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GOVERNANCE IN DEMOCRATIC MALI
AN ASSESSMENT OF TRANSITION AND CONSOLIDATION
AND GUIDELINES FOR NEAR-TERM ACTION

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Readers of this summary are encouraged to request a copy of the full, final report, completed in May 1994. For additional copies of this document or copies of the full report please contact:

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CHAPTER I

A MACRO-POLITICAL ASSESSMENT AND INSTITUTIONAL ANALYSIS OF MALI'S DEMOCRATIC TRANSITION

Introduction: This is a study of the transformation of Mali's institutions of governance. It analyzes the transition from personalistic, one-party authoritarian rule toward multi-party democracy as an ongoing, dynamic, evolving process. By using a macro-political framework for the analysis, it attempts to see how well Malian institutions are taking form to constitute the interlocking building blocks needed for sustainable democratic practice. It also looks at the evolving roles of various non-State actors and their relative capacity, individually and collectively to influence and counterbalance State interests as well as take part in policy formation and the processes of governance.

The Methodology: As a diagnostic, the assessment identifies weaknesses in key institutions and institutional relationships - the rules that form them and that structure incentives for behavior to achieve democratic outcomes. It examines the ways in which these weaknesses may generate perverse outcomes, how they may undermine the democratic regime or severely attenuate prospects for a just order based on self-renewing systems of citizen self-governance and respect for law based processes. Thus the methodology aims at suggesting priority areas for remedial action: an agenda for discussion among Mali's political leaders, its citizens and civic associations, and with Mali's development partners - the international donors. Additionally that interactive State <--> Society relationship is examined to assess how non-State actors develop authority and capacity to influence policy at higher levels in the system and to engage in self-governance.

The Setting: Briefly, the assessment traces Mali's modern political history from the late colonial period through the 1991 revolution up to the events that shaped the new democratic constitution of 1992. The assessment starts with Mali's first steps toward competitive politics in the latter years of the colony 1946-58 and its early independence period 1958-62. It follows with highlights of the political forces and actors that shaped the authoritarian, mono-party regimes of the First Republic (1962-1968 under Mobido Keita) and the Second Republic (1968-1991 under Moussa Traoré). It examines the institutional heritage of the Providential State under one-party governance: The socialist period with the USRDA under Keita and the Traoré period with his UDPM party based on military/bureaucratic elites. It summarizes the key events leading up to the March 1991 revolution and coup d' etat that unseated Traoré and ushered in the transition to democracy, the adoption of a new constitution and the founding of the Third Republic. It summarizes the socio-economic setting at the time including the process of economic liberalization under structural adjustment, the attendant fiscal crisis and the stress of continuing economic decline as well as the effects these factors had on the radical political reforms that followed in 1991-92.

The Constitution: Mali's 1992 Constitution and its prescriptions for the democratic, multi-party political order that constitutes Mali's Third Republic are examined in detail. With some significant variations, the new fundamental order is modeled after France's 1958 Constitution for the Fifth Republic. Thus Mali's Third Republic opts for a strong executive

in a semi-Presidential, semi-Parliamentary system. It clearly affirms fundamental human and civil rights under a rule of law. It requires financial disclosures and fiscal probity of President and Ministers and the direct election, under universal suffrage with open, multi-party competition, of the President and the members of Parliament every five years. And it sets forth the powers, duties and obligations of the branches of government as well as the rules for their interaction. The assessment analyzes the constituting rules for each of the branches of government pointing out Malian innovations as well as some troublesome aspects of a complex new institutional order that may warrant early remedial action. These include a weak judiciary, highly subordinated to the Executive; a relatively weak parliament with two yet to be constituted sister bodies for national deliberation: the High Council of Collectivities and the Economic, Social and Cultural Council; and an absence of constitutional level mandates for autonomous powers of self-governance at the sub-national, provincial or community level. Amending the constitution requires a parliamentary majority vote followed by a national referendum.

