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# SPECIAL REPORT

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## ABOUT THE REPORT

This report seeks to explain the fragile nature of Malian democracy before the 2012 coup and the origins of the current crisis. Widespread corruption, resurgent violence in the north, and a growing illicit trade implicated state officials as the principal causes of state collapse. The Malian state had lost touch with the people, and its military was divided. Many Malians welcomed the military intervention, but a long-term solution must be found to build durable peace. The author would like to thank Andrew Lebovich and Jon Temin for comments on previous versions of this report and USIP for their support of this research.

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*Susanna D. Wing*

# Mali's Precarious Democracy and the Causes of Conflict

## Summary

- Mali was recognized around the world as a free democracy when the March 2012 coup d'état toppled its president and its democratic reputation.
- The reality was that Malian democracy was fragile and shallow. The consensus politics of President Amadou Toumani Touré undermined the political opposition.
- Decentralization and dialogue were the hallmarks of democracy under President Alpha Oumar Konaré, Touré's predecessor. The lack of commitment and follow-through with respect to decentralization illustrated the government's lack of concern for improving local governance and accountability.
- Corruption was rampant, and illicit trafficking in northern Mali was growing. The political class was seen as uninterested in addressing the poverty and insecurity that were daily fixtures for most Malians.
- The government failed to follow through on peace agreements in the north, and the implementation of the Special Program for Peace, Security, and Development in northern Mali highlighted the divergent perspectives on security and the presence of the Malian state in the north. These factors contributed to the resurgence of a Tuareg rebellion in January 2012.
- The rapid dominance of militant Salafist groups in northern Mali and the implementation of sharia was unprecedented in this secular state, although religion in Mali had been gaining a greater presence in the public realm since liberalization in the early 1990s.
- Elections are necessary to help build democracy in Mali, but elections must be inclusive, held throughout the territory, and incorporate refugees and internally displaced peoples. Elections held too soon may merely bring about a precoup status quo.

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- Intercommunal and inclusive dialogue must be at the heart of conflict resolution in Mali. The 1991 National Conference and the Espace d'interpellation démocratique are useful Malian models and initiatives that may help build a path to durable peace and democracy.

Global attention turned to Mali in March 2012 after a mutiny at a military barracks in Kati, fifteen kilometers outside the capital of Bamako, spiraled into a coup d'état that led to the overthrow of President Amadou Toumani Touré, popularly referred to as ATT. When Touré was elected in 2002, he was a hero to most Malians. His fall from grace signaled the beginning of a rapid unraveling of the Malian state, revealing that, despite the country's democratic successes, real problems were eroding the foundation of its democracy. The mutiny had followed weeks of protests in Bamako and just over two months of renewed conflict in northern Mali. The coup derailed elections and set the country on a precarious course that included losing control of a vast expanse of territory, first to Tuareg separatists in the National Movement for the Liberation of Azawad (MNLA) and then to militant Islamists such as Ansar Dine, Al-Qaeda in the Islamic Maghreb (AQIM), and Movement for Oneness and Jihad in West Africa (MUJAO). By the end of June 2012, jihadist militias had claimed control of the major towns in northern Mali. In January 2013, they restarted their offensive, capturing the government-held town of Konna and moving closer to Sévaré, a strategic town and military base located in central Mali. France intervened militarily on January 11, 2013, to prevent the militants' advance and help Mali reclaim its lost territory.

Deciphering the story of Mali's crisis requires analysis of the factors leading up to the collapse of Mali's Third Republic as well as close attention to what must be done to establish enduring peace within its borders. The insurgency and French-led military intervention have garnered the world's attention, but the continuing political crisis in Bamako is rarely discussed. Peace and stability in Mali are contingent on resolving the crisis in Bamako and establishing a legitimate and democratic government. With this in mind, Western governments that backed the French intervention demanded that Mali hold elections as soon as possible. In January 2013, the National Assembly approved a road map toward elections, designed to confirm the state's commitment to democratic governance. Donors also required the road map to be in place before reopening the flow of financial assistance that closed after the coup. In February 2013, the European Union unblocked 250 million euros and distributed 20 million euros as the first portion of this aid.<sup>1</sup> The first-round presidential election is scheduled for July 7, 2013. Legislative elections and a runoff election for the presidency (if needed) are scheduled for July 23.

Elections pose two problems. First, they are necessary but insufficient for consolidating democracy. Second, elections held too soon may only aggravate the crisis by returning the reins to the same political elites.<sup>2</sup> Mali's recent history illustrates that the path to legitimate government and democracy is long and easily obfuscated. The imperative underlying challenge is to create a government that does not recreate the precoup status quo, in which a political class is seen as thriving while they remain oblivious to, or unconcerned with, the daily struggles and needs of the broader populace.

