

10 Elections in Mali (1992-7): Civil Society Confronted with the Rule of Democracy

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INTRODUCTION¹

The Sahelian country of Mali, considered as one of the poorest countries in the world, today appears as one of the African states that has successfully made a transition to democracy. Following the popular revolts of 1991, elections were held in 1992 and subsequently in 1997. Mali thus seems to anchor itself in a Western electoral system. Nevertheless, the rules of democracy collide with representations and practices of power in Mali that are sometimes at variance with the notions of a consensual society which every democratic system presupposes. The influence of the political culture inherited from earlier African empires and from the colonial period remains a recognizable factor in the evolution of new political relations introduced by democracy, but the latter's dynamics have been shaped mainly in interaction with domestic agents such as organized youth and civil society groups and with donor-country policy.

After presenting a survey of the political systems prevalent up to the revolts of 1991, I will describe the essential characteristics of the electoral process that has been taking its course from 1992 up to 1997.

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THE POLITICAL SYSTEMS PRECEDING THE FREE ELECTIONS OF 1992

The Precolonial Period

The precolonial period was marked by a succession of big African empires (of Ghana, Mali, and Songhai), subsequently by the Moroccan invasion and destruction of the Songhai empire (sixteenth century). The big invasions occurring from the seventeenth to the nineteenth centuries (for example, Bamanan, Fulani, Touareg migrations) ultimately led to the formation of feudal states (Gaudio 1992: 29-76). As Gaudio notes:

La destruction de l'empire songhai avait ainsi permis la formation et le développement d'États à l'économie incertaine, fondés sur l'armée et, selon les cas, sur l'Islam et l'animisme, avec la religion et une forte hiérarchie sociale pour points communs. Ils se définirent à travers les guerres féodales.

(Gaudio, 1992: 69)

[Thus, the destruction of the Songhai empire led to the formation and development of states with precarious economies, based on the army and on either Islam or animism, with religion and a strong social hierarchy as common traits. They defined themselves as a result of the feudal wars.]

The empires then followed upon each other (the Segou empire, the Fulani empire of Macina, the Toucouleur empire) until the arrival of the French. The 'political culture' in this precolonial period was largely one of a feudalist power structure which installed itself by the force of arms and rested on rent-seeking and tribute collection.² The payment of the tributes marked the acceptance of vassal status; refusing to pay it was paramount to insurrection. Political relationships were established, maintained and redefined by force. Recourse to violence to change the existing political order and to substitute it with another (though often retaining existing hierarchies and positions of

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inferiority) also constituted much of the dynamics of alternating state power structures. The impact of the pre-colonial period has waned and has been decisively transformed by the subsequent colonial experience in Mali.

The Colonial Period

The colonial conquest by the French followed a similar scheme of establishing a political order, as it was imposed by the force of arms, establishing alliances, levying taxes, imposing *corvées*, and recruiting contingents of soldiers in case of war.³ Clientelistic relationships prevalent during the pre-colonial period were mostly redefined but continued to form the underlying network of political relations. It is only on the eve of the Second World War that – on the basis of the gains of the Conference of Brazzaville (30 Jan. to 8 Feb. 1944) – a process of democratization was gradually initiated. The elections of 1945 allowed for the participation of Africans in the electoral process. In the first months of 1946 one witnessed the creation of three parties: the *Parti Progressiste Soudanais* (PSP),⁴ the *Parti SFIO du Soudan*, and the *Parti Démocratique du Soudan* (PDS), which in fact constituted French–Sudanese sections of French parties.

In October 1946 the Constituent Congress of the *Rassemblement Démocratique Africain* (RDA) was held in Bamako and brought together a large part of the political elite of Francophone Africa. For Félix Houphouët-Boigny, elected president of the RDA, the issue was to establish the unity of Africans in view of the legislative elections of 10 November 1946. Concerning this, article 2 of the statutes of the RDA stipulated that: 'Il ne pourra être formé par Territoire qu'un seul parti politique se réclamant du RDA' (Per 'Territory' only one political party could be formed, making use of the name of the RDA). Under pressure from Houphouët-Boigny, the Sudanese delegates decided to dissolve the three existing parties (PSP, PDS and *Parti SFIO du Soudan*) in favour of their fusion into one, the *Union Soudanaise du RDA* (US-RDA) on 22 October 1946. But after 22 October a break occurred and the PSP asserted its autonomy *vis-à-vis* the RDA, from which a political polarization resulted, lasting up to March 1959 when the electoral collapse of the PSP (which had become the *Parti du Regroupement*

Soudanais) led in fact to a situation of mono-partyism in the French Sudan (Gaudio 1992: 98).

The end of the colonial period (1945–60) was thus marked by a 'learning process' of the rules of the electoral game⁵ and of democracy: freedom of association, inauguration of multi-partyism, freedom of the press and development of trade unionism. The role of the city of Bamako would be a determining factor in the process of decolonization of Africa,⁶ in spite of a much-reduced Sudanese elite when compared to the much more numerous and much more ancient coastal elites (in Dahomey, Togo, Senegal). The various meetings that took place in Bamako, as well as the participation of certain French Sudanese elected in the French administration, permitted the Sudanese leaders to assert themselves in political dialogue and governance.

In fact, unlike the majority of Francophone Black African countries, Mali benefited much more from an independence accorded by the old colonial power than countries that obtained their independence in armed struggle. For the first time in the history of this African region the redefinition of political power was obtained both by the ballot box and by a consensual process: the transfer of political power was carried out without recourse to war. After the failure of the Mali Federation,⁷ the old French Sudan (which became the République Soudanaise) took the name of 'Republic of Mali' on 22 September 1960.

From Independence to the Revolts

The events around the arrival to power of Modibo Keita at the head of the First Republic thus signified a rupture with the traditional political dynamics, where a change of power was realized by the use of force. Nevertheless, the regime of Modibo Keita quickly lost its popularity and the RDA in fact imposed itself as the single party.

