

## Local Philanthropic Associations and Organizations in the Republic of Benin: A socio-history

Les associations et organisations philanthropiques locales en République du Bénin : Une socio-histoire.

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## ABSTRACT

Since July 2025, the Republic of Benin has become one of the few French-speaking West African countries with a real legal framework for philanthropic associations, organizations and foundations. This new legal framework, whose provisions have given rise to various comments and varied interpretations, is the result of a long process of maturation of civil society organizations. This article examines, therefore, the conditions for the emergence of philanthropic organizations and major challenges related to their vitality in the Republic of Benin. It is a study mainly based on a qualitative perspective. Data from the documentary study, field observation and interviews have been exploited in a socio-historical perspective. The study reveals that the flourishing of local associations and philanthropic organizations dates to the 1990s in a critical socio-political context in the Republic of Benin. They benefit from support of the Beninese Government and the Maison de la Société Civile. Thus, the vitality and the credibility of those philanthropic associations and organizations depend on important challenges: the judicious application of the new legal framework to promote the freedom of association and citizen participation, the professional occupation of public space by these associations and organizations, their circumspection related to certain funds.

**KEYWORDS:** Philanthropic organizations, Civil Society, Sociohistory, The Republic of Benin.

## **RÉSUMÉ**

Depuis juillet 2025, la République du Bénin est devenue l'un des rares pays francophones d'Afrique de l'Ouest à disposer d'un véritable cadre légal pour les associations, organisations et fondations philanthropiques. Ce nouveau cadre légal, dont les dispositions ont donné lieu à divers commentaires et interprétations variées, est le résultat d'un long processus de maturation des organisations de la société civile. Cet article examine donc les conditions d'émergence des associations, des organisations philanthropiques et les principaux défis liés à leur vitalité en République du Bénin. Il s'agit d'une étude principalement basée sur une perspective qualitative. Les données issues de l'étude documentaire, de l'observation sur le terrain et des entretiens ont été exploitées dans une perspective socio-historique. L'étude révèle que l'essor des associations et organisations philanthropiques locales remonte aux années 1990, dans un contexte sociopolitique critique en République du Bénin. D'une part, elles bénéficient du soutien de l'État béninois et de la Maison de la Société Civile, de l'autre. Ainsi, la vitalité et la crédibilité de ces associations et organisations philanthropiques dépendent d'enjeux importants : l'application judicieuse du nouveau cadre légal visant à promouvoir la liberté d'association et la participation citoyenne, l'occupation professionnelle de l'espace public par ces associations et organisations, leur circonspection vis-à-vis de certaines sources de financements.

**MOTS-CLÉS:** Organisations philanthropiques, Société Civile, Sociohistoire, République du Bénin.

## Introduction

The question of the existence of a suitable legal framework related to philanthropy in Africa has been the subject of discussion and debate at international conferences<sup>1</sup>. In many French-speaking West African Countries, there is no specific legislation for philanthropic foundations<sup>2</sup>. But, since July 2025, the Republic of Benin has become one of the few French-speaking West African countries with a real legal framework for philanthropic associations, organizations and foundations. This new legal framework, whose provisions have given rise to various comments and varied interpretations, is the result of a long process of maturation of civil society organizations. And the Republic of Benin is, *volens volens*, cited as an example of the democratic countries in French-speaking West Africa since the Historic National Conference in February 1990, marked, among other things, by the freedom of association. That was decreed in a socio-political context marked by the negative consequences of successive structural adjustment programmes and led to a flourishing of multifaceted associations and non-profit organizations. These organizations, labeled “Civil Society Organizations”, have evolved over time despite the enormous challenges they are facing. This article therefore treats of the local philanthropic associations and organizations in the Republic of Benin since 1990, in a socio-historical perspective. In this sense, the analysis is structured in five sections. The first is a short presentation of the methodology. The second section briefly describes the conditions for the emergence of local philanthropic associations and organizations in the Republic of Benin. The third section reports on the dynamics of the types of associations and organizations selected as components of “Civil Society” in Benin. The fourth section specifies, at given periods, the numerical evolution of these organizations registered and published in the Official Journal of the Country. In the fifth and final section, the main challenges faced by these associations and organizations are presented.

### 1. Methodology

#### 1.1.Data and Methods

This article is part of a chapter of my PhD research. This is a predominantly qualitative study, and the data collection process includes several instruments (Creswell, 2007; Schwandt & Cash, 2014) such as documentary analysis (Campenhoudt & Quivy, 2011), semi-structured interviews based on comprehensive interviews (Kaufmann, 2007), field observation (Copans, 2008;

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<sup>1</sup> Centre on African Philanthropy and Social Investment (CAPSI) (2019), *Annual Philanthropy Conference Report*, pp.16-17.

<sup>2</sup> Sy & Hathie (2013).

Groleau, 2003). The discursive data were recorded on a tape recorder, and the quality control of the recordings was always carried out (Patton, 2015). The recorded data were (re)transcribed via Google Docs Voice Input software, corrected and processed from a qualitative perspective by coding<sup>3</sup> (Allard-Poesi, 2003; Gagnon, 2012) and by continuous thematization<sup>4</sup>. We have therefore opted for two units of analysis: unity of meaning (Allard-Poesi, 2003)<sup>5</sup> and unity of behavior (Grawits, 2001).<sup>6</sup> Inductive and deductive reasoning are based on content analysis (Bardin, 1993) in general and thematic analysis (Paillé & Mucchielli, 2008)<sup>7</sup> in particular. Specifically related to this article, documentary analysis, interviewing and observation are methods used from a socio-historical perspective (Noiriel, 2006; Buton et al. 2009). Data were collected between 2014 and 2019.

