

BRITISH AND BENINESE JUDICIAL SYSTEMS FACING THE COMPLEX DEMANDS OF MODERNITY AND GLOBALISATION FOR SUSTAINABLE DEVELOPMENT***Bertin Y. DANSOU**

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Abstract

British and Beninese judicial norms, institutions, authorities, agents and procedures are set into a system that shows a guarantee and a success of making justice for all. Nevertheless, connecting certain of these intentions, will and statements to judicial practices remains complex and challenging, because sometimes corruption, some breach of procedures, some cases of exceptions and jurisprudence, make judicial written elements difficult to apply. The philosophy or the spirit of law and the justice making process, are then betrayed in practices in both British and Beninese political systems. That is the reason why, the purpose of this analysis is to use New Historicist Criticism to move from the socio-historical, political and economic contexts of both countries so as to examine the challenging forces of justice making systems of these nations as well as improvements and other alternatives to different hindrances for a judicial organisation favorable to sustainable development.

Keywords: Judicial system, Challenges, Modernity, Globalisation, Sustainable development.

INTRODUCTION

The United Kingdom, also called Britain, is one of the European counties. It is one of the developed countries inside the United Nations. Benin Republic, different from Benin City in Nigeria, is a country, not far from Nigeria and Sharing the lands of its borders with Nigerian, Togolese, Burkinabe and Niger areas. It is an African and a West African country, not so far from Ghana by crossing over Togo. It is also one of the developing countries inside the UN community. Both countries have signed and agreed on international human rights conventions and Laws that they have adapted to their social, political, sociological and economic environments. Some of the key or basic constitutional aspects of security and protection rules are expressed in terms of the Magna Carta (1215), in the UK, that defined the organisation and powers of the Great Council in England and prohibited the imposition of certain taxes without the consent of this council. The Bill of Rights (1689), made the parliament the supreme law-making body and declared that it should be called regularly, and it also provided the list of individual rights. (Bhagwan, Bhushan *et al.*, 2013). The rule of law is another fundamental principle for the security of human rights. Indeeds, the citizens, the courts, the administrative officials, the king, all are subject to it. Under the rule of law, obligations may not be imposed by the State, nor property interfered with, nor personal liberty curtailed, except in a legal manner and on legal authority (Ibid, 15). Beninese constitution also shares the same philosophy and rules of securing and protecting human rights. In title II, tenet 7 of this constitution, it showed that rights and duties of individuals and peoples, adopted by the African Organisation Unity, agreed on, in 1981 and ratified by Benin Republic in 1986, are part and parcels of Beninese constitutional obligations. Its tenet 6, showed that, it is an absolute duty for the State to respect and protect human beings. All those conventional and constitutional obligations to protect and secure human beings, need a well organised judicial system to support them and make them successful; hence the setting of

British and Beninese judicial institutions to secure people's individual and collective development for the building of societies for political and economic sustainable development of peoples. In spite of all these guarantees, many changes in the modern and globalised world have been highly challenging social, political and economic life and activities today, that need other orientations or reforms to reach the goal of a developed and peaceful world. The purpose of this study is to get inspiration from Marxist Literary Criticism to demonstrate the antagonistic and the challenging trends of modernity and globalisation that are hindering British and Beninese judicial systems in their process of achieving countries' sustainable development. With information from various documents, social realities and media. A focus will be put on the differences, similarities and complementarities of human and social rights and duties developing and protecting in both countries for the development of peoples, through qualitative and quantitative approaches. Institutions, personalities, agents, procedures, achievements and weaknesses of both judicial systems, in coping with the modern and contemporary challenges, should be pointed out as well as new orientations and perspectives for a more successful future, for both countries, for Africa, for Europe and for the whole international world. To reach this goal, I have divided the work into two parts. The first part has dealt with socio-historical environment of both judicial systems confronted with the disturbing and confusing movements of modernity and globalisation. The second part has put an emphasis on new orientations and perspectives favorable to an integral and exhaustive development of both countries and of the whole world.