In 1968, a military *coup d'état* ended the First Republic and put in place Lieutenant Moussa Traoré at the head of a Comité Militaire de Libération Nationale (CMLN). Following the constitutional void produced by the military take-over, a new constitution was prepared in 1974; it announced (with a delay of five years before its application) the election of a head of state by universal suffrage, a national assembly and a single party

(Gaudio 1992: 111). On 2 June 1974, the Constitution was approved by referendum with a 99.71 per cent majority, but this was qualified as *farce électorale* by certain opponents (De Benoist 1989: 133). The single party, the Union Démocratique du Peuple Malien (UDPM), was created in 1979 with the aim of filling the political void which followed the military dictatorship. The Second Republic was thus characterized by the conquest of power through the force of arms and the control of this power by a military dictatorship, which did not hesitate to use force to maintain itself. The creation of the single party – and of mass organizations like the National Union of Malian Women (UNFM) and the National Union of Malian Youth (UNJM) – was aimed at keeping a large part of civil society at bay by dividing the country into separate ‘compartments’.⁸

However, the military regime never succeeded in rooting out the opposition coming from political trade unionists and educational circles.⁹ The school-year 1976–7 was marked by strikes by secondary school pupils and university students, the closure of schools the expulsion of a large number of students, and, following the funeral ceremony of Modibo Keita on 18 May 1977, the regime proceeded to arrest many persons who had come to participate in the ceremony. During the school-year 1979–80 the students tried to organize the third congress of the National Union of Pupils and Students of Mali (UNEEM). The elected secretary of the UNEEM, Abdoul Karim Camara, nicknamed ‘Cabral’, was arrested, tortured and assassinated (De Benoist 1989; Diarra 1996). Since that moment he has incarnated the symbol of school resistance to the dictatorship. But during the years 1970 to 1980, the opposition movements never succeeded in organizing themselves, nor in threatening the dictatorship.

From the Opposition to the Moussa Traoré Regime to the Transition Period

During the 1990s different movements formed opposing the military dictatorship (Bertrand 1992; CERDES n.d.; Fay 1995; Sidibé and Kester 1994). In March 1990 the single party celebrated its eleventh anniversary. On this occasion a conference on democracy was organized within the party during which militants opposed to the dictatorship could make their voices heard. The majority of the participants then spoke out in favour of

multi-partyism (Diarra 1996: 34). Following this, the Union Nationale des Travailleurs du Mali (UNTM), the central trade union that since the arrests of 1970 had collaborated with the regime,¹⁰ opened the way for opposition to the military regime when during its central extraordinary meeting of 28 and 29 May 1990 it declared that:

Considérant que le parti unique constitutionnel et institutionnel ne répond plus aux aspirations démocratiques du peuple malien ... le Conseil Central Extraordinaire rejette en bloc le dirigisme politique qui entrave le développement de la démocratie au Mali ... opte pour l'instauration du multipartisme et du pluralisme démocratique ...
(CERDES n.d.: 33)

[Considering that the single constitutional and institutional party no longer answers to the democratic aspirations of the Malian people ... the Extraordinary Central Council categorically rejects the political dirigism that thwarts the development of democracy in Mali ... and opts for the introduction of multiparty politics and democratic pluralism ...]

Thus a break was produced, as a result of which different groups representing civil society went into action: for instance, the Malian Bar (4 Aug. 1990) and a group of citizens who wrote an open letter to the President, which was published in the bi-monthly independent magazine *Les Echos* (7 Aug. 1997).¹¹

Following these initiatives, the opposition movement was reinforced and started to organize itself through the creation of democratic associations. On 15 October 1990 the Association de la Jeunesse pour la Démocratie et le Progrès (AJDP) was set up, followed by the Comité National d'Initiative Démocratique (CNID) and the Alliance pour la Démocratie et le Progrès (ADEMA). Youths formed their own associations, like the Association des Elèves et des Etudiants du Mali, l'Association des Diplômés Initiateurs et Demandeurs d'Emploi (ADIDE), and the Jeunesse Libre et Démocratique (JLD). These youth associations would succeed in mobilizing Malian youth, which would form the large majority of the masses of demonstrators against the dictatorship.

From January to March 1991, peaceful gatherings and demonstrations followed one upon the other. During a peaceful

march organized on 22 March that year, the army fired on the demonstrators, which then led to five days of violent disturbances. On 26 March 1991, the regime of President Moussa Traoré was overthrown by a group of military led by Lt.-Col. Amadou Toumani Touré. The military installed a Committee of National Reconciliation (CRN) and subsequently, after discussions between the CNR and the Comité de Coordination des Associations et des Organisations Démocratiques (CCAOD), a *Comité Transitoire de Salut du Peuple* (CTSP) was formed, composed of ten representatives of the armed and security forces and of fifteen representatives of the CCAOD. Among the representatives of the CCAOD one notes the prime place accorded to the youth associations (four out of fifteen),¹² which indicates the recognition given to those that rebelled against the dictatorship. One also notes the place occupied by two representatives of resistance movements, which also indicates the importance of armed movements that struggled against the regime of Moussa Traoré.¹³ The CTSP then formed a provisional government, led by Mamadou Toumani Touré.

The Transition

From 26 March 1991 to 8 June 1992 the Transitional Government took charge of preparing elections and of managing current affairs. For many authors this period is characterized by a rather slack treatment of existing national problems (CERDES n.d.: 120). Nevertheless, the transitional authorities showed good sense in their refusal – or inability – to effect a systematic witch-hunt, for example, on the political leaders of the old regime and their associates. On the other hand, they were confronted with many claims, often stated in an aggressive or violent manner. Indeed, as Sidibé and Kester noted (1994: 70):

Sur le plan social, la montée extraordinaire des revendications catégorielles et le développement sans précédent de la violence comme moyen de revendication sont devenus un phénomène majeur, curieusement au moment même où le dialogue politique et social est devenu possible. Ainsi, dès les lendemains de l'installation des autorités de la transition, des mouvements violents s'enclenchent dans le pays.

[In the social domain, the extraordinary increase of categorical demands and the unprecedented development of violence as a means to make demands have become a major phenomenon, strangely enough at the very moment that political and social dialogue became possible. Therefore, only days after the installation of the transitional authorities, violent movements have thrown themselves into gear in the country.]