In recent years, the political class lost touch with the concerns and needs of the majority of Malians. At first this did not seem to have any consequences for political elites, but the increase of state corruption and a general sense that the government was not accountable to the people soon contributed to overall public frustration with the country's leadership. The growing divide between the government and the people was also the result of failed decentralization and unmet promises from local governance across the country. Decentralization was designed to reinforce the state's accountability to the people, but it became hollow at best and yet another opportunity for corruption across the country at worst. The design and implementation of the Special Program for Peace, Security, and Development in Northern Mali (PSPSDN) was emblematic of the gap between the government and its population. The

PSPSDN was President Touré's initiative to reinsert a state presence in northern Mali. But the program did not promote broad-based development in the north, as many had advocated; it focused instead on security, reinforcing the distance between the people and the government through the top-down process by which it was designed and implemented and alienating many in the region. This alienation was exacerbated by provisions in previous peace agreements, including the most recent Algiers Accord (2006), to increase security autonomy in the north and stipulate the withdrawal of the Malian army from much of the region. Decentralization and development are crucial to revitalizing democracy in Mali. Analyzing the ways in which these initiatives failed under Touré elucidates past mistakes and offers insights into how the country can reemerge from the current crisis and build a more legitimate and accountable government for the future.

Further, while Mali is a secular state, religion has become increasingly important in the public sphere, especially in the past two decades. Fundamentalist Islamic militants, however, have undermined Mali's tolerant religious terrain. The ongoing presence of AQIM and MUJAO in Mali has heightened counterterrorism efforts in the region, with the United States establishing a drone base in neighboring Niger as part of its counterterrorism strategy.<sup>3</sup> The French intervention in January 2013 was at the behest of Mali's interim president, Dioncounda Traoré, and resulted in the rapid liberation of many occupied villages and towns in the north. On February 2, residents of Timbuktu welcomed French president François Hollande by singing, dancing, and waving the French flag. Despite the celebration, the battle was far from over. The Council on Foreign Relations argued that the crises in the Sahel and Sahara are rooted in political issues and are not fundamentally security questions<sup>4</sup>—a crucial message, as security issues will continue to arise unless the political issues are adequately addressed. Analysts Tobias Koepf and Jon Temin rightly point out that the French intervention and “increased focus on military operations is likely to distract from the need for a political solution.”<sup>5</sup> Mali needs a political solution on which legitimate government can be built. The road map is just one part of this solution. Elections must take place, but there is danger in holding elections that are not deemed legitimate because large segments of the population cannot participate as a result of displacement or instability.

There are no quick fixes to Mali's current crisis of governance. Short- and long-term solutions must address the instability linked to criminal activity, the political crisis, the humanitarian emergency, and the threat to human rights in the country. The U.S. drone base in Niger is a sign of growing U.S. fear of the rise of criminal elements in the region as well as an acknowledgment that previous counterterrorism measures have not been effective. Opponents of the base are likely to frame it as evidence of a U.S. war on Islam. This criticism is challenged by widespread support of the French intervention among key Malian Muslim leaders, such as Cherif Haidara and Mahmoud Dicko, and the overwhelming Malian support for assistance from the United States and regional governments. The weakness of West African governments can be used as both a reason for the drone base, which supports surveillance, and an argument against a U.S. presence.<sup>6</sup>

This report begins by evaluating Malian democracy before the coup, exploring the failures of decentralization and the missteps of the PSPSDN. It also places militant Islamism in a broader context and discusses the evolving relationship between religion and politics in Mali. Understanding the importance of religion in the public sphere contributes to an overall understanding of the role religious figures are likely to play in resolving the country's crisis. Mali's path forward must include dialogue, a key element in Malian political history. The report concludes with a series of short- and long-term recommendations.

## Malian Democracy on Shaky Ground

In 1991, popular protests led to a military coup against Malian dictator General Moussa Traoré. Lieutenant Colonel Amadou Toumani Touré earned his reputation as a “soldier of democracy” when he toppled the military regime and then stepped aside when Alpha Oumar Konaré was

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elected president. Mali was lauded as one of Africa's stronger democracies at the time of the 2012 coup d'état, with Freedom House designating Mali as free.<sup>7</sup> By 2013, that designation changed to not free, making Mali's one of the most dramatic drops in Freedom House's indexing history.<sup>8</sup> In retrospect, it is clear that Malian democracy rested on a shaky foundation, and this instability opened the floodgates for the March 2012 coup and subsequent occupation of the north by Islamic militants.

Over the past two decades, Mali established regular and relatively free and fair elections. Before the coup, the prevailing sense was that elections in April 2012 would move forward as planned; they were expected to be peaceful and result in the second transition of power from one elected president to another. There were some concerns in Bamako that Touré would use his influence to alter the elections' outcomes. There was no clear front-runner in the presidential race, and many Malians were hopeful and open to the possibilities of electing someone new. Mali's constitution limited Touré's time in office as president to two five-year terms. Rumors had spread that perhaps Touré would seek to extend his stay in office, but these were never substantiated.