### **1.2. Ethical Approval**

This research has been approved by the Research Ethics Committee of Université Laval under the number 2018-199/11-09-2018. So, it has been conducted in an ethical and responsible manner.

## **2. Emergence of local philanthropic associations and organizations in the Republic of Benin**

The effervescence of local philanthropic associations and organizations in the Republic of Benin dated to the periods of the Structural Adjustment Programs (SAPs) in the Country. The first SAP was adopted in Benin in 1989 (Savina & Boidin 1996). One of the objectives of this programme was "the reduction of subsidies, the privatisation of public enterprises, and cuts in the civil service." (Heilbrunn 1993: 281). Since then, the Beninese State had disengaged from social sectors such as health and education, by reducing the parts of the Budget allocated to

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<sup>3</sup> "Coding consists of dividing the data (direct observation, speech, texts, images) into units of analysis, defining the categories that will host them, and then placing (arranging or categorising) the units in these categories" (Allard-Poesi 2003: 246).

<sup>4</sup> *Opcit.* P. 166. This approach is characterised by the fact that "... the themes are identified and noted as the text is read, then grouped and merged as necessary, and finally hierarchised in the form of central themes grouping together associated, complementary, divergent themes, etc. »

<sup>5</sup> According to Allard-Poesi (2003: 256), a unit of meaning is "what the researcher identifies as a 'bearer of meaning', which can be placed in a category, and therefore can be coded."

<sup>6</sup> « ... the smallest identifiable segment of verbal or nonverbal conduct, which can be classified into any of the categories, during continuous observation. (Grawits 2001:783).

<sup>7</sup> According to Paillé and Mucchielli (2008: 162), thematic analysis consists of "... to systematically identify, group and, secondarily, discursive examination of the themes addressed in a corpus, whether it is an interview verbatim, an organisational document or observation notes. »

them. For example, the Beninese government's expenditure on health had risen from "5.71% in 1982 to 3.22% in 1992" (Savina & Boidin 1996: 860). In addition, the number of civil servants was reduced by 20%.<sup>8</sup> The negative effects<sup>9</sup> of this first SAP gave rise to strong social and political pressures (social crisis, paralysis of vital sectors of the State, etc.) which forced the regime of Mathieu Kérékou, a one-party regime at that time, to organize the Historic National Conference in Cotonou from 19 to 28 February 1990 (Amoussou-Yeye, 1999). This Sovereign National Conference marked the era of Democracy in the Republic of Benin. Besides, Benin experienced two other SAP (SAP II, SAP III), in 1992 and 1995. In short, the three consecutive SAPs<sup>10</sup> carried out in the Republic of Benin and the devaluation<sup>11</sup> of the CFA franc in 1994 (Dujardin et al. 2003) had real negative repercussions on many Beninese. It was evident that the public sphere cannot lonely solve social problems. In other words, "the development is no longer the sole mission of the State, it is everyone's business, especially since in a context where public authorities, due to a lack of resources or limited by the new global economic orthodoxy, can no longer or no longer want to intervene to support sectors that are costly but essential to any society, such as health and education." (Pirotte 2021: 195).

As a result, the resolution or the mitigation of the socio-economic consequences of the three SAPs led citizens to take community and local initiatives based on the logic of giving and sharing. It is in this context that the Beninese philanthropic sector has emerged. In the social and solidarity economy, such a reality reinforces the theory of a communicating vessel<sup>12</sup>. For instance, Caillé (2008: 350) writes that "there are associations because the market or the State do not know everything, do not know new needs, because there are asymmetries of information, viscosity, etc." Besides, Pirotte & Poncelet (2003: 6) have argued that the creation of the non-profit organizations in Benin "is part of the strategic arsenal of self-employment in the same way as integration into the informal economy, which has considerably developed as a result of the transition". It is important to remind that there were organizations or associations (contained

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<sup>8</sup> Dujardin, Dujardin & Hermans (2003:507).

<sup>9</sup> The implementation of the SAPs in Benin has nevertheless had positive effects at the macroeconomic level. For example, " *The growth rate of real GDP increased from -2.8% in 1989 to 5.6% in 1997* " (Senahoun 2001: 118). The author also demonstrates how these SAPs have aggravated food insecurity in the country.

<sup>10</sup> The AfDB (2003, p.vi) gives us the respective years of the three SAPs, which are as follows: PAS I (1989-1991), PAS II (1992-1994), PAS III (1995-1997).

<sup>11</sup> The devaluation of the CFA franc in 1994 "aggravated the decline in purchasing power by the significant increase in the cost of imported goods and services (electricity, water, transport)." (Dujardin et al. 2003: 507).

<sup>12</sup> Salamon, L.M. (1995). *Partners in public service: government-nonprofit relations in the modern welfare state*, Baltimore, Johns Hopkins University Press.

in 1974 by the Revolutionary Regime of Mathieu Kérékou) in Benin before the advent of the SAP and the Democratic Renewal of 1990. Indeed, Poncelet et al. (2006) have related that [Between] 1958 and 1973, several hundred associations of all kinds were: sports and cultural organizations, professional and mutual aid groups, parents' associations, charities, local development associations, etc. During the period that followed, under the mono-partisan regime of Kérékou, a very clear break occurred. A decree of May 1974 dissolved a dozen associations, accused of working against national solidarity and the revolution. (Poncelet et al. 2006:75).