Parties and Elections: Mali's political parties, the 1992 elections and the rules under which they took place are carefully examined. The analysis of the parties, in the context of the elections, shows how the three dominant parties - ADEMA, CID and USRDA - emerged and then how they fared in national and urban commune contests. Under the **winner-takes-all rule** for national offices, ADEMA won the Presidency and in the multi-member district races, majority in Parliament. CID, USRDA and other lesser parties got small minorities in Parliament. But under the **proportional rule** the parties got shares of local government councilor positions equal to their percent of the vote. Thus CID, the USRDA and other parties won more seats in the 19 urban commune councils than did ADEMA (see Annex I). While elections were free and fair, voter participation was low. Parties have rather shallow constituency roots outside urban areas and the survival of a vibrant multi-party system faces significant test when rural commune elections are held in 1995 or 1996 as well as in the 1997 national elections.

The Legislature: The study analyses the unicameral national Parliament in institutional terms. Mali's National Assembly meets all formal criteria for a popularly elected, representative legislature with constitutionally concurrent legislative initiative with the Executive. Its self-adopted rules of organization and procedure, though self-limiting, afford a sound structure for the conduct of its business largely as a partner in facilitating the lawmaking actions of Government. It has addressed a heavy legislative agenda in its first two years, with open debates and some amendments and revisions to Executive initiatives. Largely, however, the heavily ADMEA Parliament supported projects of law put to it by the ADEMA led Government. The Parliament has taken only limited law initiative on its own and has exercised little direct oversight. It has not yet confronted the Government with a no-confidence or censure vote and has remained in the background during the political crises that did bring down three successive Prime Ministers and their governments in the first 18 months of the Third Republic. It has not yet defined, by code or by consistency of practice, the role of "the loyal opposition" so as to institutionalize and reinforce that important feature of democratic practice. The new Assembly is an unequal match for the compound executive,

President and Government. It lacks a qualified professional staff to perform independent research on fiscal affairs and public policy issues. And the minority parties within the Assembly have failed to develop clear alternatives to the majority party program offered by the Government and championed by the party's leadership in the Assembly. Both majority and minority lack the staff tools and the access to current information needed to perform effective oversight of the administration's program either in formulation or in execution.

The Rule of Law and the System of Justice: The study examines the rule of law and the judicial branch of government. It points out that the order of justice inherited by the Third Republic has not been altered to conform to the Constitution's vision of human and civil rights under the guarantees of a functioning rule of law and equal access to justice. Law enforcement is selective, politically compromised and often tainted with corrupt practices. Where competitive elections have transformed the Executive and the legislature and made them accountable to the people, the system of justice, with a few (but important) adjustments in the commercial order and in the creation of the Constitutional Court separate from the Supreme Court, has remained much as before or may have even declined. And as practiced by State and private actors alike, the generalized lack of an effective "rule of law culture" in Mali today represents nothing less than a major threat to the sustainability of the new democratic order. The courts are penuriously provisioned. Criminal and civil cases are backlogged. Citizens distrust the corrupted system and lack access to courts to resolve their problems. The lack of a "rule of law culture" and a justice system to undergird and nurture it may well constitute the greatest menace to the sustainability of Mali's democratic polity.

Local Government and the Incubus of Democratic Practice: The assessment traces the evolving institutional framework for sub-national government. The Constitution provides only that there will be autonomous elected local governments but it neither stipulates their powers relative to the central State nor their structure and functions. Under the guidance of a special Task Force, "La Mission de Décentralisation", Mali is undertaking a comprehensive restructuring of governmental authorities throughout the national territory. It is a very promising venture with excellent prospects for setting on course the discipline of differentiated democracy: placing governing powers in the hands of the people at the lowest and most appropriate level for solving public problems. It is a complex and difficult undertaking that butts up against a contrary mind-set that sees the central State as the sole legitimate government and a paternalistic, elite dominated bureaucracy and political structure that instinctively seeks to control power at the center. Draft law with apparently strong support should soon be approved to create a two-tier system of elective sub-national governments. At the base 550+ new rural communes are proposed to provide the rural 80% of Mali's citizens their first time opportunity to elect their own local authorities. New rural commune councils and the existing urban commune councils will then elect councils to 20-25 regional governing bodies. There are appropriate concerns about the degree to which villages, the 10,000 plus natural base communities in rural Mali, will have real authority for solving governance problems at their level and about the degree to which the communes, rural and urban, will be fully empowered to govern in their domains without excessive central State oversight and control. It is generally accepted that therein - in local governance

- lies the incubus of sustainable democratic practice in Mali and as such it warrants the attention of Mali's development partners as well as wise and progressive nurturing from the nation's political leadership in all parties.