However, a referendum was planned for April 2012 that would include many changes to the constitution—changes that many argued consolidated the power of the president.<sup>9</sup> The planned constitutional reforms, which had been created by the presidentially-appointed Diaba Diawara Commission and sailed through the National Assembly, heightened tensions in Bamako. The primary concern was the proposed establishment of a second legislative house, a senate, with the president appointing as many as 30 percent of its members. The pairing of presidential elections and the referendum infuriated those opposed to its passage. Many people, several of whom had been part of the 1991 democratic transition, saw the referendum as a move by Touré to further centralize power behind the office of the president and undermine an already precarious democracy. They argued that many Malians would not make informed decisions and would blindly support the revised constitution. Opponents—led by “*Touche pas à ma constitution*” (Hands Off My Constitution), a collective of seventy associations—began a public campaign to raise awareness of the threats to the 1992 document and how reforms represented a dangerous consolidation of power in the presidency.

Historically, Mali has incorporated dialogue and decentralization as building blocks of democracy. The weakening of these elements and the looming threat of centralization linked to the referendum helped bring the country to its knees. The region has a long history of decentralization dating to the ancient empires that governed the territory as far back as the ninth century. The political stability of the precolonial empires has been linked to local institutional autonomy, a principle at the heart of decentralization.<sup>10</sup> It is therefore not surprising that Malians often view decentralization as a particularly Malian approach to democracy, rather than something new and imported into the country.<sup>11</sup> Despite the state's commitment on paper to decentralization, public opinion surveys conducted by Afrobarometer revealed that the population as a whole was increasingly disillusioned with the process.<sup>12</sup> Similarly, popular satisfaction with “the way democracy works” had peaked in 2002 and began to decline during Touré's term in office. This sentiment was linked to “growing discontent with perceived corruption” within Touré's administration.<sup>13</sup> Such disillusionment helped to create support for the March 2012 coup.

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Also contributing to the coup was the resurgence of a long-standing separatist rebellion in northern Mali, which destabilized Touré's administration. Over the past fifty years, groups of Tuareg have led several rebellions against the state. Since 1991, various peace accords have been established but never fully implemented, adding to the growing unease among many Tuareg leaders in the north. Neither the National Pact (1992) nor the Algiers Accord (2006) realized the promise of increased autonomy. Both agreements were designed to address the lack of economic

development in the north and further increase limited Tuareg representation in military and civil state government institutions. In the mid-1990s, approximately fifteen hundred Tuareg were integrated into the military and civil service with some of these leaders serving in prominent roles, including Prime Minister Ahmed Mohamed Ag Hamani (2002–04). Yet this was a small number relative to the entire Tuareg population and tended to promote certain groups within the Tuareg—Kel Ansar and Imghad in particular. Moreover, many Malians from other ethnic groups resented what they saw as the preferential inclusion of Tuareg in government positions. The understanding that family contacts and bribery often facilitated civil service and army employment further exacerbated resentment.

Another important characteristic of Malian politics is the above-mentioned role of dialogue in governance. The 1991 National Conference, *concertations régionales*, and the annual Espace d'interpellation démocratique (EID) exemplify how dialogue has been integral to governance in contemporary Mali.<sup>14</sup> The National Conference brought together over eighteen hundred individuals from a wide range of backgrounds to participate in building Mali's democracy and designing its institutions. It was a foundational moment for democracy in Mali; citizens often refer to it as the ultimate example of successful dialogue in the country. The *concertations régionales* were a series of annual forums held throughout the country to debate important topics, such as "the problem of the north"—a phrase commonly used to refer to insecurity in that region—and educational, electoral, health care, and family law reforms. Over time, however, dialogue was undermined and, along with it, democracy. The forums, widespread in the 1990s, were not a central part of Touré's tenure in office (although *concertations* on family law were held under his watch). The EID was intended to be an annual public venue for Malians to question the government directly on human rights abuses. While the number of questions presented increased dramatically, the government's follow-through was ineffective. Pervasive corruption and a weak judicial system further undermined the EID's effectiveness. It became a hollow forum in which government officials eloquently promised to support human rights but ultimately were not held accountable.

The EID was held in December 2012 amid a government crisis in which a junta operated behind the scenes and the government could not control its territory or protect its citizens from human rights violations. Over four hundred thousand Malians were refugees or internally displaced. The forum was an opportunity to reflect on the roles of the political class and Malian elites in the current crisis and to discuss ways to ameliorate the country's problems.<sup>15</sup> Instead, political infighting continued, and there seemed to be a persistent lack of initiative to work together.