The third sector has its operating principles that differ from the other two (State and Market). In this sense, Godbout (2000: 12) specifies that "the market is dominated by the principle of equivalence and the search for utility (or profit) in exchange; the State is dominated by the principle of authority and law and the search for equality and justice; The sphere of networks is dominated by the principle of gift/giving and debt. It includes the world of personal relationships and that of associations where the gift/giving between strangers dominates."<sup>13</sup>

Finally, the launch of the decentralisation process, which enshrined local, communal and municipal governance in 2003, has accelerated, in the sense of citizen participation, the flourishing of civil society organizations throughout Benin. In this perspective, "the authorities as well as the technical and financial partners quickly adopted and sought out manifestations of this participation at the municipal level, to encourage it via organized collective groups of the associative type" (Brouillet et al. 2021: 20). In short, it is not necessary to demonstrate the contributions of non-profit organizations in the development process at various levels in West Africa (WACSI, 2023) in general, and specifically in the Republic of Benin.

### **3. Components of Beninese civil society organizations**

Philanthropic associations and organizations are part of Civil Society Organizations<sup>14</sup> (CSOs). The definition of this concept is far from unanimous. Indeed, [The] adjective civil qualifies in its broadest sense that which relates to the citizen. In its more specific uses, it is defined by opposition: non-military, non-religious, but also non-political, non-governmental and non-administrative. Here again, it must be added: non-commercial (neither commercial, nor industrial, etc.). But civil society is not the social subset of civilians,

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<sup>13</sup> The author acknowledges, however, that all the principles are present in all three of these sectors, but that they play a different role and that their articulation differs.

<sup>14</sup> According to Pirotte (2007), "the notion of civil society can be used today to mean a place of protest or opposition, or even of social innovations. It may represent the opening of a democratic political system confronted with a crisis of representativeness. It can refer to political actors, economic agents, society at large, a class of development brokers (such as the new non-governmental organizations—NGOs—in the South, for example), employers' or trade unions' organizations, associative networks providing social capital, etc. (p.4).

it is the set of civil organizations or associations in the extended sense above. (Martin 2001: 289).

In the Republic of Benin, the components of Civil Society have evolved over time. In 2009<sup>15</sup>, for example, the Beninese civil society brought together seven (7) categories of actors: "Religious organizations, Non-Governmental Organizations (promotion of development and the rights and duties of citizens), Trade Unions, Media, Professional Organizations, Traditional Chieftaincy, Associations: Development Associations, Women's Associations, Youth Associations, etc." It is "composed of non-profit and non-political associations pursuing objectives of general interest. Its purpose is to defend and promote the interests of the population. Its mode of operation is based on democratic decision-making. It exercises self-governance functions at the local, national and international levels, independent of the State and the Market or political powers. <sup>16</sup> According to Chaniel (2001:274), "the civil society constitutes a sphere of interaction between the economy and the State and composed mainly of the intimate sphere (the family), the sphere of associations (more specifically voluntary associations), social movements, and forms of public communication."<sup>17</sup>

Over time, the ambiguous nature of the content of the concept of civil society in the Republic of Benin has been reviewed. Thus, the General Assembly<sup>18</sup> of RePaSOC (2018:2) program funded<sup>19</sup> by the European Union, has considered four (4) components. Indeed,

[Traditional] chiefdoms, religious organizations and the media may only be members of civil society in their associative form. Four (4) components were retained by the Estates General:

- Associations (youth, development, women's associations, traditional chiefdoms, religious denominations, media, etc.);
- NGO;
- Socio-professional organizations;
- Syndicates.

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<sup>15</sup> *Charter of Civil Society Organizations of Benin*, 2009, p. 2.

<sup>16</sup> Opacit.p.8.

<sup>17</sup> The same definition can be found on page 95 of the document *The Proceedings of the National Seminar on the Refocusing of the Concept of Civil Society in Benin* (2007), which gave rise to the CSO Charter in Benin (2009).

<sup>18</sup> The document adopted by all the actors who participated in this general assembly is called the "National Consensus of Beninese CSOs—Cotonou Consensus, 2018".

<sup>19</sup>[https://eeas.europa.eu/delegations/benin/61452/remise-de-ch%C3%A8ques-aux-organisations-de-la-soci%C3%A9t%C3%A9-civile-b%C3%A9n%C3%A9ficiaries-des-subventions-repasoc\\_fr](https://eeas.europa.eu/delegations/benin/61452/remise-de-ch%C3%A8ques-aux-organisations-de-la-soci%C3%A9t%C3%A9-civile-b%C3%A9n%C3%A9ficiaries-des-subventions-repasoc_fr). Accessed June 10, 2019. The European Development Fund financed the RePaSOC program with a sum of 2.2 billion CFA francs, or 5,083,618.89 CAD (conversion made on June 10, 2019 on <http://www.calculconversion.com/convertisseur-deviser.html>).

First, we notice that philanthropic foundations are not mentioned in the list. Foundations are confusingly and literally considered as NGOs. Indeed, the acronym "NGO" "... covers a very wide range of organizations of different natures and there is no precise and unanimously accepted definition of what this term means." (Perroulaz 2004: 9). In the Republic of Benin, NGO (national and international) are defined as

[...] A national or foreign non-profit association created by private initiative, bringing together natural or legal persons with a view to carrying out an activity of general interest, solidarity or voluntary cooperation for development. The NGO contributes directly or indirectly to the sustainable, participatory and conscious improvement of the living conditions of grassroots communities. It is required to operate without distinction as to race, religion, sex or ethnicity in its activities and does not allow itself to engage in any partisan political activity. It aims at the promotion of the human person in all his cultural, social, economic and political dimensions. (1<sup>st</sup> Article of Decree N°. 2001-234 of July 12<sup>th</sup>, 2001).