Historical Contexts of British and Beninese Ideological, Constitutional, Institutional, Political and Economic environments Affecting their Modern and Contemporary Judicial Systems**Background to both Judicial Systems with their social, Political and Economic Environments:** The necessity for the promotion of human and peoples' rights and duties originates

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from the horrors caused by the ancient and recent wars. This was worsened by power abuse or totalitarianism organised by some British monarchs, with their nightmarish socio-political and sociological effects. It also raised people's mind about, 'Never that again 'And to make it implementable and durable, it needs to be fixed in constitutional and legal texts. The first and great determining constitutional instrument is the Magna Carta, a royal charter of rights shared by King John of England at Rummymede near Windsor, by the River Thames, under the pressure of rebellious barons, on June 1215, first drafted by Archbishop of Canterbury, Cardinal Stephen Langton, to make peace between the popular king and this group of rebel barons. It assured the protection of church rights, protection for barons from illegal imprisonments, access to swift justice, and limitation on feudal payments to the Crown, to be implemented through a council of 25 barons. (www. Stenton, consulted in 2022). With this constitutional or legal acceptance to guarantee people's just rights and duties, British Monarch, the supreme authority of their judicial system, has been made to show the way to other British judicial institutions under his authority. This has been reinforced by other constitutional acts, such as the Declaration of Rights in 1689, after the Bloodless or Glorious Revolution. Royal powers were further restricted to strengthen the influence of the Parliament that represent the people and called to defend and protect their rights and duties. The Monarch could not reign nor act without the consent of the Parliament. This reinforced parliamentary sovereignty, the rule of law and the equality of all before the law.

These fundamental instruments for individual and peoples' rights promotion have been reinforced by the Petition of Rights Act (1628), by the Bill of Rights (1689), by the Act of Habeas Corpus (1679), the Act of Settlement (1701), the Reform Acts of (1832, 1867, 1884, 1918 and 1928, the Parliament Act of 1911 and 1949, the Statute of Westminster of 1931. All are to protect and secure this system of democratic and free governance. (www.studylecturenotes.com, 2021). British judicial system also recognised and adopted this principle of 'Nullum crimen, nulla poena sine lege' (Latin for 'no penalty without law. 'This means that one cannot be punished for doing something that is not prohibited by law. Once this philosophical, social, ideological and sociological dimensions of human and peoples' rights or duties clear in British leaders and common citizens' minds, the other judicial institutions working or deciding under their authority should follow the way. The Monarchy and the Parliament are the highest institutions in law making and decisions implementation.

This coins with a justice backing up a democratic rule that accepts and promotes freedom of thought, of action, of speech, free and equal access to healthcare, to education, to employment opportunities ;the promotion of the freedom of the press. Right to vote for all has also become a reality. This clearly demonstrates that they have moved from a no freedom and a no right traditional and royal environment to a democratic or constitutional one where people have to share and rule political power with the monarch. Totalitarian and despotic ideologies have paved the way to democratic communist, capitalistic, socialistic, and liberal ideologies that alternate in power within the United Kingdom.

In Benin Republic, this historical situation has likely been the same. Colonisation has put into parentheses the reigns and the powers of Dahomean or Beninese kings as well as the development of their kingdoms. Their totalitarian rule has been stopped and replaced by colonists leaders' rule. They have

been helped by pro-colonists leaders who replaced them later to rule their native societies. Unfortunately, totalitarianism has rarely been removed from the governance system. The new governance has been affected by military coups or coups d'Etat, with unstable government system, corruption and many situations of human and people's rights breach. In a general context of social and political uneasiness, democracy was adopted after the National Conference of 1990. Ideological, political social, economic and judicial systems favorable to people's rights and development have been set. The Beninese highest law making and impleting institutions for justice and development are the Executive Power, headed by the Head of the State, the Legislative Power, headed by the Cherperson of the Assembly, and the Judicial Power, politically and administratively headed by the Minister of justice and lawfully headed by the Cherperson of the Supreme Court. In British and Beninese political systems, the totalitarian justice system have been changed into a democratic one, with specific social, political and economic ideologies.