Dialogue and a healthy democracy are rooted in a vibrant opposition. Opposition parties allow citizens to share ideas and challenge viewpoints in the hopes of building consensus or, at a bare minimum, having their own views heard and acknowledged, if not accepted or adopted. During Touré's two terms in office, a once vibrant opposition was successfully co-opted through a strategy of what Touré called "consensus" politics. As an independent, Touré was not aligned with any political party. This permitted him to open the door to other political parties to join his presidential coalition. Because the fruits of government were too sweet to resist, this coalition soon undermined the political opposition that had been robust under President Alpha Oumar Konaré. The Alliance for Democracy and Progress (ADP) was a coalition of over forty political parties that supported Touré. While Mali held elections regularly, the political class appeared to be doing little more than enriching themselves at the expense of average citizens. High-ranking Malian military and intelligence officers were implicated in drug trafficking and, as one Western diplomat noted, Touré "turned a blind eye to [it]. He let things slide. The Malian regime was one of the most corrupt in West Africa."<sup>16</sup>

The Office of the Auditor General (*Vérificateur*) reported the embezzlement of approximately \$75 million of public funds annually from 2006 through 2008.<sup>17</sup> State collusion with organized crime in Mali is evident and contributed to state collapse in 2012.<sup>18</sup> Some have argued that certain elected officials in northern Mali were well positioned to ensure their own financial gain from

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kidnappings and smuggling that occurred in the region. In February 2010, Algeria and Mauritania both recalled their ambassadors in Mali after French hostage Pierre Camatte was released just four days after AQIM prisoners were let go. The Malian government claimed that the prisoners had completed their sentences, but Algeria and Mauritania were outraged by their release.<sup>19</sup> The widespread donor support for the Touré government, in light of the criticisms emanating from within Mali as well as from Mauritania and Algeria, essentially reinforced the alliances between the state and criminal elements in the north.<sup>20</sup>

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At the time of the March 2012 coup, many Malians were frustrated by the growing disconnect between the political elite and the population. The defeat of the Malian army in Aguelhoc in January 2012 and the government's evasive responses to questions about how many soldiers had been killed and what was being done to reinforce the army resulted in protests in Bamako and Kati in early February 2012, led by wives and families of those serving in the military, who demanded answers. The discontent with the government in conjunction with ongoing structural concerns contributed to widespread popular support for the coup. Many observers were surprised that a large segment of the population supported the junta and its hastily created National Committee for the Recovery of Democracy and the Restoration of the State (CNRDRE). Rallies in Bamako brought thousands into the streets to support the coup and protest foreign intervention. The political class was viewed as benefiting from donor support that was often linked to Mali's privileged status as a democracy. At best, the political class was seen as corrupt and indifferent to the instability and criminality in the north; at worst, it was viewed as complicit in allowing AQIM to flourish there. A fissure between the state and society that had been growing for years was fully revealed.

Democracy was at risk. The lack of dialogue within the country, the rise of "consensus politics," and some political elites' increasing corruption and impunity made the political system even more precarious. In addition, decentralization and development, both meant to address the long-standing crises in the north and buttress democracy, had proven inadequate. The following sections explore how these programs fell short of their goals and may have exacerbated ongoing problems.

## **Decentralization**

Decentralization has a long and prominent history in Mali dating back to the early empires in the region. When Mali gained independence from France in 1960, the country adopted a highly centralized model of government that endured for over thirty years. During political liberalization in the 1990s, however, widely supported reformers argued that extensive decentralization could best address grievances against the state concerning top-down governance from ruling elites in Bamako. The ongoing Tuareg rebellion posed a clear challenge to the stability and integrity of Mali's Third Republic. By promoting local autonomy for communities across the country, decentralization was integral to addressing Tuareg grievances.<sup>21</sup> It was an administrative answer to complaints about exclusion and oppression from Bamako or by southern government authorities who had been appointed to work in the north. Both the Tamanarasset Agreement (1991) and the National Pact (1992) provided special status for the north, including local, regional, and interregional assemblies that would be responsible for an array of sectors including housing, environment, health, and education.

The special status of the north was never realized. The Algiers Accords (2006), a peace agreement created in response to the Tuareg rebellion that had reignited in May 2006, included a special investment fund to develop the north and create the Malian Army Echelon Tactique Interarme (ETIA), special units to oversee security in the area. Neither the funds nor effective security forces materialized. Decentralization and the Algiers Accords had proven hollow.