However, in the *Decree N°. 2007-446 of 2 October 2007 on the attributions, organization and functioning of the Ministry<sup>20</sup> in charge of Relations with Institutions*, it is mentioned that Foundations are part of CSOs in the Republic of Benin. Specifically,

[is] understood by civil society: Syndicates; Religious communities; Traditional Chiefdoms; Development Associations; the Socio-Professional Organizations (OSPs) governed by the law of 1901; Non-Governmental Organizations (NGOs); Foundations<sup>21</sup> ; Communities of Foreigners living in Benin and organised into Associations; all non-profit organizations whose activities are based on volunteering, the search for the general interest, cooperation for development, counter-power and the search for a new non-conflictual order. (Article 4).

In any case, Foundations are well established in the collective perception, whenever we talk about philanthropy. The latter, here and especially elsewhere, are a sign of the renewal of philanthropy (Vaccaro 2018). Thus, after years of hesitation, 2025 marks an update to the legal framework governing the creation, organization, operation, and control of associations and foundations in Benin. Indeed, the *Law N° 2025-19 of July 22, 2025, relating to associations and foundations in the Republic of Benin*, sets out the general conditions for these organizations. The word "foundation" is clearly mentioned in the title. A foundation is therefore defined as "... a non-profit legal entity under private or public law created by one or more donors, who may be natural or legal persons, to carry out work in the public interest." (Article 1). Then, the creation of foundations is marked by "... an irrevocable allocation of properties, rights, or

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<sup>20</sup> This Ministry no longer exists.

<sup>21</sup> Italic form the author.

resources by one or more natural or legal persons governed by public or private law, for the purpose of pursuing an objective that may be in the public interest.” (Article 94). Even the typology of foundations mentioned here differs from which studied Lambelet<sup>22</sup> (2014) or Sy & Hathie (2013).

#### 4. Evolution of philanthropic associations and organizations in the Republic of Benin

Mastering the exact number of these organizations in the Beninese context is practically impossible. But we consulted archives of the Official Journal<sup>23</sup> of the Republic of Benin, considering, first, the organizations published in this Journal during the first five years of the era of Democratic Renewal (1990) and those published between 2014 and 2018 in a second phase. Based on these data, we have designed<sup>24</sup> tables below which provide better information on the evolution of the<sup>25</sup> organizations declared and published<sup>26</sup> in the Journal.

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<sup>22</sup> Lambelet (2014: 23) provides a sort of typology of philanthropic foundations in Switzerland: some donor, others operative and less numerous. The first are the foundations that "... live on an initial endowment that allows them to act without fundraising or subsidies, and which intervene mainly through donations to other organizations"; Operative foundations are those that "... manage their own programs or institutions and most often receive subsidies. »

<sup>23</sup> The Official Journal of the Republic of Benin was created in 1975. It is the forum for the publication of all administrative and other acts of the Beninese State. The Journal also publishes private and third sector publications for a fee. The Olympic Games are in a way the memory of the Republic of Benin.

<sup>24</sup> For the design of these graphs, we have classified the organizations into the four components of Beninese civil society: - Associations (youth, development, women's associations, traditional chiefdoms, religious denominations, media, etc.); -NGO; - Socio-professional organizations; - Syndicates, considering both their respective missions and names.

<sup>25</sup> At the beginning, we wanted to develop graphs providing information on the evolution of CSOs published in the OJ. But we have come to realise that this is an almost impossible task, because of its magnitude. *First*, the organizations are published pell-mell, without any categorisation and the Journal has no documents to this effect. *Second*, there would be no electronic version of publications until 2010. We had to photograph (*scanning*) before processing the organizations published during the period 1990-1995. *Thirdly*, for the publishing years of the period 2014-2018, the electronic version of the documents obtained covers 6,724 pages. To insist at all costs on dealing with all the CSOs published in the Journal from 1990 to 2018 would take us further away from the essence of our thesis. It already seems to us that the work done in the exploitation of the data of the two periods under consideration is like that of a Benedictine.

<sup>26</sup> It should be noted that wanting to publish a CSO in the Official Journal of the Republic of Benin is a "luxury". In other words, publishing your CSO is not mandatory. And very few CSOs do. Most often, CSO managers try to obtain prefectural authorisation to carry out their activities. In this context, the exact number of legal local CSOs far exceeds the numbers we have exploited.

**Table 1:** Civil Society Organizations published in the Official Journal in the first 5 years (1990-1995) after the Democratic Renewal

Years	CSO Components				Total
	NGO	Associations	Socio-professional Organizations	Syndicates	
1990	00	00	00	00	00
1991	21	35	09	02	67
1992	66	93	34	03	196
1993	56	65	15	04	140
1994	45	57	12	01	115
1995	93	84	24	00	201
Total	281	334	94	10	719

Source: Field data (Benin, January-May 2019), Archives of the Official Journal of the Republic of Benin.

**Table 2:** Civil Society Organizations published between 2014 and 2018

Years	CSO Components				Total
	BEE	Associations	Socio-professional organizations	Syndicates	
2014	430	443	127	10	1 010
2015	434	713	134	26	1 307
2016	437	481	98	14	1 030
2017	557	408	88	14	1 067
2018	596	518	141	21	1 276
Total	2454	2563	588	85	5 690

Source: Field data (Benin, January-May 2019), Archives of the Official Journal of the Republic of Benin.

From 1990 to 1995, a total of 719 civil society organizations was published in the Official Journal. Then, from 2014 to 2018, 5690 civil society organizations were published in the Journal.

At any rate, we think that the operationalization of the Register of Associations and Foundations on the one hand, and the Journal of the Register of Associations and Foundations on the other, which are set out in the *Decree N° 2025-575 of September 24<sup>th</sup>, 2025, establishing the Register*

*of Associations and Foundations in the Republic of Benin*, will enable better control of the digital evolution of these organizations in the Country.