This attitude may appear all the more paradoxical, as the first demonstrations of opponents to the dictatorship were peaceful and as this opposition was also directed against corruption as well as in favour of the establishment of a new kind of political relations. With the arrival of the CTSP (and later of the Third Republic), violence emanating from civil society in fact replaces that of the state. This appropriation of violence by civil society as a mode of expression of relations of power but also as a force regulating social order¹⁴ imposed itself very quickly and has remained a significant problem until today.

THE 1992 ELECTIONS

Conditions of the Electoral Process

As was the case in a majority of Francophone African countries, a National Conference was organized (held from 29 July to 12 August 1991).¹⁵ In this framework, the setting up of political structures of the new regime, the choice of election procedures, and the establishment of an election calendar were prepared. It was also during this national conference that a new Constitution inaugurating the Third Republic was prepared. This Constitution accords an important place to human rights, as indicated by the substantial number of articles relating to the rights of the human person.¹⁶ The Constitution also defines the attributes of the eight institutions of the republic.¹⁷

Then a period of intense electoral activity followed which permitted the consolidation of these new institutions. During this period the Mali electorate also had to go to the ballot boxes no less than six times between 12 January 1992 and 26 April 1992, be it for the constitutional referendum of 12 January, the municipal election of 19 January, the legislative elections (in

one or two rounds) on 23 February and on 9 March, and the presidential elections in two rounds on 12 April and 26 April 1992 (CERDES n.d.: 52). These elections were organized by the Secretariat of State for Institutional Reforms.¹⁸ A commission for 'equal access to state media' was also created (CERDES n.d.: 53), and several radio and television transmissions allowed candidates to present their programmes and to engage in political debate.

The entire electoral process was supervised or witnessed by about forty *foreign observers* (originating from different countries or belonging to different organizations) 'qui ont unanimement reconnu que les élections maliennes ont été honnêtes et transparentes' (who have unanimously admitted that the Malian elections have been honest and transparent) (CERDES n.d.: 53). However, a reading of Malian press articles that appeared during the elections seems to point only to a feeble role played by these foreign observers. The press gave much more attention to things like the costs of the organization of the elections and the lack of financial independence that was related to it.

Indeed, without the financial aid of donor-countries or international organizations the Malian elections could not have been held.¹⁹ The fear of too much dependence on the goodwill of foreign countries or of being victim of too much interference in political matters is not without grounds. How indeed can a democratic state invent and acquire its own values in such a framework of external assistance?

The Political Parties

The first political parties emerged in the process of transformation of democratic associations created in 1990 (e.g., the ADEMA Association turned itself into a political party and became the ADEMA-Parti Africain pour la Solidarité et la Justice (ADEMA-PASJ)) during its extraordinary general assembly of 26–7 April 1991).

From a situation of institutionalized mono-partyism Mali has quickly become familiar with a situation where the high number of new parties renders political debate near impossible. As Monique Bertrand writes (1992: 13):

Dès l'instauration du multipartisme par l'ordonnance no. 2 du CTSP, la création et la réapparition inflationniste de 3 partis devenus 4 en un mois, puis 45 à l'issue de la Conférence nationale, montre le risque réel de voir le jeu politique s'embourber dans des dérapages personnels et des coalitions précaires.

[Since the installation of multiparty politics under Ordinance no. 2 of the CTSP, the creation and inflationary reappearance of parties becoming 4 within one month, and then 45 in the wake of the National Conference, shows the real risk of seeing the political game being bogged down by personal lapses and precarious coalitions.]

At the time of the elections of 1992 there were 48 parties. Of these 48 official parties, 24 participated in the municipal elections, 22 in the first round of the legislative elections, 9 in the second round, while 10 were represented in the National Assembly.

The creation of parties was done on the basis of recuperating part of the former cadres of the former single party on the one hand, and on systematic subdividing of the first parties created on the other. The high number of political parties as well as the conditions of their creation reinforced the perception of an absence of criteria of demarcation between these different parties: far from being constituted on the basis of societal projects, their foundation seems to be tied to personal interests which the arrival of democracy has permitted to be expressed.²⁰ The return of one-quarter of the deputies from the old National Assembly, presenting themselves in the first round of the legislative elections in seven parties that were prepared to field them, reveals old, non-transparent patterns of patronage or clienteles, and induced a lack of interest among a large part of the voters, who therefore refrained from casting their vote.

The Weak Participation of Voters

The weak participation is explained by various factors, like difficulty of the organization of the elections themselves or the war situation in the North of Mali (where the Touareg rebellion did not permit voters to go to the ballot box either for reasons

of lack of security or because of the fact that a part of the Touareg population had left the area to seek refuge in camps in Mauritania, Algeria and Burkina Faso). However, the disaffection of the voters, which rapidly increased from one election to the next, cannot simply be explained by lack of security or by the large number of elections. The decrease of participation in the elections also reveals deep scepticism among the voters towards a political class that seemed to continue embroiling itself in personal quarrels.

Indeed, only the elections of the referendum saw a rate of participation higher than 40 per cent (see Table 10.1). This 'abstract election' (a vote in favour of a text and not in favour of an individual), the purpose of which seemed clear and consensual, presented a project which concerned the 'common good', in contrast to those which followed and where the personal ambitions of politicians were so exacerbated. In addition, one should recall that the popular uprising against the military dictatorship in the first place expressed a wide consensus against corruption. This unity of purpose was primarily constructed in the name of *kokaje*. This Bambara term *kokaje* has been translated as 'transparency': in the sense that the demonstrators demanded that the judicial authorities would persecute politicians in power for 'economic crimes' (graft, incompetence, and the like) or 'blood crimes' (assassinations) that they had committed while in office. The term *kokaje* is a relatively strong one because it includes implicit references to the idea of 'pollution', of 'dirt'

Table 10.1 Participation of voters in the elections of 1992 (%)

Elections	Date of elections	Percentage of participation
Referendum	12 January 1992	43.58
Municipal elections	19 January 1992	32.10
Legislative elections (1st round)	23 February 1992	22.31
Legislative elections (2nd round)	9 March 1992	20.50
Presidential elections (1st round)	12 April 1992	23.59
Presidential elections (1st round)	26 April 1992	20.87

Source: CERDES n.d.; Diarra 1996.

which has to be eliminated. Literally it means 'to wash in order to clean', and is thus linked to the idea of 'purification'.