There were further illustrations of underlying failures. Decentralization was “part of a conscious effort to distribute power downward in order to give multiple actors (in all regions) a stake in the political game.”<sup>22</sup> It was believed that the election of municipal authorities—that is, local councilors—would give communities a voice in running local affairs. As part of decentralization, Mali created 703 communes across the country, the boundaries of which were negotiated through dialogue among neighboring villages and the participation of Groupes d’étude et de mobilisation aux niveau régional et local (GREM/GLEM). The GREM and GLEM were designed to strengthen the role of local residents in creating education programs and infrastructure.<sup>23</sup> The U.S. Agency for International Development (USAID) assisted in this process and continued to support decentralization with the Shared Governance through Decentralization Project established in 2009.<sup>24</sup>

Many Malians perceived democratization as a mechanism for redistributing resources, while the government presented decentralization as the ideal method for achieving greater equity across the country.<sup>25</sup> By 2004, elections had been held in all the communes, putting over ten thousand local government counselors in office.<sup>26</sup> Unfortunately, in decentralization, the weak Malian national government produced weak local governments with limited capacity.<sup>27</sup> The project was flawed by the lack of resources and the questionable commitment of elites to real decentralization that would increase the government’s accountability to the people.

If decentralization and development are to lift Mali from its impasse, the question remains as to how this can be done without repeating the problems of the past. Decentralization became a way for elites to access more rents by skimming from local budgets or tax collection. Increasing local budget awareness and transparency is essential to break this pattern. Frequently, elected communal counselors are unaware of the law and their obligations, rights, and responsibilities relative to those of the appointed prefects and subprefects. Communal authorities do not necessarily know how much autonomy they have with respect to local budgets and the limits of prefect supervision.<sup>28</sup> This lack of information creates an opportunity for administrators appointed by the state to exploit community resources. In addition, the transfer of responsibility to communes has been limited. It was to occur in the health, education, and water sectors, but the transfer of resources began in 2010 only with the education sector.<sup>29</sup> There is evidence that with decentralization municipal employees have abused the allocation of farm and residential lots and government corruption has increased.<sup>30</sup>

Many of the weaknesses of decentralization can be blamed on the lack of resource flows from south to north. Some elites who benefited from access to budgets, lack of transparency, and lack of local understanding of the processes also did not fully commit to the policy. Effective decentralization will require addressing these fundamental problems.

## **The Special Program for Peace, Security, and Development in Northern Mali**

In 2010, the European Union contributed 16.34 million euros—approximately \$22 million—to support the PSPSDN. The program aimed to reduce insecurity and terrorism in northern Mali by “reestablishing a security and administrative presence of the state in eleven strategic sites” (*pôles sécurisés de développement et de gouvernance*).<sup>31</sup> From the outset, however, the PSPSDN was riddled with problems. First, the project was launched without properly consulting with those living in the north. Second, the project was focused primarily on securing the north through increased military and police presence. The International Crisis Group notes that this conception of the project was faulty because it did not consider

***In decentralization, the weak Malian national government produced weak local governments with limited capacity.***

how the local population would react to an increased military presence, especially when the military was made up primarily of individuals from outside the region. Third, PSPSDN emanated from the office of the president without involving government ministers. Finally, the program was administered in a vertical fashion, giving Mohamed Ag Erlaf, the director of the program, too much authority.<sup>32</sup>

In May 2011, The Réseau de plaidoyer pour le paix, la sécurité et le développement dans le Nord du Mali made a clear statement challenging the PSPSDN for not including local populations in any way, for emphasizing security while slighting development needs, and for designing a plan that facilitated corruption. They pointed out that the local population would likely see the military as a problem rather than a force contributing to regional economic growth. Finally the Réseau was surprised by “the absence of effort to fight against ‘major crime’ (*grande criminalité*).”<sup>33</sup> As one diplomat noted, the PSPSDN did not cause the rebellion in the north, “but it undeniably contributed to its escalation.”<sup>34</sup> The International Crisis Group pointed out that donors envisioned the PSPSDN as a way to fight terrorism and implement the Algiers Accords and the National Pact, while Touré’s regime viewed it as an opportunity to fight against the northern rebellion.<sup>35</sup>

The top-down design of the program revealed further tensions. The head of the Réseau was Alghabass Ag Intalla, a deputy from Kidal and son of a traditional leader of the Kel Afella clan of the Ifoghas people. Alghabass joined forces with Iyad Ag Ghali and Ansar Dine in February 2012 until January 2013, when he split from Iyad Ag Ghali and formed his own Islamic Movement of Azawad (MIA).<sup>36</sup> It is impossible to know if the Réseau’s calls for dialogue as a method to bring peace, security, and development to the north were sincere as outlined in the manifest the Réseau created following the Kidal Forum, which took place from October 31 to November 2, 2009. Regardless, it is clear that the PSPSDN was a top-down initiative that the Bamako government imposed on the north, and it is not surprising that it heightened tensions between the key players in the north and the government in the south. It was, in essence, a major government miscalculation that contributed to instability in the region by reinforcing the awareness that the government was increasingly ignoring the concerns of those living in the north.