In short, Beninese civil society organizations are active in the occupation of public space. They "strongly contribute to the improvement of political governance through social dialogue and citizen engagement." (*National Development Plan 2018:125*). But most of them like [The] national NGOs have very limited fields of action. Most of them act in a locality (villages, city districts) and sometimes at the level of the region. This low level of land use can be explained on the one hand by the lack of financial and human resources and on the other hand by socio-cultural reasons (linguistic, regional and ethnic barriers). Beninese NGOs are "generalist", in the sense that they intervene in a wide range of sectors of activity, in order to increase their chances of benefiting from donor funding. (Poncelet et al. 2006: 77-78).

Moreover, based on observation data and our professional experiences related to local NGOs' functioning, we agree with Perroulaz (2004) when he points out NGO's weaknesses. Indeed, [On] the other hand, [we] also know the limits of the one-man NGO, an organization that only works on the charisma and enthusiasm of the founder without there really being teamwork and shared decision-making; this situation also raises the question of sustainability: what future for the association when the leader disappears? Many NGOs are run by quasi-family management or with an almost "invisible" association committee, which has the advantage of avoiding bureaucratic procedures and administrations, but which raises the problem of the legitimacy of the organization and problems of governance. (Perroulaz 2004:17-18).

Philanthropic associations and organizations in the Republic of Benin are therefore facing enormous challenges.

## **5. Challenges of local philanthropic associations and organizations**

Benin's philanthropic associations and organizations operate in an ecosystem that presents many challenges for all stakeholders. These include the problem of their professionalization, the question of their neutrality and autonomy in their citizen participation and the threats of dubious funding.

### **5.1. Issues of professionalization and promotion by the Beninese State**

The nature of State support for philanthropic organizations varies according to the Government and the socio-political context (Kouamé et al., 2025). More specifically, in the process of professionalization and promotion of philanthropic associations and organizations, the Beninese State has, year after year, taken initiatives.

First, there was the creation of ministerial departments in Charge of civil society organizations: the Ministry in Charge of relations with Parliament, the Government Spokesperson<sup>27</sup>, the Ministry in charge of Relations with the Institutions, the Government Spokesperson<sup>28</sup> (MRL), the Ministry in Charge of Relations with the Institutions, and the Government<sup>29</sup>Spokesperson, the Ministry in Charge of Relations with Institutions, Civil Society and Beninese Abroad<sup>30</sup> and then the Ministry in Charge of Relations with Institutions<sup>31</sup>. The latter Ministry had the technical Offices of which the Center for the Promotion of Civil Society (CPSC), already dissolved, deserves to be reviewed. Indeed, the responsibilities of the CPSC are set out in *Decree N°. 2008-803 of 31 December 2008 on the attributions, organisation and functioning of the Centre for the Promotion of Civil Society*. It is a Center "placed under the supervision of the Minister in Charge of Civil Society." (Article 2). The Centre was charged of promoting civil society organizations for their effective and efficient participation in national development. This Centre was composed of representatives of the State, Civil Society Organizations (CSOs) and the representative of the Centre's staff. (Article 9).

When the regime of the Rupture came to power, there was no longer a Ministry in Charge of civil society. Nevertheless, the attributions of certain technical Offices of the former Ministry in Charge of Relations with Institutions are found within the current Ministry of Justice and Legislation. In this perspective, the Office for the Promotion of Social Dynamics and the Office for Relations with Institutions of the former Ministry for Relations with Institutions have been merged to become the Office for Relations with Institutions and the Promotion of Social Dynamics within the Ministry of Justice and Legislation. It is one of the technical Offices of the Ministry of Justice whose attributions are set out in *Decree N°. 2021-573 of November 03, 2021, on the attributions, organisation and functioning of the Ministry of Justice and Legislation*. Specifically, Article 12 provides:

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<sup>27</sup> Presidency of the Republic (1992). *Decree No. 92-22 of 6 February 1992 on the attributions, organisation and functioning of the Ministry in charge of relations with Parliament, Government Spokesman*.

<sup>28</sup> *Decree No. 95-283 of 3 October 1995 on the establishment, organisation, powers and functioning of the Ministry in charge of Relations with the Institutions, Government Spokesman (MRL)*.

<sup>29</sup> *Decree No. 98-547 of 12 November 1998 on the attributions, organisation and functioning of the Ministry for Relations with the Institutions, Government Spokesman*.

<sup>30</sup> *Decree No. 99-515 of 2 November 1999 on the creation, attributions, organisation and functioning of the Ministry in charge of Relations with Institutions, Civil Society and Beninese Abroad*.

<sup>31</sup> *Decree No. 2007-446 of 2 October 2007 on the attributions, organisation and functioning of the Ministry in charge of Relations with Institutions*.

The Office of Relations with Institutions and the Promotion of Social Dynamics is responsible for proposing actions likely to induce a permanent, harmonious and peaceful relationship between the government, the constitutional institutions of the Republic, the political parties and the civil society organizations it promotes, with a view to their effective and efficient participation in national development.