During and after these elections, the feeling of having been deceived among a large part of the Malian people was great. One reason was that of the big delays in the judicial process for judging these crimes committed, another was the resentment to the practices of opportunism and personal enrichment by the new politicians.

Results

Results of the elections for the referendum gave 98.35 per cent yes to the Constitution against 0.78 per cent no. The Constitution of the Third Republic has thus been accepted unequivocally, all the more so since the rate of participation, although low, remains one of the best that the Third Republic has seen until today.

The municipal elections were the first where the parties entered the contest. Nevertheless, more than half of the newly declared parties did not participate in these elections. In addition, the results of these municipal elections seem to indicate that only three parties (ADEMA-PASJ, US-RDA and CNID-FYT) had a measure of support across the entire country, while the other parties did not really succeed in asserting themselves on the national level. A total of 751 municipal councillors were elected (for a period of four years) in 21 *communes* (see Table 10.2).

In the first round of the legislative elections, 15 deputies were elected (of which 10 from ADEMA). Overall, 116 deputies (76 from ADEMA) were elected for a period of five years. ADEMA thus disposed of the absolute majority in the National Assembly.

In the presidential elections, nine candidates emerging from the principal representative parties (with the exception of one independent candidate) were on the list (see Table 10.3). After the first round, only two candidates remained in the race: Alpha Oumar Konaré of ADEMA and Tiéloulé Konaté of US-RDA. It has to be noted that the divisions within the US-RDA led to their presentation of two candidates, which permitted Alpha Oumar Konaré to impose himself very easily after the first round. In the second round he was elected President of the

Table 10.2 Results of the municipal and legislative elections of 1992 according to number of elected candidates

Political parties	Municipal	Legislative 1st round	Legislative 2nd round	Total of Legislative
ADEMA-PASJ*	214	10	66	76
US-RDA	130	1	7	8
CNID	96	1	8	9
UDD	63	0	0	4
RDP	61	0	4	4
UFD	50			
PDP	40	2	0	2
PSP	29			
UFD	24	0	3	3
RDT	11	0	3	3
PMI	09	0	6	6
PEI	06			
PUDP	05			
PDJ	04			
PDT	04			
RJP	02			
PPS	01			
PMPS	01			
UDS	01			
UMADD	00	1	0	1
TOTAL	751	15	101	116

* In **bold**: parties represented in the National Assembly.

Source: CERDES, n.d.: 60, 81, 84.

Table 10.3 Results obtained in the presidential elections (first and second rounds) of 1992 (%)

Names of candidates and parties	Presidential (1st round)	Presidential (2nd round)
Alpha O. KONARÉ (ADEMA-PASJ)	44.95 per cent	69.01 per cent
Tiéoulé KONATÉ (US-RDA)	14.51 per cent	30.99 per cent
Mountaga TALL (CNID-FYT)	11.41 per cent	
Almamy SYLLA	9.44 per cent	
Baba Akhib HAÏDARA (US-RDA)	7.37 per cent	
Idrissa TRAORÉ (PDP)	4.10 per cent	
Amadou NIAGANDOU (RDT)	4.01 per cent	
Mamadou DIABY (PUDP)	2.16 per cent	
Demba DIALLO (UFD)	2.04 per cent	

Source: CERDES, n.d.: 100-1.

Republic (for five years), with a very high score of 69.01 per cent.

However, even if the predominance of ADEMA tended to be confirmed from the municipal up to the presidential elections, the popular adhesion thus expressed did not lead to or allow for a post-electoral 'social peace' in the country.

THE YEARS 1992-7: DIFFICULTIES IN THE SOCIAL MANAGEMENT OF DEMOCRACY

Instead of renouncing violent means and practices in order to realize their aims, the different opposition movements that had fought together against the military dictatorship (and to which various new corporate groups had aligned themselves) have pursued their struggle with the aim of getting – often extraordinary – advantages and benefits from the state.

The demands of various sectors in society, the conflict in northern Mali and the school crisis tended to relentlessly destabilize the newly elected regime (Bertrand 1992; CERDES n.d.; Fay 1995; Sidibé and Kester 1994) and create a sense of the absence of any state power. This had a very harmful effect on representations of 'democracy' that Malian society was trying to develop. The impossibility of managing all the social demands and the failure of the governmental coalitions created a structural political crisis. Between 8 June 1992 and 15 February 1994 Mali saw three prime ministers, supported by different alliances (like that of the coalition of the US-RDA, the UFD, the RDT, and after the crisis of 1993 a new and enlarged coalition – from April 1993 to February 1994 – with six parties, among which the CNID-FYT, which had until then been in opposition).

Finally, these different coalitions would neither have permitted a social peace nor a restoration of state authority: the relations between state and the different social groups that had emerged from civil society continued to be marked by violence. The arrival of Ibrahim Boubacar Keïta as Prime Minister on 4 February 1994, however, began a new period of government stability. From that date, the ADEMA-PASJ ruled alone, while the other parties joined the opposition. The I.B. Keïta government also succeeded in dealing with certain issues (for example, the conflict in the North, the school crisis, and

economic recovery). Nevertheless, the *political* crisis persisted, and on 3 March 1997 the President of the Republic, faced with the difficulties that had emerged in the course of preparations for the legislative, presidential and municipal elections of 1997, dissolved the National Assembly.