Modern Philosophical and Judicial Dimensions of British and Beninese Intitutions: The concept of justice remains utopian in societies when its implementation does not reach the goal of securing people's rights and duties. 'The meaning of 'do justice to' is to treat or to show (someone or something) in a way that is as good as it should be (www.Merriam-Webster.com, 2022). In other words, to do justice consists in securing people's rights, duties in terms of their physical, psychological, social and economic belongings. The philosophical orientations of British judicial system derived from the idea of putting an end to arbitrary power and other social discriminations. The fundamental and guiding law of the system is British constitution, "The British constitution is a complex amalgam of institutions, principles and practices...It is not one document, but hundreds of them...It is a child of wisdom and chance." stated Munro in *World Constitution :A comparative Study*. (Bhagwan, Bhushan, Mohla, 2). This constitution is a product of evolution and has been incessantly in the process of development, gradual and almost unconscious (Ibid.). Owing to this constitutional philosophy, the Monarch is assisted or helped by teams of thinkers, leaders and wise people. Kingship then became, the supreme and single sovereign, born in the ninth century (Ibid.).

The Anglo-Saxon kingship was partly hereditary and partly elective. The Witan or Witenagemot was an important body consisting of important men, lay ecclesiastical. It had no fixed number and usually included the chief officers of the royal household the bishops and other leading churchmen, the aldermen, of the shires and some high officers of the state. The Witan met periodically in different parts of England as there was no national capital at that time. It was presided over by the king who directed its business (Ibid.). Witan performed the functions the king wanted it to do. Generally, it gave assent to the king's 'dooms' or laws, made treaties and alliances, approved taxes or levies, raised land and sea forces whenever necessary arose, appointed and deposed the bishops, aldermen of shires and regulated ecclesiastical affairs. It also sat with the king as the Supreme Court of Justice. The Witan may be regarded as the present parliament and the present cabinet. It promoted the idea that the king should not act according to his own whims and caprice but he should act in council (Ibid, 3). The significance of royal centralised power was far reaching. In the words of Munro, 'The growth of the royal power under the Normans and their successors paved the way for ultimate

triumph of the English democracy. The Witan, helping and securing royal governance, came to be known as the Great Council or Magnum Concilium. The Magnum Concilium met thrice a year. To help the king carry on government during the interval the Magnum Concilium was not in session, another small body called Caria Regis or Little Council emerged out of the Magnum Concilium, as an inner circle of the Great Council, including the chamberlain, the chancellor, the constable, the steward and other officers of the royal household. (Ibid, 4).

This simply means that in the general British political history, laws, policies and other decisions making was inclusive, well structured and secured. The Crown collaborated with the cabinet, the executive body, the decisions making council, the parliament and the law controlling body, the judiciary. These historical elements are reinforced with the principle of the Magna Carta according to which the king must not act in certain matters without the consent of the General council. The marriage between the Crown and people's representatives was then sealed for a successful democratic rule without arbitrary power (Ibid, 5). This is the essential meaning of British non despotic but democratic rule, solidly anchored in the ideology of their thirst for justice, peace and development, also founding their judicial system.

In Benin Republic, the philosophical orientations and dimensions of judicial and political institutions derived from a certain number of social and political crises. This paved the way for Beninese democracy, helping to put an end to a totalitarian Marxist Leninist regime. To succeed political and economic changes in the 1980s, in the core of strikes, upheavals and other social troubles, judicial reforms were envisaged to be operated ;hence the constitution, the supreme law heading the judicial principles. To come to this constitution, a constitutional referendum was held on December 2nd, 1990, on the project of the constitution of Benin Republic. After the results of the votes, this constitution was adopted : "En conséquence, nous proclamons officiellement ce jour Lundi 10 Décembre 1990, les résultats ci-dessous et déclarons le projet de CONSTITUTION comme CONSTITUTION DE LA REPUBLIQUE" (de SOUZA, 6).