The danger that projects such as the PSPSDN posed for northern Mali was that those who benefited from criminal networks in the north would undercut efforts to weaken these networks. Real commitment on the state’s part to build the capacity of the judicial and security sectors would have been required for PSPSDN to achieve its goals.<sup>37</sup> As Wolfram Lacher has argued with respect to reducing criminal networks in the region,

The local northern communities should be at the heart of any future approach. Many of these communities hold the criminal actors responsible for the collapse of state institutions there, which has resulted in the isolation of those actors. Such pressure from local communities is likely the most effective means of containing criminal networks.<sup>38</sup>

In the fight against terrorism, Dr. Mariam Djibrilla Maiga, a Malian activist for peace in the north and president of Civil Society against Arms Proliferation (CONASCIPAL), noted that the PSPSDN indicated the “willingness of central authorities to reassert their power in the North.”<sup>39</sup> While clearly supporting the security-based approach of the project, Maiga argued that the government missed an important opportunity to include civil society in addressing criminality in the region, making the claim that the proximity of local associations to the local population could help them convey security concerns to national and regional political bodies.<sup>40</sup> This, of course, presumes that members of civil society organizations see a benefit to using their organizations to challenge criminality. From this perspective, by excluding local communities from the PSPSDN, the government

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either missed an opportunity to pursue a multidimensional approach to security concerns in the region or betrayed their own lack of commitment to addressing criminal activity.

It is evident that the PSPSDN did not reinforce decentralization or development; instead, it was intended to strengthen the state security apparatus in the north, where its presence was not universally welcomed. The PSPSDN increased tensions in an already fragile environment.

## Religion and Politics

The crisis in Mali has sparked an interest in the role of Islam in the country. There is little doubt that fundamentalist militias' control of territory in northern Mali in the name of promoting Islam and sharia bolstered the importance of religious leaders in Bamako.<sup>41</sup> AQIM, MUJAO, and Ansar Dine claimed territory in Mali at an astonishingly rapid rate, and the violence they inflicted upon local populations was stunning. These groups not only challenged the daily practices and beliefs of most Malian Muslims but discarded them as improper and an insult to the religion. The militias targeted the core of everyday life in Mali by forbidding women in markets, banning music and cigarettes, and destroying venerated mausoleums in Timbuktu.

Mali is a secular state, modeled on the French vision of *laïcité*. Approximately 90 percent of Mali's population is Muslim. Since political liberalization in 1991, the presence of Islam has grown in public life. Democracy created space for religious leaders to critique the government more openly; for many of them, liberalization opened the floodgates, and they began to argue that "everything seemed to be permitted in society."<sup>42</sup> In recent years, religious leaders have gained an even more public profile with respect to legal and political issues. In 2002, the Haut Conseil Islamique du Mali (HCIM) was established to serve as a liaison between the government and local Muslim associations and offer recommendations on issues of national interest that were pertinent to religion and society. The HCIM played an important role in debates over reforms of marriage and inheritance laws that had begun in the early 1990s. At the close of his term in office, President Konaré was about to sign a decree and adopt new family law reforms. Muslim religious authorities threatened that there would be violence in the streets of Bamako if he did so, and Konaré backed down.

During the past decade, a new family law was written after a long period of consultation with civil society members, including religious authorities. In 2009, under President Touré, the National Assembly passed a version of the law that did not meet certain demands of the Collective of Muslim Associations. This collective, unlike the HCIM, had no official advisory role to the state but represented various religious authorities. At this juncture the HCIM mobilized widespread protests over the proposed law, which did not recognize religious and traditional marriages and thus undermined religious authority. The law was once again brought back for negotiations and, ultimately, a new version was passed that recognized both traditional and religious marriages. Many women's groups in Mali consider that with the new law, promulgated in January 2012, the assembly gave in to conservative religious pressure and compromised the rights of women in the process. After nearly two decades of women's activism to reform the family code, human rights activists saw the influence of religious authorities as a major loss, just as it marked an important political success for Muslim leaders in the country.<sup>43</sup> The two decades of debate over the family law is an important example of the increasing role of religion in the public sphere as well as its strength relative to the declining capacity of the state.