The Elections of 1997

The vote in the National Assembly for the Electoral Law (8 January 1997) was to reinforce the judicial framework for elections. This law replaced the decree of the CTSP (Comité Transitoire de Salut du Peuple, see above) of 10 October 1991 which had contained the electoral code. The organization and the management of referendums and elections were from then on to be in the hands of a Commission Électorale Nationale Indépendante (CENI),²¹ composed of 30 members, 8 of whom were appointed by the government, 7 by the parties of the parliamentary majority, 7 by the opposition parties and 8 by the various associations.²²

However, despite the judicial structure put in place, the 1997 elections took place in a sphere of utmost confusion and in a tense climate where fears of a violent outbreaks were often expressed. The first and principal problem that came up during the preparation of the elections was that of the establishment of an electoral register. The problems connected to the registration of voters²³ can be explained by the embryonic civil registration in Mali – the population census data were unreliable and a part of the archives of the civil register was burned during the revolts of 1991. The difficulties of setting up an automated electoral register in poor material conditions (no qualified personnel, numerous electricity cuts) remind us that Malian democracy had to construct itself in a very unfavourable economic and financial environment. At the same time, the establishment of an electoral register was entrusted to a *private* company that proved itself incapable of correctly carrying out that task, which suggests that a state 'retreating' from public life is not really compatible with a process of democracy.

The difficulties coming up in the preparation of these elections led to several delays in fixing the election date. The results of the first round of the legislative elections (13 April 1997), which had proceeded in a most confusing manner, were

annulled by the Constitutional Court. These elections were rescheduled to 3 July 1997 for the first round and to 20 July for the second round. The first round of the presidential elections, initially foreseen for 4 May 1997, was delayed until 11 May 1997.

The conduct of the electoral campaigns was marked by utter disregard of chapter VIII of the 1997 Electoral Law (called '*De la Campagne Électorale*'). At least four articles of the twelve in this chapter were violated with impunity, especially by the ADEMA-PASJ. The means used by the three principal parties to 'persuade' the voters also consolidated both clientelistic relations as well as the existing negative image of politicians among the populace. The organization of concerts and demonstrations, the funding of theatre groups (*L'Observateur*, 1997), the distribution of presents and gifts (kola nuts, money for the men, cloths for the women, tea, sugar, T-shirts, balloons for children) went to reinforce the image that power was to be seen in terms 'dividing the cake', because nobody was fooled as to the source of this ostentatious funding, especially the considerable sums that benefited the ADEMA-PASJ. The lack of respect for the Electoral Law of January 1997 as well as the absence of regulations for the funding of parties did not leave any real chance for the opposition. This partly explains their choice in favour of boycott and the reluctance to resort to violent means in order to ensure a political turn-around.

As in the elections of 1992, voter participation remained low: 21.6 per cent of the voters came to the first round of the legislative elections and 28.41 per cent to the presidential elections (see *La Lanterne*, 26 May 1997). Following the boycott by all the opposition parties, Alpha Oumar Konaré was re-elected President of the Republic right in the first round. In the first round of the legislative elections, 123 candidates were elected on a total of 147 seats. The second round, held on 3 August 1997, sealed the massive victory of the ADEMA-PASJ but against the background of the indifference of the majority of Malians, who no longer felt involved in elections which for them seemed to be linked more than ever to the interests of the people in power. The municipal elections, originally foreseen for June 1997 but delayed several times due to disagreements between the government and the opposition, were scheduled for April 1998. Special 'delegations', whose mandate had to be

extended several times, were installed to replace the mayors and the municipal councillors. The last such extension was to be valid up to 31 March 1998, just before the upcoming municipal elections.²¹

ELECTIONS AND DEMOCRACY ARE CONFRONTED WITH THE 'POLITICAL CULTURE' OF MALI

On Elections without the Support of Western Codes

In a country where more than 80 per cent of the population is illiterate, the weak mastery of Western-derived socio-cultural 'codes' (for example, the 'literacy code', or the 'bureaucratic code': an attitude and a state of mind implying a different way of dealing with other people) emerges as a certain handicap, if one assumes, as Western donor-countries usually do, that 'democracy' should proceed always in terms of models and conditions known from the Western experience (this is an unrealistic assumption). Indeed every electoral process in this sense seems to rest on a bureaucratic infrastructure that presupposes – at least – statistical knowledge of the population (for the establishment of voters' lists and voting cards), productive capacities (the actual production of the electoral material: indelible ink, ballot papers, envelopes, boxes for secret voting), organizational capacities (distribution of the material, transport of the ballot boxes, control of the voting procedure itself, the counting), as well as adequate financial means.

In Mali, the problem posed by, for instance, the establishing of voters' lists is tied to a situation of a weakly performing and partly corrupt administration on the one hand, and to the popular perceptions of administrative paper-work and documents in general on the other. In an article on the difficulties encountered by the cadres of the Ministry of Secondary and Higher Education in deciding the allocation of allowances and scholarships to students, Diawara (1997) has shown the problems of making the administration properly function in a situation where false civil registration papers²⁵ – obtained by patronage and protection or by bribing – proliferate. These systematic administrative forgeries reveal that subverting the 'bureaucratic code' (however understandable perhaps against

background factors like the national scarcity of places, jobs and opportunities), still remains the norm in Mali. The official paper (identity card, diploma, civil register file) has no intrinsic value: it is at best seen as a necessity, or more often as a means to obtain some advantage. This means or instrument can therefore be fabricated, transformed, sold or lent.

Connections with State Power, or 'Dividing the Cake'

As Sidibé and Kester (1994: 72–3) have said:

La grande masse des personnes qui descendaient dans la rue l'ont fait en réaction à la mauvaise gestion, au népotisme, aux détournements des deniers publics. En un mot, ils se battaient pour la moralisation de la vie publique ... Or loin de disparaître, la corruption, le népotisme et la gaspillage se développent comme par le passé.

[The great mass of persons that went out into the streets did so in response to bad governance, nepotism, and embezzlement of public funds. In one word, they fought for improving the morality of public life ... Well, far from disappearing, corruption, nepotism and squandering developed into what they were like in the past.]

Indeed, one could say that following the unsuccessful imposition of *kokaje* (see above), that is, of combating corruption and idleness and incompetence, and faced with the failure of countervailing forces asserting themselves to guarantee political integrity, there has been a quick turn toward the general demand that 'everybody should have the right to such idleness and profiteering'. From then on, the connection to political power has indeed been perceived, as President Alpha Oumar Konaré said in an interview with *Le Malien* (cited in Diawara 1994: 22), as 'getting a slice of the cake'.

In such conditions, democracy is not seen as a system which permits the free choice of representatives, or the possibility to check them and hold them accountable, but simply as a system that can offer access to state benefits or to profits from the yields of international aid. This is an often diagnosed trait in African 'neo-patrimonial' systems.