The philosophical foundation of Beninese democratic regime versus totalitarian one is summed up in : "NOUS, PEUPLE BENINOIS, -réaffirmons notre opposition fondamentale à tout régime politique fondé sur l'arbitraire, la dictature, l'injustice, la corruption, la concussion, le régionalisme, le népotisme, la confiscation du pouvoir et le pouvoir personnel" (Ibid, 10). It is then obvious that, both in the UK and in Benin Republic, the priority was to brake or to put an end to arbitrary power for justice, peace and order against injustice. The sense of justice is the deepest root of both British and Beninese constitutions as well as their whole judicial systems. That is the reason why, to make justice, judicial texts, institutions, agents and procedures are framed in both countries to secure people's rights and duties, as well as social, political and economic activities.

Judicial Institutions, Authorities, Agents and Procedures to secure Justice Making: In the United Kingdom, judicial institutions are structured as follow:

The psychological and socio-political philosophy is to secure the making of justice on behalf of all the citizens whatever the

social position and rank. From the lower up to the top levels. In different fields, the justice system of Her Majesty's governance helps to avoid power abuse from any authority institution. To make function this structural and hierarchic judicial organisation, a certain number of agents and authorities are appointed or used, throughout well defined proceedings. Among these authorities, agents and members of courts of tribunals, there are the top authorities, the Lord Chancellor, the ministers of justice, the magistrates, other judicial agents and personalities, barristers, members of courts and tribunals (Loc. Cit.). Judicial and executive police forces authorities and agents are added to this list, as well as personalities and agents in charge of prisons administration. Specific proceedings guide judicial actions, acts or decisions according to the nature of cases, from the topmost judicial hierarchy to the lowest level.

The hierarchy of norms is one of the driving forces of constitutional and legal texts implementation. This hierarchy follows five main divisions : There are international, regional, sub-regional, national and local norms. International laws and conventions are the topmost, then follow the regional and sub-regional texts. At the national level, there is the constitution, laws or acts of parliament. decrees, ministerial and interministerial orders, municipal and other local decisions. The general context of British judicial system, extended to that of its colonies is the common law system whereas Beninese judicial system is inspired and guided by the French judicial system. Beninese judicial system is composed of the topmost hierarchy, the Parliament, the Ministry of justice headed by its Minister, the members of the ministry, the President of the Supreme Court and its members, the President of the High Court of Justice and its members, the President of the Constitutional Court with its members, the President of Specialised Court against Economic Crime and Terrorism. There are ordinary and specialised courts and tribunals for trade, for crimes and land affairs. A certain number of agents and authorities help to carry out and implement judicial decisions. These are magistrates, lawyers or barristers, bailiffs, solicitors and other law workers. Judicial proceedings are also adapted to each jurisdictional institution. The hierarchy of norms are likely the same as in the UK. As explained, "La hiérarchie des normes, en droit français, inspiré de Hans Kelsen et du normativisme, " is divided into, "- bloc de constitutionnalité, -bloc de conventionnalité, -bloc de légalité, - les principes généraux du droit, -le bloc réglementaire, -le bloc contractuel et les actes administratifs". (https://www.toupie.org/Dictionnaire/Hierarchie_normes.htm, 2023). In spite of those achievements and organisation in both countries judicial systems, modernity and globalisation are still imposing many other things to do to reach a level of sustainable development.

British and Beninese Judicial Reforms for a Challenging Modern and Globalised Sustainable Development

British and Beninese Modern and Current Reforms: Aiming to adapt legal texts to socio-political, psychological and economic realities of the United Kingdom and Benin Republic, a series of modern and contemporary challenges of the world for sustainable development, have been carried out. In the UK, in spite of the influence of tradition, customs and usages, some changes have been operated and new orientations have been given to certain British judicial and socio-political strategies, policies and decisions. In the United Kingdom, a series of major judicial reforms have been operated. Some of