The Bureaucratic Regime - Administration and Governance: Briefly, the assessment explores the serious issues associated with transforming a bureaucracy formed under one-party, authoritarian, State-centric, paternalistic regimes to a dynamic, efficient, merit oriented civil service apt to support democratic values and good governance. It points up the problems of institutionalized corruption and legalized graft. It documents an administration demoralized by years of attrition under economic liberalization, operationally crippled by fiscal austerity and demonized by anti-bureaucratic structural adjustment rhetoric. The need for merit based pay and promotion incentives as well as controls against corrupt practice are set in the political context of the Third Republic as essentially a government of functionaries. (Note: 70-80% of the parliamentary deputies are career civil servants as are the majority of the ministers of state and the leaders of the ADEMA party). Broad reform options are touched upon, especially in the context of the overall decentralization undertaking.

Non-State Actors: Civil Society and Linkage Institutions: The rich mosaic of Mali's historic and emerging associational life is illustrated and analyzed in considerable detail. The new and independent media - press and radio - is examined in terms of its growing import in the free flow of information and its limits and promise for giving voice to popular concerns on public issues, for increasing citizen understanding of the nation's economic and political affairs and for increasing accountability of government before the public. The growth of non-governmental organizations and their potential as engines of a new responsible civic pluralism is examined along with a concurrent growth in rural village "tons" and associations and small economic interest groups and their roles as vehicles of interest group articulation, civic mobilization and popular participation. New and diverse labor organizations are in tension with the old State sponsored labor federation. Similarly merchants and entrepreneurs are challenging the traditional role of the old State chartered Chamber of Commerce and Industry as they seek new modalities, more fitting to the liberalized order, for engaging in the politics of economic democracy. The study documents the explosion of both urban based labor organizations, professional associations, and NGOs as well as rural associations. It documents how the student movement, once the vanguard in the revolutionary movement for democracy, has become a single-issue movement seeking, by confrontation and violence, scholarships and other benefits for its members. Various, however, associations engage in education, civic action, production and marketing, with disjointed, personalized attempts at affecting public policy. This diversity is an understandable and generally welcome accompaniment of political liberalization. However, there are ambiguities in the rules related to associational life. The ability among groups to effectively further their demands varies enormously. And for all social groups, there are grave deficiencies in the institutional means for interest aggregation to address public policy.

CHAPTER II

OUTCOMES OF THE ASSESSMENT: A SUMMING UP

The assessment can be seen as having examined three broad aspects of Mali's new and evolving polity and social reality in relation to the processes, called "disciplines", of democratic governance. These three aspects or realms of inquiry can be summed up as being:

(1) **The evolving rules defining and limiting the exercise of the powers of the State** (the Constitutional order and the interactions among State institutions within that order as well as interactions between State institutions, citizens, and civil society actors);

(2) **The strengthening and deepening of civil society and the emerging character of the civic culture** (the character of civil associational life, the emerging pluralism in interests and interest articulation and the dynamism of social actors outside the state structures);

(3) **The linkage of civil society actors to state institutions at various levels of the political system** (the mediating structures that sort and aggregate interests, that give voice and force to social actors, and that afford the means for the underlying values of the evolving social compact to be asserted).

In summary, what the study has found is that while Mali is making remarkable but very uneven progress in all three realms, there are some significant problems to be resolved.

In the first realm relating to State institutions, "democratic disciplines," and the rule of law, the most significant gap which the political transition has yet to address is the need to deal with the malfunctioning and deeply troubled system of justice and the correspondingly weak rule of law. Archaic codes, inept courts penuriously provisioned; arbitrary, and sometimes blatantly corrupt law enforcement; political interference with judicial process; delay in justice delivered and in conflict resolution; lack of court access to invoke legal remedies against State and non-State malefactors; human debasement in detention institutions; and institutional neglect, characterize the realm of "justice." Simply, a general respect for the "rule of law" is wanting and understandably so from the orphaned order of Malian justice.