Secondly, Beninese State has provided for the recognition of non-profit organizations that have proven themselves in the field for the benefit of communities as public utilities. The conditions to be met and the advantages linked to the status of public utility are detailed in the *Decree No. 2001-234 of July 12<sup>th</sup>, 2001, laying down the conditions of existence and the operating procedures of Non-Governmental Organizations (NGOs) and other organizations*. The 19<sup>th</sup> Article of the Decree provides the conditions of being recognised of public utility. The advantages are summarised in the 21<sup>st</sup> Article of the mentioned Decree. Philanthropic organizations that have been declared to be of public utility have obligations to the State. For example, "[Any] misappropriation of exempt goods and equipment shall give rise to the application of the penalties provided for in the General Tax Code and the Customs Code, without prejudice to the penalties imposed by the *ad hoc* disciplinary Council provided for in Article 25<sup>32</sup> of this Decree." (Article 26). These conditions and advantages have been updated in *Law N° 2025-19 of July 22<sup>nd</sup>, 2025, relating to associations and foundations in the Republic of Benin*. Indeed, sections 2 and 3 of Chapter IV (special regimes) of Title II (provisions specific to associations) deal respectively with the specific rules applicable to associations recognized as being of public utility and the specific rules applicable to associations that have signed a framework agreement with the Beninese State. Articles 124 and 131(included) of that Law set out the conditions for the recognition of foundations as being of public utility and their obligations. These two aspects are detailed in the *Decree N° 2025-639 of October 08<sup>th</sup>, 2025, establishing the conditions, procedure, and effects of the recognition of public utility status for associations, foundations, or non-governmental organizations in the Republic of Benin*, and the *Decree N° 2025 - 637 of October 08<sup>th</sup>, 2025, establishing the conditions, procedure, terms of conclusion, and advantages of framework agreements concluded between the State and associations, foundations, or non-governmental organizations*. Besides, the professionalization imposed by the State is related to the obligation for associations and foundations to publish their

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<sup>32</sup> This article provides:

"The ad hoc disciplinary council is created by joint order issued by the Minister for the Interior and the Minister for Civil Society.

This Board must include two representatives of the umbrella organizations. »

annual activities reports. In other words, it is written that “The governing bodies of all associations shall publish in the Journal of the Register of Associations and Foundations, no later than April 30<sup>th</sup> of each year, a general report on the past year, indicating in particular its programs, resources, the status of implementation of its activities and programs, and its prospects.”<sup>33</sup>

## **5.2. Issues of professionalization and promotion by the Maison de la Société Civile (MdSC)**

The MdSC is a non-governmental organisation whose mission is "to strengthen CSOs in terms of capacities to formulate, influence decisions, implement and evaluate development programs and policies in Benin".<sup>34</sup> In this sense, the MdSC has developed the manual *Self-diagnosis of CSOs in Benin* (2010) which can serve as a guide for CSOs wishing to carry out their own organisational diagnosis with their members, beneficiaries, partners and some key actors in their environment (p.5). The manual details the process of organisational self-diagnosis, which is divided into four phases: diagnosis of results, diagnosis of the internal organisation, diagnosis of skills and the plan for strengthening and requesting support from partners. In addition, the MdSC has recently developed an *Information Guide on the Labeling of Beninese CSOs* (2018). Thus, the Beninese CSO Label, certified by the MdSC, is awarded for a period of three years to all submitting non-governmental organizations, based on the scores obtained after analysis by a neutral and multidisciplinary committee<sup>35</sup> on three packages (A, B, C). Without going into details, packages A, B and C concern respectively the requirements of formal existence, the requirements of operational operation and the requirements of public utility. And the required performance score is 200 points<sup>36</sup>. There are only 32 CSOs labelled between 2018 and 2021<sup>37</sup>. Therefore, the professionalism of most CSOs in the Republic of Benin is increasingly recognised and they are solicited for pragmatic reasons. Indeed,

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<sup>33</sup> Article 52 of Law N° 2025-19 of July 22<sup>nd</sup>, 2025, relating to associations and foundations in the Republic of Benin.

<sup>34</sup> <http://www.mdsbenin.org/spip.php?rubrique5>. Page consulted on January 03, 2017.

<sup>35</sup> It is a multi-stakeholder National Committee, which is the supreme body for labelling. It is composed of representatives of the Ministry in charge of civil society, technical and financial partners. The Committee ensures the issuance of certification based on an audit report. (MdSC, *Information guide on the labeling of Beninese CSOs*, 2018, p.17)

<sup>36</sup> *Ibid*, p.5.

<sup>37</sup> <https://www.mdsbenin.org/> Page consulted on April 27, 2025.

[Whether] it is a question of support for CSOs' own projects (submission of more or less earmarked ideas), or specific orders implemented by CSOs (services); whether through agreements by mutual agreement or contracts awarded within the framework of competitive funds; whether the partnerships concern the project as a whole or only one of its components: Beninese organizations are sought-after partners for their know-how in intermediation, and as facilitators to access certain areas or categories of populations. (Brouillet et al. 2022: 47).

In short, it is necessary to have a real partnership between the State and the MdSC for the future of philanthropic associations and organizations in the Republic of Benin. These organizations should be able to demonstrate more flexibility and innovation, not only in the perspective of opportunism, but also in the sense of adapting to the needs of donors (Archambault & Gibson, 2022) on the one hand and the possible changes in Beninese society, on the other.

### **5.3. Issues of the neutrality and autonomy of associations and philanthropic organizations in citizen participation**

Philanthropic associations and organizations play an important role through their participation and involvement in the development of public programmes and policies. Emphasis was also placed on the importance of their participation in the formulation of the Country's development policies in the form of a recommendation among ten<sup>38</sup> at the end of the days of consultation and dialogue of Beninese civil society with representatives of Beninese Government, technical and financial partners, on the theme "From aid effectiveness to development effectiveness" held at INFOSEC in Cotonou on 10 and 11 August 2011. Specifically, it is the third recommendation, which is read as follows: "[the] Government of Benin support the development, in a concerted approach, of a strategic framework for the participation of CSOs in the processes of elaboration, implementation and monitoring and evaluation of development policies and programmes, particularly in the context of the implementation of the national aid policy." Such a recommendation has certainly been echoed by the Beninese Government, which mentions the importance of the participation of CSOs in the preparation of State Budgets (The National Development Plan 2018-2025). Moreover, Beninese CSOs play important role in the field of social dialogue and peacebuilding. Indeed,

[in] addition to the trade union organizations, there are the other Civil Society Organizations (CSOs). Including communal and local development associations as well as thousands of Non-Governmental Organizations (NGOs), which work to mobilise citizens in favor of development actions in their localities or areas of intervention or which inform, educate and raise awareness

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<sup>38</sup> <http://www.realityofaid.org/2011/10/declaration-de-cotonou/> Page consulted on August 06, 2019.

on the rights and duties of the citizen. Some NGOs operate in the field of citizen monitoring. Others, such as traditional chiefdoms, participate in the preservation of peace and religious and cultural values. Still others train and provide technical and sometimes financial support for the implementation of income-generating activities. (NDP 2018:126).