them are related to the following aspects. Until 1st of October 2009, United Kingdom did not have a classic Supreme Court of justice. These attributions were enforced by a group belonging to House of Lords. Due a reform, it was not a separation of powers in british institutional system, whereas in the USA, there are three "aseperate but equal" branches of government. In the UK, Parliament was its supreme and highest court in the land seated in the House of Lords. It was a "weak" seperation (www. DOC-20230119, MAICAN, 2013). The functions of the highest courts were divided between two bodies. The Appellate Committee of the House of Lords received appeals from the courts in England and Wales and Northern Ireland, and in civil cases from Scotland. The Judicial Committee of the Privy Council considers questions as to whether the devolved administrations, the Scottish Parliament, the National Assembly for Wales and the Northern Ireland Assembly are acting with their legal powers. Both sets of functions raised questions about whether there is any longer sufficient transparency and independence from the executive and the legislature to give people the assurance to which they are entitled about the independence of the Judiciary (Ibid.).

The Human Rights Act, specifically in relation to Article 6 of the European Convention on Human Rights is requiring a stricter view to be taken not only of anything which might undermine the independence or impartiality of a judicial tribunal, but even of anything which might appear to do so (Ibid.)The 12 Law Lords have been specifically appointed under the Appellate Jurisdiction Act of 1876 to conduct the judicial activity of the House. In the fourteenth century, the Lords took the Appellate Jurisdiction into their own hands, using the judges and others only as assistants. All Law Lords are full members of the House and are holders of life peerages. By the mid-nineteenth century, the inadequacies of the House were such that the Crown attempted to introduce judges appointed for life to undertake the judicial functions of the House. In 1870s, several attempts were made formally to abolish the jurisdiction and set up a separate final court of appeal outside the House. An act to achieve this was passed in 1873, but was never brought into effect. In the end, the Appellate Jurisdiction Act 1873, confirmed the jurisdiction and made the necessary provision to allow judicial functions. The House of Lords heard appeals from the Courts of Appeal in England and Wales and Northern Ireland in both civil and criminal matters and from the Courts-Martial Appeal Court(Ibid.). The UK Supreme Court is set -up by Part 3 of the Constitutional Reform Act 2005. The initial members of the new Supreme Court are the former Lords of Appeal in Ordinary. There are 12 such Lords of Appeal. The constitutional Reform Act 2005, makes provision for a new appointments process for justices of the Supreme Court (Ibid.).

Nevertheless and as usual, no reform in the UK took place omitting the traditional heritage of the country, as underlined : "The reforms outlined here will achieve that by combining our respected traditions with the enabling power of technology. The vision is to modernise and upgrade our justice system so that it works even better for everyone, from judges and legal professionals, to witnesses, litigants and the vulnerable victims of crimes. When they have to engage with the system, we want everyone to have available to them the finest justice system in the world (www. Lord Chief Justice of England and Wales, 2015). The criminal justice system has been entirely digitised in partnership with the Crown Prosecution Service and Police, with huge financial investment

agreed in 2015 and due to be completed in 2019. This new system will provide an online process to manage criminal cases from charge to conviction, linking the courts with others within the criminal justice system (Ibid.). Magistrates' courts and the Crown Court deal with different levels of criminal offences, but they must work better together to provide a more efficient service. We are working with the judiciary on structural and procedural changes that will give the senior judiciary clearer oversight of, and flexibility to manage, judicial leadership in the criminal jurisdiction. (www. Heald, 2016), in a context of "British democracy involving representative democracy rather than direct democracy (Ronek, 2014).

Beninese judicial system has also undergone a series of reforms. The priority and major judicial reforms in the period 2021-2026 ? by the Government are :

-opérationnalisation du régime juridique de la chefferie traditionnelle ; La loi n°2019-40 du 07 novembre 2019 portant révision de la loi n°90-32 du 11 décembre 1990 portant constitution de la République du Bénin, en son article 151 alinéa 1^{er}, a institutionnalisé la chefferie traditionnelle et a renvoyé à une loi organique pour l'organiser. Durant le quinquennat 2021-2026, il sera pris une loi pour organiser le régime juridique de la chefferie traditionnelle et la mettre efficacement au service de la paix et du développement(www. beninrevele. bj /tome-justice pdf 2pdf 143 ko.). - Réforme de la Haute Cour de Justice :-Mise en place d'un mécanisme d'aide juridictionnelle et d'assistance juridique :-Rattachement stratégique de la police judiciaire à l'inspection judiciaire ;élévation des tribunaux de conciliation au rang de tribunaux d'instance et des tribunaux de première instance et de 2^{ème} classe au rang de tribunaux de première instance ;- Réforme visant l'adoption de dispositions particulières de protection de la femme et de l'enfant. ;-Révision du code de l'information :-Promotion et professionnalisation des entreprises de presse (Ibid.).