With just a beginning at a revised legal system to enforce contracts between private parties, the transition to a liberal economic system is precarious for truly independent entrepreneurs and provides a disincentive to trade, especially for producers and their organizations.

Also in the general realm of Constitutional disciplines, there is uncertainty: - over the ability of the Legislature to become an effective counterbalance to a strong Executive as an engaged, representative deliberative body; - over the capacity of minority parties to shape

constructive opposition politics and to sustain the multiparty system; and, - over the capacity of the emerging regime for sub-national governance structures to generate a democratic civic culture rooted in practices of popular self-governance. Thus far, Mali's parliament plays a poor second fiddle to executive power of the President and Government combined. On the growth of legislative power rests both the future of effective multi-partyism and of a constructive opposition. In turn a strong, credibly representative parliament depends upon well crafted electoral rules and their fair and impartial application in future elections. The winning party takes all rule in the two-round voting in multi-member parliamentary districts may produce "governability" by giving a dominant minority party a lopsided majority in parliament (see Annex I) but it certainly assures a non-representative legislature with high risks of a return to institutionalized one-party governance.

Thus far, as well, decentralization and effective sharing of power with the Malian people at levels which most intimately affect their lives on a day-to-day basis, is still only a partially formed idea. Upon the successful implementation of the decentralization plan hangs not only the surest check against the return to centralized authoritarian rule, but also the most potent school for learning democratic norms and behaviors. When the decentralization plan eventually creates local governments (rural communes), elections at this level should prove very critical: first, as a test of the rules assuring electoral fairness and subsequently of the means of mandating new local authorities to share meaningfully in Mali's governance.

In the second and third realms, regarding civil society and linkage structures, the study has presented a somewhat paradoxical picture.

Civil society has grown in capacity and density. It has enhanced its autonomy in important ways. Yet the very strength and autonomy of some actors who have yet to develop a civic orientation to the democratic process, threatens effective governance and perhaps the sustainability of democracy itself. The relative weakness of effective channels for linking civil societal claimants to one another and in turn to State authorities, limits the ability of groups who represent a much greater percentage of the Malian population from checking the excessive demands of those who, although better organized and connected, represent only a tiny, largely urban fraction of the population. Unless there is some prospect that the many can influence State policies and outcomes in their favor, motivations to play the political game by democratic rules and of developing a political culture which will defend those rules will be eroded. Here again, opportunities both to expand the capacity of civil society groups and to enhance their influence in public affairs may hinge significantly on how the State chooses to implement its decentralization plan. The more proximate and open the access to government, the more likely citizens and citizen groups will see it in their interest to engage in civic action in ways that will influence governance outcomes.

The explosion of freedom of expression, particularly in rural areas, represents a potent if fragile means for expanding democracy. But as long as political parties remain narrow and highly pragmatic in their policies and personalistic in their management of opportunities for power they stand little chance to emerge as the kind of institution which is so badly needed

both to entice people to participate in "politics," and to aggregate interests, effectively serving as a forum for the negotiation of many parochial interests in a broader context. Reluctance on the part of government to develop more institutionalized arenas for public participation and deliberation in policy processes also reduces the prospects for the successful rooting and stabilizing of Malian democracy.

CHAPTER III

EXAMINING THE LOGIC OF THE ASSESSMENT; GETTING FROM STUDY TO RECOMMENDATIONS FOR ACTION

The observations in Chapter I above represent only a scant summary of the broad findings of this study. It should be clear that the intent of the assessment is to provide insight into Mali's experiment in democratic governance, not to prescribe its course. It traces the process, and attempts to identify those points of institutional deficiency which may constitute danger signs for sustaining the democratic enterprise.

The focus of the recommendations presented below in Chapter IV is on what the donors might do to assist Malians as these tackle the real challenges of consolidating and stabilizing self-renewing democratic governance. The recommendations are driven by the logic used in the assessment process. Two sets of criteria emerge.