The democratic process thus is being perceived primarily as a *process of the democratization of access to the financial resources* either of

the state or of foreign aid. Hence one could ask if the proliferation of civic associations (the number of which has grown from some 300 to more than 4,000 in a space of four years), as repeatedly testified by international observers,²⁶ is not in fact in the majority of cases merely a practical expression of the desire to appropriate and control the ongoing flow of international aid. Under the guise of a 'pseudo-culture' of community concern, and profiting from the lack of interest of the donor-countries for the *state institutions*, members of the new civic organizations capture a large part of the funding that used to be accorded to the state bureaucracy, although in many cases their practices are not so much different from that of idling and incompetent state administration. Democracy has thus become a tool for making deals, either with the West or with the Malian masses.²⁷ It is a source of income and has turned into an instrument for the generation of money, as in the past was the case with 'rural development' or the big droughts, and today with dominant themes like AIDS, decentralization or the condition of women.

But this tenacious struggle centred on the obtaining of resources chiefly coming from international aid ultimately cannot take place without recourse to the use of force (or at least the threat thereof). In fact, as the 'school crisis' has shown (see above), resorting to the use of force in order to be able to appropriate the funds is being *legitimized*: among the different corporate groups that were able to express their demands in the years 1991 to 1994, the higher education students and secondary school pupils seem to have succeeded best in maintaining pressure on the government. Since the political transition, the 'school crisis', as it is known in Mali, has not ceased to disturb the social and political scene of the country. The struggles of the pupils and students had thus led to a circa 50 per cent increase of the money for student allowances in 1991 and of 75 per cent in 1994, resulting in a rise from 180,000 francs CFA per year in 1978 to 250,000 per year in 1991 and to 315,000 in 1992. Today, almost 50 per cent of the state budget for higher education goes to allowances and scholarships. The standard of living of students thus supported is in fact higher than that of an average manual labourer or worker. If one interprets the struggle of the secondary school pupils and students as a means to capture part of the state's resources or the yields of international aid, this fact is not in any way seen as scandalous by the

parties involved, because indeed the allowance does not permit them an ostentatious life-style or even an accumulation of money. Also, under their noses the big villas or 'castles'²⁸ continue to be constructed, those built in the 1990s for projects on AIDS (and others funded from outside) following the ones built in the time of the great drought of the 1970s and 1980s. Obviously, the impact of foreign funding derives mainly from the present relationship between countries in the 'North' and 'South', not always with positive effects. The inauguration of a more democratic system in Mali did not stimulate any substantial increase in the flow of aid funds, despite the promises of Western countries. Such funding often remains conditioned by traditional geopolitical interests, and is not much influenced by new democratic credentials gained by those countries.²⁹

PROSPECTS

Since the events of 1991, elections have been organized in Mali in 1992 and in 1997. The balance is far from wholly negative, even considering that the participation in the elections has remained low (about one-quarter of the electorate having voted), and even if the opposition boycott has called into question the consensual and regulating function of the electoral process.

The appeal from certain members of the opposition to violence or to revolt has not resonated at all among the larger part of the Malian population, which for the time being prefers an imperfect kind of democracy to a situation of civil war. Also, the armed forces have not tried to intervene and 'settle' the political crisis. But is all this sufficient to assume that the democratic process is consolidating itself?

First of all, it is clear that certain gains are inalienable – such as press freedom and private radio (Keïta 1992, 1995), or the laying of the foundations, however small, for judicial and administrative reform – even if the expected overhaul of the public administration has yet hardly begun. The commitment of the various authorities in the Malian Third Republic to the development of education (despite the discouraging influence of donor-countries) shows the desire to reconstitute ideological foundations for the birth of a new nation-state. Success of the Third Republic in this respect is clearly visible in the

'educational explosion' witnessed since the early 1990s (see Lange and Gisselbrecht 1998). It is certainly one of the rare domains where a consensus between the state and the population has been able to assert itself. This strong demand for education as seen today in fact shows the effectiveness of appealing to the right to education to 'get part of the cake' (see above). But it may also have the social effect of a wider acceptance of the 'literacy code' (and a prelude to integration into the bureaucratic code). If one considers the refusal to attend school was often the expression of opposition to the state, then the active involvement in or commitment to education might be interpreted as a renaissance of a certain commitment from the side of (civil) society to the nation-state (Lange 1987, 1991). However, opposition to the state is also expressed without reserve and without ambiguity in the rather obstinate refusal of people to pay taxes (according to certain experts the actual rate of recovery of taxes has not been more than 10 per cent). Civil disobedience of this kind has often been highlighted without the causes always clearly identified. A weak administrative structure giving people the opportunity to duck payments is one of them, but perhaps more important is the perception that 'everybody' is subverting the law in this respect, including the country's leaders. This contributes to disobedience becoming the norm.

In the economic domain, the results achieved since the beginning of democratization are undeniable. Three sectors of the economy – gold, cotton and livestock – have seen an unprecedented expansion that has permitted Mali to become one of the prime exporting countries of these goods in Africa (see *Jeune Afrique*, 1–7 Oct. 1997) and to dispose of its own resources – certainly insufficient, but making it less dependent on foreign donors. The repair and development of infrastructure (roads, schools) is also noticeable, after several decades of neglect. But the inauguration of a system of democracy has, above all, allowed the well-to-do classes – those who have wealth and possessions, and the entrepreneurs – to make themselves even more comfortable. One may cite the example of the land problem in the capital Bamako, where the only guaranteed real-estate operations are those by private firms and are only destined for the most well-off classes, thus leaving the less fortunate mass of the population in the care of (often corrupt)

civil administrators when buying property, and then with often highly contested legal title. Finally, the problem of unemployment (especially among youth) has hardly been solved either.