Before the March coup d'état, the increasingly important role in politics for the HCIM and religious figures affiliated with the institution was evident when Dr. Mamadou Dioumoutani, secretary general of the HCIM, was appointed president of the independent electoral commission (CENI) for the 2012 elections. That a central HCIM figure was also CENI president

***The militias targeted the core of everyday life in Mali by forbidding women in markets, banning music and cigarettes, and destroying venerated mausoleums in Timbuktu.***

angered many who believed too much power was being granted to so-called “Islamists.” After the March 2012 coup, the Malian government created a Ministry of Religious Affairs and Worship that, for the first time, provided an official governmental position for religious authorities. The position is designed to represent all religions, though the current minister, Dr. Yacouba Traoré, is an HCIM member, and many see him as representing the organization.<sup>44</sup>

Two religious authorities have been particularly visible in recent months: Imam Mahmoud Dicko and Imam Cherif Ousmane Haidara, president and vice president, respectively, of the HCIM. Imam Haidara is a celebrity with a mass following. His Sufi religious organization, Ansar Eddine, has hundreds of thousands of members.<sup>45</sup> He has regularly brought thousands of worshippers to his sermons at Modibo Keita stadium in Bamako. In February 2011, the stadium was filled over its capacity of twenty-five thousand, and three dozen people died in a stampede following the celebration of the Prophet Mohammed’s birth (Maouloud).<sup>46</sup> Imam Haidara has been outspoken in his criticism of the militants in northern Mali and has reportedly received death threats as a result.

Imam Dicko, who heads a reformist mosque in Bamako, took on a high profile after AQIM, MUJAO, and Ansar Dine made territorial advances in the north. He was widely criticized for traveling to Gao to meet with MUJAO leaders in early August 2012 as well as for forcefully speaking out against the militants in the north and their actions. Some Malians, including Haidara, label Dicko as Wahhabi and therefore inclined to support the implementation of sharia in the north.<sup>47</sup>

On August 12, 2012, over fifty thousand people gathered in Bamako at a rally for peace. The HCIM had called for the rally and then prime minister Cheick Modibo Diarra attended. The rally served two important purposes. First, it reiterated Malians’ ongoing frustration with the political elite. Second, it presented religious leaders in Bamako as being unified in calling to end the crisis in northern Mali, even as they separated themselves from the political crisis in Bamako. In so doing, the HCIM and its leadership hoped to rise above the fray. The prime minister also benefited because his participation in the rally illustrated support and backing of religious leaders.

As Mali tries to move forward and build a legitimate civilian government, respected southern-based Muslim authorities will demand a central role in the process. Because religion is so important in the country, their participation is vital. They will also be expected to buffer extremist religious views. For years, Muslim leaders have been well aware that when speaking publicly they have risked being labeled as “fundamentalists” or “Islamists.”<sup>48</sup> But times have changed. Today Dicko and Haidara represent many Malians who would like to see a greater religious voice in public life even as they challenge extremist Islamist movements that seek to impose sharia and threaten Mali’s existence.

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## **Moving Forward and Rebuilding**

Analysts Massa Coulibaly and Michael Bratton argue that “rebuilding an effective and accountable government will require visionary national leadership. But it will also require citizens who demand that the country return to a path of sustainable political development.”<sup>49</sup> According to an Afrobarometer survey, 82 percent of Malian citizens preferred “choosing leaders through regular, open and honest elections.”<sup>50</sup> While Malians tend to believe that stabilization requires elections, they have serious concerns about the “competence and probity of civilian politicians, especially in relation to the army, whose leaders they tend to trust more.”<sup>51</sup> Donors and the Malian government emphasize implementing a road map designed to move the country toward free and fair elections. Appropriately, the road map forbids current members of Mali’s transitional government from running for office. In addition, the U.S. government has called for amendments to the electoral law to help improve the electoral process.<sup>52</sup> Elections are

crucial to ending the crisis, though as with the previous regime, there is a risk of falling back into the same narrow focus in which government legitimacy is believed to come primarily from elections. Johnnie Carson, U.S. assistant secretary of state for African affairs, has argued for expedited elections and the marginalization of the military junta. In addition, those who have committed crimes against humanity will need to be held accountable and a process of national reconciliation must address the “longstanding and legitimate grievances of northern populations.”<sup>53</sup>

It is crucial to implement free and fair elections and completely remove junta leaders from governmental affairs. But these are only preliminary steps. The government and the military in Mali are internally divided, constrained in the possible scope of their actions and lacking widespread support across the country. These constraints pose a challenge to building sustainable peace. There is little question that “pacifying northern Mali depends directly on making progress in the political process in Bamako.”<sup>54</sup> Breaking the cycle of conflict will require both short- and long-term solutions.