1. The Logic of Institutional Analysis

The first criteria for analysis are derived from the logic of institutional analysis. The first premise of new institutional analysis is that incentives drive behavior. But incentives and consequently behavior are themselves products of rules, both formal and informal. If the rules embodied in institutional arrangements do not promote the desired behavior (in this case presumably effective democratic governance)-- i.e. if the rules are not "right"-- the very foundations for improving democratic governance will be undermined. The more basic the incompatibility between the rules, particularly rules which relate to allocating resources and making collective choices, and incentives to maintain a pattern of governance which embodies competition, participation and at least a minimally adequate assurance of rights to participate, the more urgent the need for changing rules and rule structures. These rule structures can never be permanently "fixed." Rather a learning process must be secured which will allow adjustments to be made in an on-going, or at least an iterative basis, as new, and hopefully less basic incompatibilities arise. In brief, this approach suggests that unless a society can at least begin addressing and correcting these rule-driven problems, there is little hope that any desired behavior (in this case democratic practice) can be maintained and reinforced, no matter what the best intentions of donors and particular leaders may be, or what institutions they may borrow piecemeal from others. Sometimes, this rule environment is thought of as an "enabling environment."

2. The Logic of State <---> Society Dynamics

The second criteria for analysis are based on a contingent assessment of State <---> Society dynamics. Here we assess the relative institutional capacity of the specialized and centralized governance institution of the "State" as compared to the capacity of the rest of society to organize, advocate its interests and engage in appropriate action. Where civil society has little organized capacity to counter the State, and where transaction costs to other societal

actors of attempting to establish or influence rules of behavior, particularly distributive behavior, are excessively high, there will be little prospect for developing a democratic enabling environment. On the other hand, where societal actors pay virtually no cost for unilaterally breaching the rules (no sanctions are applied), the prospects for realizing stable and effective democratic governance, particularly at the scale required for modern democracies and economies to operate, will be very poor.

The second set of criteria are labeled as contingent, because, although it will always be necessary to get the incentives and underlying rules relatively right, relative priorities for action must be conditioned by the status of this "State <--> Society" balance. In societies where States, particularly centralized States have virtually monopolized rule setting and application and where society is weakly organized and delinked, working first or principally on the enabling environment at the level of State rules and structures will usually yield only limited results. Where political transitions have begun to alter this initial situation of imbalance, the priority actions will emerge from a precise understanding of where the most critical gaps exist to furthering a righting of the balance. Here, it is possible to point to a combination of critical changes in both central state processes and capabilities, and in those of societal actors.

Our analysis of the state of governance in Mali today leads us to offer the following findings and recommendations as an agenda for action to further a fuller application of "democratic disciplines" in the nation's polity and for strengthening civil society to play its role in shaping and policing the social compact that undergirds the new democratic order:

CHAPTER IV

FINDINGS AND RECOMMENDATIONS

The Constitutional Dialogue: In addition to the following listed findings and recommendations, it is important to emphasize that Mali's rules for democratic intercourse at the constitutional level are yet in the making. Civil society actors such as the press, the various professional associations (especially lawyers, magistrates, and teachers), the political parties, and the NGOs with civic orientations as well as key Parliamentary committees, the new Economic, Social and Cultural Council and the High Council of Collectivities need to engage their constituencies and one another in a continuing dialogue on the values they would incorporate in the emerging social compact and how to adjust and clarify the formal constitutional rules to make that compact binding and operational. That task is far from finished. Donors can help to facilitate the internal dialogue not only in the specific areas noted following but in a general way by providing funds for studies, by sponsoring public discussion fora, and by financing broader media dissemination of the debate.

Finding 1. Enabling Environment- Rule Structures: The Justice System and the Rule of Law

Analysis of the key democratic disciplines critical to sustainable democratic practice causes us to conclude that **the greatest threat to the consolidation and the maintenance of Malian democracy lies in the system of justice.** Its inability to provide a credible "rule of law," with equitable application of just law to all, with reasonable recourse for all citizens, with impartial justice, and with protection for personal, social and economic rights threatens the entire institutional structure of the democratic state. Constitutional rule that cannot be invoked, applied and enforced are inoperative in fact.

Recommendation 1. Undertake a Comprehensive Assessment of the Justice Sector to Produce a Priority Action Agenda toward a New "Rule of Law".