This note is not contradictory to the comments collected during the fieldworks. For instance, in their strategies for participating in the Country's Development Policies, CSOs are platforming by areas of specialisation. A CSO specialist in the Republic of Benin corroborates this:

[The] (Beninese state) being what it is, if the organizations themselves don't force its hand, it cannot work. This is where several organizations have come together, have come together to specialise in the field of governance. And they have, and they follow-up, they monitor public policies... They have acquired a certain amount of expertise that they sell in the sub-region and that at least brings honor to the Country in relation to that. So, I can tell you that their position on policy issues is..., even if I can say that they are not throughout the process, they are not involved properly, they have carved out a place for themselves uh in the monitoring, in the monitoring and evaluation of public policies.

In their collaboration with the State and throughout their activities, there is sometimes a certain osmosis between the two categories of actors. Indeed, people have noticed that the sphere of civil society serves as a springboard for political parties/movements or political careers. Here, philanthropy does not seem to do politics discreetly (Lefèvre 2019). Indeed, there are an important number of former CSO actors who have become, by force of circumstances, politicians. Civil society in the Republic of Benin also serves as a space for social legitimation. We could have the examples of a former member of the Democratic Renewal era of Benin who created an NGO and of the Foundation of the current First Lady.

Therefore, the major challenge for the CSO sector in the Republic of Benin lies in its depoliticization and maintaining its neutrality in terms of occupying and animating public space, regardless of the Power in place. This could take the form of the establishment and operationalization of an Observatory of Ethics of CSOs in the Republic of Benin. Because one sometimes has the impression—rightly or wrongly—that the intensity with which some Beninese civil society actors fight for certain cardinal causes for the Country differs according to the Executive powers of the day. Indeed, some CSOs in the Republic of Benin are like the tentacles of the power in place. Thus, the challenge of depoliticization, would be mitigated by professionalization and specialization. This is the main point that emerges from the verbatim below, from a specialist in the matter:

Politicization, politicization, politicization, the recuperation of these organizations by political actors. And that is, that is what is happening, by the way. That is why, as solutions to this, we suggest, for example, professionalization, specialization. An organization that belongs to a political actor has no interest in professionalizing or specializing. But an organization that has a clear vision of development, that's not going to let itself be swallowed up by a political actor, No. Because they will be management tools, tools that will be in place, because they are sensitive to the point of view of such partners in relation to their objectives and the like. So, to fight against this risk, we need to move towards professionalization, towards specialization, labelling, which gives priority to the best. That is all. It is over!

Some provisions of the *Law N° 2025-19 of July 22<sup>nd</sup>, 2025, relating to associations and foundations in the Republic of Benin* seem to limit the osmosis between the philanthropic sphere and the political one. More precisely, article 50 stipulates: “Every association has a duty to contribute to the preservation, restoration, and maintenance of peace, as well as to the promotion of harmonious coexistence among citizens. It contributes to the culture of good governance and respect for public affairs. Consequently, any association is prohibited from having political positions in its activities [...]”. If these provisions are not applied with discernment, they could inhibit the citizen participation of non-profit organizations. They could particularly slow down the momentum of citizen philanthropy, which is one of the solutions to the risk of over-indebtedness and the increasing decline in International Aid (Gbedan, 2025).

#### **5.4.Potential risks of money laundering and terrorist financing**

The Beninese civil society organizations are highly dependent on external funding. On the one hand, at the internal level, to our knowledge, there is still no document containing statistical data on State financial support for CSOs. Nevertheless, Brouillet et al. (2021) have carried out a very interesting work that provides a global but not quantified idea of the State's financial support to CSOs. This support may take one of the following forms:

service contracts, for the provision of services under contract, in areas where it does not intervene directly and prefers to delegate its prerogatives via subcontracting contracts (this is particularly the case in the agricultural sector, literacy, etc.).

co-financed support programmes, and more generally by directing part of the aid to certain actors (e.g. civil society support programmes financed by the EDF<sup>39</sup>);

direct subsidies to certain CSOs (organizations approved by sectoral ministries, especially umbrella organizations, unions, federations<sup>164</sup>), including for certain infrastructure projects,

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<sup>39</sup> European Development Fund.

equipment, etc. "The central government heavily subsidises sports associations, in particular the Benin Football Federation";

indirect funding, via the exemptions granted to certain associations and NGOs recognised as being of public utility. In particular, on customs duties on imports of materials and equipment, but also on tax advantages on turnover. activities carried out to support the functioning and interventions of CSOs. (Brouillet et al. 2021: 64-65).

The lack of an annual Report that includes details and statistical data on the State's financial support for philanthropy is a major weakness in its operation.

