government or of the President of the National Assembly, shall rule within a time limit of eight days.

Art. 68. Bills and amendments introduced by deputies shall not be considered when their adoption would have as a consequence either a diminution of public financial resources, or the creation or increase of public expenditures, unless they are accompanied by proposals for increased receipts or economies to the equivalent amount.

Art. 69. Government or Parliamentary bills shall be sent for study, before examination in plenary session, to the appropriate commission of the National Assembly.

The draft budget of the National Assembly may not be examined, either in commission or in plenary session, without having first been submitted to the secretariat of the Assembly.

Art. 70. The discussion of Government bills shall pertain to the text presented by the commission. The latter, at the request of the Government, shall inform the National Assembly of the points of disagreement with the Government.

Art. 71. The National Assembly shall pass finance bills under the conditions to be stipulated by law.

The finance bill shall be filed with the National Assembly at the beginning of the October session. The finance bill must provide the revenues necessary entirely to cover expenditure.

Art. 72. The National Assembly shall pass the budget in balance.

Should the National Assembly fail to reach a decision within a time limit of seventy days after the bill has been filed, the provisions of the bill may be enforced by ordinance.

The Government shall inform the National Assembly convened in extraordinary session, for ratification, within a time limit of fifteen days.

If the National Assembly does not pass the budget by the end of this extraordinary session, the budget shall be definitively established by ordinance.

Art. 73. Should the finance bill not be filed in time for it to be promulgated before the beginning of the fiscal year, the President of the Council shall immediately request the National Assembly for the authorization to continue the budget of the preceding year by provisional monthly credits.

Art. 74. The National Assembly shall regulate the accounts of the

Nation in accordance with the methods provided in the finance law.

It shall be assisted for this purpose by the Chamber of Accounts which shall be charged with all inquiries and studies relating to the execution of public revenues and expenditures, or to the administration of the national treasury, of the territorial units, of the administrations or institutions dependent on the State or under to its control.

Art. 75. The President of the Council shall be obliged to furnish the National Assembly with any explanations requested concerning his administration or his actions.

The National Assembly's means of information and control over the action of the government shall be:

- written questions;
- oral questions with or without debate;
- commissions of inquiry.

These methods shall be exercised under conditions to be stipulated by an organic law.

Art. 76. In the case of oral questions followed by debate, the National Assembly may pass a resolution by a majority of two thirds of its members.

The Government shall be obliged to consider a resolution passed under these conditions.

If such a resolution is not implemented by the Government, the National Assembly may call upon the arbitration of the President of the Republic.

In case of defeat, the President of the Republic shall inform the people by means of referendum.

TITLE VI

THE JUDICIAL POWER

I. Judicial authority

Art. 77. The judicial authority shall be independent of the executive and the legislative powers.

Art. 78. Justice shall be rendered over the territory of the State in the name of the people.

Judges, in the exercise of their functions, shall be subject only to the authority of the law.

Art. 79. The President of the Republic shall be the guarantor of the independence of the judges.

He shall be assisted by the High Council of the Judiciary.

Art. 80. The High Council of the Judiciary shall be the disciplinary jurisdiction for judges.

The composition, organization and functioning of the High Council of the Judiciary shall be established by law.

Art. 81. Judges shall be appointed by the President of the Republic on the proposal of the Minister of Justice with the advice of the High Council of the Judiciary.

Judges may not be removed from office.

Art. 82. The High Council of the Judiciary shall study cases of pardon and transmit their advice to the President of the Republic.

II. The Supreme Court

Art. 83. The Supreme Court shall be the highest authority of the State in constitutional, administrative and judicial matters and in the accounts of the State.

There shall be no appeal from decisions of the Supreme Court.

They shall be binding upon the governmental authorities, upon all jurisdictions and upon all administrative and judicial authorities.

No provision which has been declared to be unconstitutional may be promulgated or implemented.

Art. 84. The Supreme Court shall give its opinion at the request of the Head of State on the constitutionality of laws before their promulgation.

It shall be consulted by the Government on all bills, decrees and regulatory acts and, more generally, on all administrative and judicial matters.

It may finally, upon the request of the Head of State or of the Government, be entrusted with the drawing up and codification of all legislative and regulatory texts prior to their examination by the National Assembly.

Art. 85. The Supreme Court shall include four Chambers:

- the Constitutional Chamber;
- the Administrative Chamber;
- the Judicial Chamber;
- the Accounts Chamber.

A law shall stipulate the composition, organization, powers and functioning of the Supreme Court.

Art. 86. The President of the Supreme Court shall be appointed for six years by the President of the Republic.

The functions of President of the Supreme Court shall be incompatible with the exercise of any parliamentary mandate, of any public employment, of any professional activity and of any high office of national representation.