USAID and other donors, already addressing the justice system deficiencies in the economic realm (enhanced commercial courts to deal with civil issues, especially contract law; enhanced administrative courts to deal with regulatory law in commerce, trade and industry), should undertake with the Malian Government (and particularly with the Superior Council of the Magistrature) an assessment of the "justice sector." Based on this assessment, and experience with the current court reforms, the donors and the Government should agree to undertake a comprehensive reform to address the needs identified. A few of the critical indicators of the reform's urgency are summarized following:

INDICATORS OF THE REFORM AGENDA:

- **The ordinary and superior courts are in a shocking state of penury: crippled by lack of resources for basic operations; unable to attend their jurisdictional circuits for lack of transport; backlogged with civil and criminal cases with many of the latter resulting in inhumane incarceration for years without hearing and with no hope of a fair trial and a just defense; and both mistrusted by citizens for reputed corruption and inaccessible to those who need legal remedy and means of resolving conflicts.**
- **Law enforcement (police/gendarmerie) is disarticulated from the courts; the prosecution of malefactors is selective, prejudicial and politically compromised. The penal system is degrading, cruel and by its neglect violates the Constitution's guarantees regarding basic human rights and the prohibitions on cruel and unusual treatment especially for women and children.**
- **Civil and criminal codes need revision. Drafted in the early 1960s, most reflect a socialist ideological bias overlaid on a colonial administrative heritage: both are state centric and biased against the usual rights of persons in a legal culture derived from liberal democratic practice. Even the codes that do exist are unavailable in most judicial venues in Mali. Court procedures are excessively formalized, tedious, slow and inflexible. Case backlogs are unmanaged by superior court oversight and review, therefore there is no attempt to move judicial assets to where the workload is greatest.**
- **Magistrates, like most civil servants in Mali, are part-time officials: not in law but in practice. To compensate for sub-survival wages, they engage in other income producing endeavors. Too many engage in rent-seeking in their official duties. Fairly well trained at start, they are uninformed of Mali's own evolving jurisprudence and law and have no incentive for creativity, initiative and self-instruction. The Supreme Council of the Magistrature - by the Constitution a guardian of juridical probity and professional integrity - is weak and under Executive dominance. I provides no real performance review for disciplines and rewards among magistrates. Promotion is routine, by cohorts, not by service and quality of performance. Magistrates seek "detached" service where they can seek greater financial rewards and satisfaction by working where resources are provided for programs of substance and achievement.**
- **The number and distribution of courts and magistrates (both judges and prosecutors), especially in lower court jurisdictions, is gravely insufficient to engender a civic culture anchored in respect for the rule of law. (Para-legal, but officially sanctioned, conflict resolution and petty-crime and misdemeanor venues may be essential for many years within the structure of the new rural commune governments. These do not now exist. Until such time as professional magistrates can be trained and financed by the state to assume these lower level functions such venues may be the only way of engendering a basic, democratic "law and order"**

culture for the majority of citizens.)

● The Supreme Court's Section of Accounts is in theory the supreme audit authority of the State. Located in the judicial branch by French-law tradition, this institution has been an orphan in Mali's administrative history. To achieve accountability and transparency in governance, by an authority separate from and unanswerable to the Executive branch, is a critical missing link in the operating mix of Malian Constitutional institutions: not by concept, because the Section of Accounts is Constitutionally mandated; but by practice its role is irrelevant and by capacity utterly insufficient. Either as part of USAID's PRED project, or as part of a justice sector reform effort, this resource urgently needs to be strengthened to give credence to the democratic discipline of an open public realm and an accountable State.

The assessment of the justice sector recommended here should be a joint undertaking of the Supreme Council of the Magistrature, with full Executive agreement, and with donor technical assistance. It should establish the constitutional issues, the time frame, the resource levels needed by the Government of Mali and from the donors to undertake a comprehensive reform effort:

1) by donors for technical assistance and training, for local costs for study commissions (code reform, etc.), for equipment and supply to refurbish courts, and other matters; and other tasks for which the shares of the burden need to be agreed to among the donors.

2) by the Government in terms of a full and clear commitment to reform as indicated by the assessment, not simply as passive acquiescence to receive resources to patch up a sick system, but rather as a courageous undertaking to reconstitute a failed order.