There is also land reform putting a focus on "les droits coutumiers traditionnels, le droit coutumier moderne, le cadastre, le Registre Foncier Urbain(RFU), les Titres Fonciers(TF), les Permis d'Habiter (PH), les conventions de vente des parcelles, le lotissement simple, les morcellements des terrains coutumiers, les lotissements de remembrement, l'absence de règles d'urbanisme, les permis de construire, la définition et la délimitation du domaine public, la gestion du domaine privé de l'Etat, l'expropriation, déclaration des mutations, responsabilité de l'administration dans l'insécurité foncière, un crédit hypothécaire pratiquement inexistant, les maîtres coutumiers de la terre, les chefs quartiers, l'administration territoriale, , l'administration fiscale, les géomètres...(Ibid.).

Specific reforms have been carried out on the Beninese Constitutional Court, the High Court of Justice, the Supreme Court and on the other ordinary courts and tribunals. As an aspect is explained here : "Dans le cadre de la protection de l'Etat de droit, la Cour Constitutionnelle est amenée à protéger le pouvoir judiciaire, car il n'est pas entendu qu'en sa qualité d'institution gardienne de la constitution et garantie de l'ordre constitutionnel, qu'elle puisse laisser le pouvoir judiciaire à la merci du pouvoir législatif et surtout du pouvoir exécutif..." (www. Akerekoro, la cour constitutionnelle et le pouvoir judiciaire, 2023).

Many other judicial reforms have helped created specialised courts and tribunals. There are CRIET (Cour de Répression des Infractions Economiques et du Terrorisme / Special Court for Economic Crimes and Terrorism), created, according to the law n°2018-13 of July 2nd, 2018, and for fight against corruption in Benin Republic (<https://www.fr.m.wikipedia.org/wiki/CRIET>, 2023). It is the same with the Special Court for Land Affairs for which, at the end of Government meeting on Wednesday, May 11, 2022, Beninese Executive Government announced that it had transmitted to the National Assembly, for analysis and vote a bill of law that will become a law to institutionise the Social Court for Land Affairs in Benin Republic (www.orishas.finance.com/actualite_gouvernement/Benin, 2023). Two commerce tribunals have also been created in Cotonou and Porto-Novo. A series of prison houses have been built and equipped with transportation materials and other equipments. Digitilised services and procedures are being implemented in public and private judicial services on line with government reforms sharing the international philosophy of sustainable development. In spite of all these efforts and achievements in the UK and Benin Republic, a certain number of aspects are still to improve and reinforce to reach the single goal of happiness for all and sustainable development.

New Challenges for Sustainable Development in the UK and in Benin Republic:

British and Beninese Judicial systems are regulatory institutions and forces of socio-political and economic success for development. When this system is broken down or non performant, all the sectors of social life are jeopardised. The challenges of both British and Beninese judicial systems are omnipresent in spite of a certain number of efforts made. Many policies and strategies are to be reinforced and improved. In the United Kingdom, the main challenges of the judicial system are summed up into the uneffective and unefficient carrying out of some procedures, difficult access to courts and tribunals, non diligent treatment of cases. Fight against corruption should still be on the agenda. The growth and the modernisation of business, favoured a great amount of work for magistrates, lawyers and law workers. Digital or virtual revolution led us to a series of demands for courts and tribunals, in terms of equipment, materials and finances. Information Technologies use in British judicial system is a reality and even highly recommended: "A core feature of the reform programme is to make greater use of digital capabilities-with plans already underway for a common digital platform for criminal justice, which will embrace the criminal courts and judges, the police and others." (www.speech-bysir-etherton-challenges-facing-the-judiciary, 2015).