Art. 87. The Presidents of the Chambers and the Counselors shall be appointed by the President of the Republic on the proposal of the President of the Supreme Court. They may not be removed from office. A law shall determine the statute of the magistrates of the Supreme Court.

III. The High Court of Justice

Art. 88. A High Court of Justice shall be instituted.

It shall be composed of deputies elected by the National Assembly from among its members after each general election. It shall elect its President from among its members.

A law shall determine the number of its members, its rules and also the procedure to be followed before it.

Art. 89. The President of the Republic and the Vice-President shall not be held accountable for actions performed in the exercise of their office nor indicted before the High Court except in the case of high treason. High treason and the sanctions applicable thereto shall be defined by law.

Art. 90. The High Court shall be competent to try members of the Government for actions deemed to be crimes or misdemeanors, performed in the exercise of their office, as well as to try their accomplices in cases of plots against the security of the State.

Art. 91. The High Court shall be bound by the definition of crimes and misdemeanors as well as by the determination of penalties, as they are established by the criminal laws in force when the acts are committed.

The indictment of the President of the Republic and the members of the Government shall be voted by open ballot and a majority of two thirds of the deputies of the National Assembly.

TITLE VII

TREATIES AND INTERNATIONAL AGREEMENTS

Art. 92. The President of the Republic shall negotiate and ratify treaties and international agreements.

Art. 93. Peace treaties, treaties or agreements relative to international organization, those that modify the internal laws of the State may be ratified only by a law.

Art. 94. If the Supreme Court, the matter having been referred to it by the President of the Republic or by the President of the National Assembly, shall declare that an international commitment contains a clause contrary to the Constitution, the authorization to ratify this commitment may be given only after amendment of the Constitution.

Art. 95. The Republic of Dahomey may conclude agreements of association with other States.

It agrees to create with other States, inter-governmental organizations of common administration, co-ordination and free co-operation.

Such organizations may have as objectives in particular:

- harmonization of monetary, economic and financial policy;

- establishment of customs unions;
- creation of joint funds;
- harmonization of development plans;
- harmonization of foreign policy;
- common measures suitable for national defense;
- co-operation in judicial matters;
- co-operation in teaching and public health;
- harmonization of the rules relating to the statute of the public service and the right to work;
- co-ordination of transportation, communications and telecommunications;
- harmonization and use of information media.

TITLE VIII

THE CHAMBER OF REFLECTION

Art. 97. The Chamber of Reflection, a consultative organ, when matters are referred to it by the President of the Republic or the Head of the Government, shall give its opinion on governmental or parliamentary bills, ordinances or decrees of a political, economic or social character.

Any plan or any bill dealing with a plan of an economic or social character shall be submitted to it for its advice. Its advice must be given within a time limit of eight days.

It may on its own initiative, draw the attention of the Government to reforms of a general economic or social character that appear to it in the general interest.

The Chamber of Reflection shall comprise two sections:

- the political section entitled "Council of Elders";
- the economic and social section.

The composition of the Chamber of Reflection and its rules shall be stipulated by an organic law.

TITLE IX

TERRITORIAL UNITS

Art. 98. The territorial units shall be the communes and the departments. Other territorial units may be created by law. These units shall be free to govern themselves through elected councils and under the conditions stipulated by law.

TITLE X
AMENDMENT

Art. 99. The right to initiate amendment of the Constitution shall belong to the President of the Republic after a decision taken in the Council of Ministers, and to members of the National Assembly.

A bill of amendment must be voted by a majority of three fourths of the members of the National Assembly before it can be considered.

No amendment shall be accepted until it has been approved by referendum, unless the bill in question has been approved by a majority of four fifths of the members of the Assembly.

No procedure of amendment may be undertaken or pursued when it threatens the integrity of the territory.

The republican form of Government may not be the subject of amendment.

TITLE XI
GENERAL AND TRANSITIONAL PROVISIONS

Art. 100. This Constitution shall be submitted to referendum.

Art. 101. The powers assigned by this Constitution to the Supreme Court shall be provisionally exercised by the Supreme Tribunal of the State.

Art. 102. The provisions necessary to the application of this Constitution shall be passed as laws by the Assembly.

The President and the Vice-President of the Republic shall enter into office and the National Assembly shall meet, at the latest, on January 25, 1964.

The provisional Government of the Republic shall continue to exercise its functions until installation of the new authorities and institutions.

Legislation presently in force in Dahomey shall continue to be applicable except where new texts intervene, insofar as it is not contrary to this Constitution.

Art. 103. This ordinance shall be executed as the Constitution of the Republic of Dahomey.

Done at Cotonou, 19 December 1963