On the other hand, there are international financial flows that transit through international or even local NGOs in the development process of Benin. Having exhaustive data on these financial flows is practically impossible. We are therefore satisfied with those that we have been able to glean from the arduous research. Indeed, it is a truism to say that the organizations that make up the third sector have a particularity that makes them strong. It is a question of their operation in networks. Godbout (2008: 337) writes that "[the] networked operation of this sector gives it a much greater flexibility, flexibility and capacity for adaptation and innovation than the state apparatus and makes it likely to intervene where the market does not find solvent demand." It is also this network operation that constitutes a real asset for mobilising resources. Thus, through the transnational scope of these associative networks (Armony 2008: 198), civil society has become a channel for draining international philanthropic donations in the Republic of Benin. These financial flows include<sup>40</sup> foreign funds, current transfers from the private sector and capital transfers received by NGOs and CSOs. For instance, [The] capital transfer received by NGOs and Civil Society Organizations (CSOs) includes donations related to the projects they manage, in conjunction with the Government. The peak of this external financing line was reached during the period under review, in 2014, when it amounted to just over 61 billion CFA francs. It is only 39 billion CFA francs in 2018. These inflows generally come from traditional TFPs and naturally benefit the priority sectors defined by the Public Administration.<sup>41</sup>

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<sup>40</sup> *Evaluation of Benin's Development Financing. Analysis report* (2020, p.34).

<sup>41</sup> *Opcit.* p. 35

In 2016, for example, the cumulative budget of the Platform<sup>42</sup> of International NGOs working in the Republic of Benin (PONGIB) was 54,050,569,773<sup>43</sup> FCFA (PONGIB 2016: 22); or \$124,122,745.67 CAD<sup>44</sup>. In 2021, the cumulative annual provisional budgets for some fifteen international NGOs that are members<sup>45</sup> of PONGIB "... would amount to about 36 billion CFA francs (from 50 million to 8 billion CFA francs per organisation), or an average of just under 2 billion CFA francs per NGO per year. (Brouillet et al. 2021: 75). However, the content of the concept of capital transfers received by NGOs and Civil Society Organizations (CSOs), which "includes donations related to the projects they manage, in conjunction with the Government", does not allow for a more or less accurate analysis of the more or less real estimate of the international private funds received by local NGOs and CSOs that are not linked to the Government of Benin. From experience, there are international private individuals or international organizations that "directly" fund local NGOs without any prior protocol with the Government of Benin on the one hand, and most local NGOs hardly disclose their annual activity reports. The GAPP Report<sup>46</sup> (2020) highlights the same issue in a simple formula: "As CSOs do not disclose their sources of funding and do not publish their budgets for funded projects, it is impossible to know how much they are getting individually from their partners." (p.4). Given that almost all CSOs depend on external resources (Brouillet et al. 2022: 67), statistical monitoring of this aspect will be a very useful complement to the socio-political analysis of the importance of international aid in Benin's development process. The lack of exhaustive data and the opacity observed at this level exposes Beninese philanthropic associations and organizations to two threats to deal with: money laundering and the funding of terrorism as has pointed out an interviewed specialist:

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<sup>42</sup>The Platform created in 2014, legally registered under n° 2018/121 MISP/DC/SGM/DAIC/SAAP-Assoc/SA and published in the Official Journal of the Republic of Benin in 2018, is composed of 18 members which are: Aide et Action Internationale, BØRNEfonden, Care International Benin/Togo, Catholic Relief Services, Netherlands Red Cross, Cuso, Educo, Handicap International, Helvetas, Médecins du monde-Suisse, Oxfam, Plan International Benin, Protos, SNV, Terre des Hommes, The Hunger Project, WeWorld, World Education (PONGIB, 2016, p.2).

<sup>43</sup> If we take into account the other international NGOs operating in Benin, it is clear that the total cumulative budget exceeds that mentioned. For example, there are only two AQOCI member NGOs (Oxfam and Cuso International) operating in Benin that are members of PONGIB. Amis de la Saint-Camille, CRÉDIL, DESI, FPGL, Humanité et Inclusion and UPA-DI, which are also active in Benin, are not members.

<sup>44</sup> Currency conversion made on June 07, 2019 on [https://cuex.com/fr/xof-cad?gclid=EAlaIQobChMlKY-x97rY4gIVIsDICh0mpgFGEEAAYASAAEglu9PD\\_BwE](https://cuex.com/fr/xof-cad?gclid=EAlaIQobChMlKY-x97rY4gIVIsDICh0mpgFGEEAAYASAAEglu9PD_BwE)

<sup>45</sup> PONGIB now has 43 international NGOs (PONGIB 2024).

<sup>46</sup> Action Group for Progress and Peace.

Yes, there is a risk that immediately came to mind. This is the risk of money laundering through these CSOs. That out of naivety, they are open to money laundering and the financing of terrorism. Because, as they are now, there is no monitoring framework, no appropriate legal framework in place. Uh, if we leave them like this, uh CSOs, they will be the gateway for terrorist organizations in the sub-region through Benin. You know that Benin is a crossroads country. Sometimes, they go to certain sources of funding that are not credible. So, that is, through philanthropy..., they have access to resources that are not uh, what do you call it, advised. So, there is a risk, there is a risk that these organizations will turn into terrorist financing circuits.

## **Conclusion**

The flourishing of local associations and philanthropic organizations dates to the 1990s in a socio-political context of the Republic of Benin marked by the Historic National Conference and the harmful effects of successive structural adjustment programmes. The components of these associations and philanthropic organizations labeled "civil society organizations" have evolved over time in a certain confusion and difficulties of typologization. These associations and philanthropic organizations benefit from the support of the State and the Maison de la Société Civile. The vitality and credibility of these associations and philanthropic organizations depend on important challenges to be jointly met with all stakeholders: the judicious application of the new legal framework to promote the freedom of association and citizen participation, the professional occupation of public space by these associations and organizations, their circumspection related to certain funds.

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