Judicial practices and procedures are to be integrated to modern and contemporary socio-political realities rather than sticking to outdated judicial ruling styles. Other important challenges are the recruitment and retention of judges at the High Court level and above of the highest standard; the achievement of greater diversity among the judiciary, particularly at the higher levels; ... (Ibid.). Cyber criminality is another challenging element to British judicial proceedings and practices. New crimes call on new reforms or innovations in the fields. In British judicial system, the needs for justice services move with the populations' growth, as well as judicial rules, proceedings and acts are adapted to those social demands. In Benin Republic, general, similar and specific challenges also exist. Beninese judicial challenges are related to easy access to justice services, fight against corruption and

bribery in the judicial institutions. The improvement of the quality of judicial services and agents or authorities is another challenge. Recruitment and training of judicial personnels need to be reinforced to facilitate celerity in judicial services. Special courts and tribunals need to be provided with well trained personnels before the huge amount of work to do. Carceral and other associated services need additional infrastructures, transportation means and other equipments taking into account the number of population they host. Additional courts and tribunals need to be built to face the great number of demand available. Added to all those aspects, it is mentioned in the Beninese of Justice Ministry's scheme for judicial services development, a certain number of challenges to meet: "D'ici à 2023, les populations béninoises jouissent d'un accès équitable et inclusif à des institutions efficaces, transparentes et responsables et à une administration publique moderne, à tous les niveaux, notamment à une justice respectueuse des droits de l'Homme, dans un climat de paix et de sécurité" (www.Ministère.de.la.Justice "Document de Projet: 'Projet d'Appui à l'Amélioration de l'Accès à la Justice et de la Reddition des Comptes (PAAAJRC), Phase II'...", 2023). Another challenge of this document is: "Renforcement des capacités, des fonctions et du financement de l'Etat de droit et des institutions et systèmes des droits de l'homme afin d'améliorer l'accès à la justice et de lutter contre la discrimination, en mettant l'accent sur les femmes et les autres groupes organisés" (Ibid.). Another third challenge of this document is: "Le Ministère de la Justice, la Cour Suprême et les institutions et dispositifs nationaux de défense des droits de l'homme sont renforcés de manière à élargir l'accès à la justice et à lutter contre la discrimination, l'accent étant mis sur les femmes et les groupes marginalisés" (Ibid.).

From the UK to Benin Republic, aspects of judicial system are similar. Human, civil and socio-political rights and duties are to be protected against arbitrary power. Use judicial institutions and legal or constitutional texts to limit the power of the Monarch, of the President of the Republic and of other leaders of institutions. Protecting and reinforcing vulnerable people are the priorities of both judicial systems. Promoting or reinforcing democracy, social justice, good governance peace, security for sustainable development are very important in British and Beninese governance systems even if a certain number of aspects are to be improved for.

Conclusion

To conclude, it is noticed that the judicial system is the central driving force of a social and political system. It holds, helps and regulates all the other institutions, aspects and activities of British and Beninese systems. Leaders, common citizens, women and children are defended or protected in their rights and duties by judicial institutions, agents and authorities. Justice, laws, security, peace, good governance are universal and commonly shared by the world's peoples and opinions. In spite of this, institutions, rules, actions and strategies worth what people make of them. For this reason, challenges, out of a system of "legal plumber" (Bastiat, 2007) mentioned above should be taken seriously, and both British and Beninese should work in the way of improving what has been done in terms of human rights and duties, and good governance to reach the step of sustainable development. It is even required that the concept of development and sustainable development be revisited and adapted to the demands of international,

regional, national and local policies and actions of human rights, good governance in peace and security. Whatever the social, psychological, sociological, economic and political aspects of human rights, it is a necessity for both countries' judicial systems to link the philosophical and sociological dimensions of their judicial systems to the international law for justice, peace, security and sustainable development.

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