## Short-Term Recommendations

- **Address impunity and corruption.** Former ambassador Pringle describes corruption in Mali as “insidious.”<sup>55</sup> Impunity has reigned in the country over the past decade. In January 2013, the Malian government identified twenty-eight individuals implicated in trafficking, the rebellion, or both.<sup>56</sup> This is a remarkable and hopeful shift in the government’s role. If the Ministry of Justice takes seriously the flagrant violations of the law and pursues criminal activity, there is at least a possibility that organized crime can be reduced and the legitimacy of the state improved in the eyes of the public. The International Criminal Court has begun investigations, and this, alongside the steps taken by the Malian government, should be applauded. Anticorruption institutions such as the Office of the Auditor General (*Bureau du vérificateur général*) should be supported to operate transparently so that elites can no longer act with impunity.
- **Undermine criminal networks.** Alliances between extremist Islamist groups and local criminal networks and business interests are prevalent in northern Mali. Conflict resolution will need to incorporate strategies to break these alliances.<sup>57</sup>
- **Remove military from politics.** Those affiliated with the military junta should be removed entirely from the political sphere so that legitimate civilian government can be reestablished.
- **Begin national dialogue.** Mali’s National Conference was a seminal moment in the country’s political history. Negotiations modeled on it, involving a multitude of stakeholders, will be essential to effectively move the country through its current quagmire. The reinvigoration of the Espace d’interpellation is also valuable to the extent that it takes place over a series of days rather than just one or two days (so that it can include more widespread participation) and incorporates an international jury to oversee the process.<sup>58</sup> A military solution to the situation in the north will not secure long-term peace in the region. Soumaïla Cissé, a former government minister and presidential candidate for the Union pour la République et la Démocratie (URD), has called for inclusive national dialogue within the framework of the constitution. In other words, the secular nature of the state and its territorial integrity would not be negotiable during the dialogues.<sup>59</sup> Military domination—particularly one led by an international force—of the Tuareg separatists will not result in a long-term solution. While the government in Bamako is not inclined to negotiate with the MNLA or the MIA, this choice risks pushing aside a problem that will inevitably return. The French minister of defense, Jean-Yves Le Drian, states that the Malian government should negotiate and that the MNLA should not be required to disarm before political negotiations.<sup>60</sup> The 1996

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burning of arms in Timbuktu, known as the Flamme de la Paix, illustrated that disarmament brings no guarantees of sustainable peace.

- **Zero tolerance for human rights violations.** To rebuild trust, perpetrators of human rights violations must be held accountable. There is a risk of retribution against civilian populations based on ethnic appearance. This is dangerous and counter to the generally good relations among Mali's diverse peoples. Accusations of targeted attacks by the Malian military against civilians or the mistreatment of captured extremists must be addressed immediately.
- **Address the humanitarian crisis.** Malian refugees in the region are fearful of returning to their homes. Many fear reprisals based on their ethnicity. The international community can assist in providing aid for basic needs. Communal dialogues will be necessary to rebuild trust and assist in reintegrating refugees. A recent survey of over five hundred Malians living in contested areas found that they were concerned most about food security and poor infrastructure rather than democracy and elections.<sup>61</sup> While efforts are made to address political concerns in Mali, the humanitarian crisis sparked by the instability and violence cannot be overlooked.

## Long-Term Recommendations

- **Implementation and follow-through on peace agreements.** The Malian government failed to implement previous peace agreements in the north and the international community failed to press Malians to meet their obligations outlined in the Tamanrasset Peace Accord (1991), the National Pact (1992), and the Algiers Accord (2006).<sup>62</sup> That little real effort was made to implement these accords is a case of negligence and lack of political will on the part of the Malian government, which must follow through on resolutions agreed to in any national or intercommunal dialogue.
- **Decentralization.** Decentralization was, in part, designed as a response to "the problem of the North" in the early 1990s. It should be fully implemented, including the appropriate transfer of resources and capacity to communes as outlined in the legal infrastructure for decentralization. Awareness campaigns focusing on budgets, transparency, and the responsibility of numerous stakeholders should accompany this process to increase accountability between the state and the people.
- **Strengthen the judicial system.** The capacity of the judicial system should be strengthened as a primary step to address corruption. Awareness campaigns are important, as people are often unaware of their legal rights. Legal sector workers often do not have access to legal documents and do not know the law, so distribution and explanation of legal codes is crucial. Most important, with widespread corruption in the legal system, many Malians have little faith in the ability of the justice system to act justly. Paralegals are increasingly used to help Malians access justice.<sup>63</sup> Increased involvement in and awareness of rights can help communities to pursue a bottom-up strategy for achieving justice and shine a light on corruption where it exists.
- **Train and support the Malian army.** The Malian government must adequately support the army. Training, most likely conducted by the European Union, the United States, or both, must seek to create an armed force that protects the rights of all civilians. Officers and other individuals in the military must be prosecuted for illegal activity. Varying loyalties exist within the Malian military, and military training is unlikely to rapidly undo these allegiances; the current crisis is a case in point. This will remain an ongoing challenge.

- **Empower community members to engage in development.** Local actors across the country—such as civil society organizations and elected officials—should be engaged in development initiatives as well as promoting security. Development must be addressed throughout Mali without preference to any given region.

Mali's political class, along with foreign governments and donors, failed the country's citizens. Democracy was undermined by greed and hubris and a lack of vision for a sustainable future for all Malians. Dialogue, decentralization, and development, rooted in Mali's history, are the keys to stability and sustainable peace for Mali's future.

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