The essential problems that remain are either of bureaucratic or political origin, and are found today in the practices of corruption and clientelism, obscure party funding, and in what can be seen as their corollary: the recourse of violence by certain groups in society. In addition, the absence of independence or autonomy in public administration contributes to articulate relations of clientelism. Before the start of democratization, corruption was considered as bound up with the political system of the dictatorship – the right of the 'strong' to privileges and favours from the dominated. Between 1991 and 1997, these relationships, however, have far from disappeared. As President Alpha Oumar Konaré himself concluded, the absence of a class of politically responsible people proposing a real societal project creates a problem. The point is, how can the emergence of such a new political class be realized in a clientelistic context which is maintained by both the government (by giving administrative positions to loyalists) and by the ADEMA-PASJ Party (by distributing 'favours' and gifts)?

In this respect, when people perceive the relations with those in power as allowing a 'sharing of the cake' (a zero-sum game), this can only breed violent protest, because, on the one hand, the resources essentially come from international aid and are less and less controlled directly by the state apparatus, and, on the other, their distribution will always be a source of conflict in the absence of clear rules of appropriation. It is here that the question as to the relation between the democratic system and the role of the state comes in.

Two phenomena are conjoined to accelerate the 'retreat of the state' (or *désétatisation*): first, the continued incompetence and corruption of the administrative services inherited from the dictatorship; second, the ultra-liberalism of the donor-countries which, instead of aiding the restoration of a public service and a bureaucracy necessary to institute a state with a rule of law (the *Rechtsstaat*), prefer to fund the private sector – about which nothing assures us that it will function on relationships any different or any better than those decried in the state administration. The deficit of state institutionalization, that centrifugal tendencies could reinforce, constitutes a real risk of

re-emergence of social crises and national or local revolts. One may ask: can social, economic and political development indeed be realized in the absence of state regulation? In the transition period after the fall of the Traoré dictatorship, the Comité Transitoire de Salut du Peuple (CTSP), in its statement of 5 April 1991, mentioned among its first aims: 'la restauration du crédit et de l'autorité de l'État' (the restoration of the credibility and authority of the state) (CERDES n.d.: 44); but without the state having been *rethought* or redefined, either in its foundations or in its relations with civil society. Until now, the relationships between power and the ensemble of institutions (familial, traditional or of the state) have too often remained under the governance of the bonds of clientelism, whereby the one who 'possesses power' can only retain it by buying allegiance from those s/he dominates.

How to pass from a clientelistic state with systematic privileging (where 'legitimacy' is acquired, on the one hand, by the issuing of favours that can be distributed by the grace of the yields of corruption or of fringe benefits, and on the other hand, by tolerating transgressions of the law), to a bureaucratic rule-of-law state? The distribution of favours and the tolerating of transgressions (as a payment for allegiance to the existing power structure) form the basis of the reproduction of the clientelistic state and ensure the continued domination of the elites in place. For numerous Malians the ADEMA-PASJ today constitutes the central agent whereby this type of relationship is being forged and acted out. In today's conditions also, the electoral process, far from having facilitated the transition of a clientelistic state to a rule-of-law state, has rather opened up a *new* domain of clientelistic enterprise. One may be justified in thinking that at least as long as the Electoral Law of January 1997 is not applied and the funding of political parties is not strictly regulated by the law, the electoral process will never be able to really influence existing power relations nor strengthen the process of democratization in Mali.

It is in this sense that the role of external, foreign observers, which up to now was largely limited to monitoring/evaluating the conditions of exercise of the right to vote, can appear as without any real influence on the democratization process in the country. It is also true that certain observers from Western countries (like those from France), where members of the polit-

ical class are allegedly involved in affairs of illicit funding of political parties, are hardly in a position either to condemn the above-mentioned practices or to propose solutions for them – which they have not been able to find in order to sanitize political life in their own countries. Is not a kind of consensus – based on common interests – being constructed between African leaders and Western leaders, ready to accommodate regular and 'free' elections which have no real political stakes, lack financial transparency on party finances and electoral campaigns, and which also are increasingly held in the absence of voters?

NOTES

1. Translation from French by J. Abbink.
2. Concerning Macina, see Fay 1997.
3. On the basis of functional characteristics, the colonial empire was hardly different from the African empires.
4. 'Soudanais' referred to the French West Africa region, called the French Sudan.
5. The principal elections have been: the legislative elections of 1945, the referendum of 1946, the legislative elections of 1946, a new referendum of 1946, the legislative elections of 1951, the territorial elections of 1952, the legislative elections of 1956, the territorial elections of 1957, and the referendum of 1958. This was a period of intense political activity of the Sudanese elite, all the more so because of the fact that certain elected French-Sudanese occupied positions in different French administrations (in particular Hamadou Dieko and Modibo Keita), and remains unique in the history of Mali up to the elections of 1992. In that year, a new process of democratization began.
6. After having hosted the Constituent Congress of the RDA, the city of Bamako would frequently be the meeting place of African politicians.
7. Which originally included Dahomey, Upper Volta, Senegal and the Sudan and subsequently, after the seceding of Dahomey and Upper Volta, only Senegal and the Sudan. Less than two months after the transfer of administrative power from the French *communauté* to the federation, the two countries split. On the Mali federation, see Ndiaye 1980.
8. According to Fay (1995: 20): 'Le parti est représenté aux niveaux des villages (comités), de l'arrondissement (sous-section), du cercle (section) et au niveau national (Bureau exécutif central, BEC). (La région, le cercle et l'arrondissement sont des découpages administratifs emboîtés, partiellement repris de l'administration coloniale. Ils sont dirigés respectivement par un gouverneur, un commandant de cercle et un chef d'arrondissement).' [The party is represented on the level of

- villages (committees), of civil districts (subsection), of 'cercle' (section), and on the national level (the Executive Central Bureau, BEC). (The region, the 'cercle' and the civil districts are 'encased' administrative divisions, partly taken over from the colonial administration. They are led by, respectively, a governor, a commander of the 'cercle' and a district chief.)
9. After the arrest of numerous politicians since 1968 the military proceeded to detain elected members of the bureau of the National Union of Malian Workers (UNTM) in 1970. On the opposition movements to the military regime and the repression to which they fell victim, see Diarrah 1996: 11–29.
 10. As noted by O.O. Sidibé in 1997, this collaboration, called 'responsible participation' and adopted by the UNTM during its 1974 congress, encountered opposition from the workers. In fact, after this congress the trade union became co-opted by the single party.
 11. The creation of the bi-monthly *Les Echos* on 17 March 1989 permitted the critical discussion of the state monopoly of the press. Its creation followed the foundation of the cultural magazine *Jamana* in 1983 and subsequently the cooperative of the same name set up by Alpha Oumar Konaré. In December 1989 a new publication called *La Route* saw the light, followed in 1990 by two others, *Cauris* and *L'Aurore*. In contrast with many other African countries the emergence of the free press in Mali has preceded the revolts and the written press has been able to play an important role in the struggle against the dictatorship.
 12. On a total of 15 representatives, 3 were of the UNTM, 2 of the ADEMA, 2 of the CNID, 2 of the Malian Human Rights Association (AMDIH), one of the AEEN, one of the EJD, one of the ADEIDE, one of the JLD, one of the Mouvement Populaire de l'Azaouad (MPA) and one of the Front Islamique Arabe de l'Azaouad (FIAA) (CERDES n.d.: 38–9).
 13. Even if this fact is today systematically obscured by Malian authors, as if the clear role of the Touareg rebellion in the process of weakening the military dictatorship should be effaced from official history.
 14. On the subject of lynching of petty criminals and of the 'right of plunder' and the like, see Fay 1995.
 15. See *Le Messager Africain*, no. 001, April/May/June 1996.
 16. That is, 20 articles out of the 24 of the first section 'Des Droits et des Devoirs de Personne humaine' of the Constitution (République du Mali 1997: 2).
 17. These institutions are: the President of the Republic, the Government, the National Assembly, the Supreme Court, the Constitutional Court, the High Court of Justice, the High Council of Territorial Collectivities, and the Economic, Social and Cultural Council. The Malian Constitution thus strongly resembles the French one.
 18. This secretariat was created by the CTSP on 26 Aug. 1991.
 19. The total sum of international aid towards financing the elections amounted to 1,901,736,320 francs CFA. Among the most important donors one finds the Federal Republic of Germany (300 million francs CFA), the United States (297 million francs CFA), France (250 million francs CFA), and the UNDP (160 million francs CFA) (CERDES n.d.: 53).

20. In view of this multiplication, the state relinquished any funding of parties, among other reasons suspecting that these new creations were considered to be only motivated by the prospect of state funding (*L'Aurore*, 3 Dec. 1991).
21. Article 3 of the Law no. 97-001/AN-RM.
22. See article 4 of the above law.
23. The number of voters registered on the voters' lists has varied: for the referendum of 12 Jan. 1992 there were 5,233,432 voters; for the legislative elections (first round) of 23 Jan. 1992: 4,780,476; for the first round of presidential elections of 12 March 1992: 5,106,466, for the second round of presidential elections of 26 April 1992: 4,902,603, and for the presidential elections of 11 May 1997: 5,428,256 voters.
24. The municipal elections in the urban regions were planned for 21 June 1998; those in the rural regions for 19 Nov. 1998.
25. For example, the practice of forging civil register papers like a death certificate for one's father (while he is still among the living) by a student: this permits him/her to get a state allowance.
26. See the special section on Mali in *Le Monde Diplomatique* of May 1997.
27. In a survey carried out among teachers in the whole of Mali, the majority of the respondents, when asked about the level of financial support they received, answered that they could not make ends meet with their salary. They noted that most other functionaries (for instance, customs officials, policemen, various administrators) could guarantee themselves their means of existence thanks to their 'additional income'. Far from condemning what we could consider as corruption or embezzlement of public funds, some of the respondents demanded that the teachers get premiums in view of their being handicapped in obtaining additional funds.
28. 'Châteaux': the term designates the luxurious villas constructed by politicians or development project people, either legally (thanks to high *per diems* or consultancies where foreign currency is earned), or illegally (people appropriating money or material means from state funds meant for the population as a whole). This is not unique to Mali.
29. See, on French assistance, the report of the Observatoire Permanent de la Coopération Française (1997).

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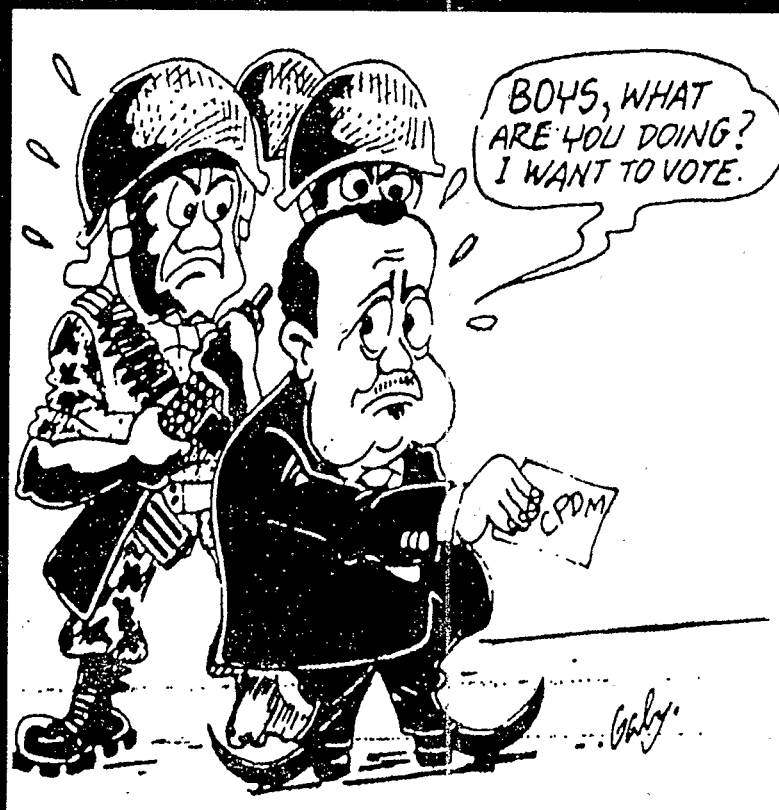
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Part III

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AND DEMOCRATIZATION
IN AFRICA**



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Election Observation and Democratization in Africa

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