Frankly, if the reform program derived from such a sector assessment does not have the necessary level of commitment from both sides, once the agenda is clear, it probably will be better to wait until there is agreement for real reform rather than undertake a partial patch up effort that would fall far short of generating a national "rule of law" civic culture. This does not mean that reform cannot be incrementally implemented within Mali's fiscal limits and the donors' program envelopes; but it does suggest that it should not be started unless there is clear intent to carry it through.

**Finding 2. Decentralized Governance: Empowering Citizens to Govern -
Demonopolizing State Authority to Sub-National Jurisdictions**

The newly democratic GOM has committed itself to a process of decentralization under the management of a national task force (Decentralization Mission). Though in its early stages, this initiative has captured the enthusiastic support of all major donors. The GTZ (German Cooperation) is mobilizing a technical assistance team to work with the Mission in the area of decentralized investment planning and management. The Dutch are reorienting their

portfolio to emphasize village management and initiative of their projects, especially in the natural resources arena. The Canadians have contributed to the initial operational costs for field work of the Decentralization Mission and are tendering further support if the program emphasizes genuine local control and management, especially in the basic education sector (see finding/recommendation # 3 following). The French provide regular advisory assistance in the sector particularly related to regionalization and decentralized economic planning. The UNDP has approved a special program for direct technical support and for "donor buy-ins" to support the broad process over the next few years. USAID's overall portfolio, in education, health and especially in natural resources conservation and management, should clearly take decentralization into account. It should help shape, with other donors, the direction of this significant initiative by the Mali's newly elected leaders.

Recommendation 2: Support Incremental Decentralization and Immediate Structural Reform of Sub-National Government

USAID should join with the other donors in targeting "effective decentralization" as a priority that impacts all other potential actions. First, the greatest danger to the democratic disciplines in Mali - as in most of Africa - is resurgent centralism (personalization of the regime, elite power control, de facto one-partyism, resurgent client-patron accommodations, elite managed rent-seeking, etc.). A rapid redeployment of the "public function," the rights and duties of governance, **from the center to the communities**, is probably the most powerful antidote against a return to an abusive, centralized state. It is, also, as indicated following, the only real school for developing a civic culture based on the practice of self-government of and by people and not of and by the State.

ISSUES FOR USAID AND OTHER DONORS:

● **First**, in their current portfolios, USAID and other donors, should assiduously review all implementing measures to make sure that local control through community determined agents of action (village associations, non-governmental organizations locally representative, democratically controlled groups, and democratically formed cooperatives) are indeed in control of and responsible for the projects. State actors should be relegated to technical support, program monitoring, resource auditing and accountability roles: community based agents should be in charge. Some current projects may need some redesign in order to get these roles right. **This does not require a separate project but rather a reorientation of existing initiatives now on line.**

● **Second**, gaps in the decentralization impact of programs should be identified: where local self-management is not integrated in the domain, it should be forcefully and clearly injected as conditionality for further disbursement. Where redesign of projects is required, it should be done quickly.

● **Third, new initiatives to support decentralization, under the new Democratic Governance project should be considered:**

APPROACHES TO ASSISTANCE FOR DECENTRALIZATION

a. One approach might be a joint Peace Corps-USAID initiative to strengthen the self-governance capacity of the new Rural Communes (whose officials are soon to be defined and then elected) and through this means, to reinforce local, autonomous self-governance.¹ Aid to communal NGOs, already a priority in USAID Mali, may be complementary and linked. But the new challenge will be to make formal governing authority in rural Mali a dynamic engine of democracy and self-managed development.

There are complexities in the undertaking -- constitutional, socio-cultural and psychological, techno-administrative, and fiscal. It will require careful and detailed design work with tolerance for incremental implementation. But in summary it should be given major priority and serious thought now. Such aid should be preconditioned on a firm GOM commitment to make "devolution" of governance its major goal (not simply deconcentration by manipulated transfers of function with heavy state "tutelle" and "caisse unique" controls over locally generated resources). Granted, changes will have to be incremental, but the goals must be clear and openly stated, not hedged. Tax bases will have to be transferred with devolved authorities and responsibilities. This too will have to be incrementally done.

While the new Rural Communes would be the essential focal points of assistance, they should not be the end objective of this effort, but the means for facilitating a wide variety of local self-governance initiatives at the village and inter-village level. The richness of Malian collective self-government capacity lies at this level. The principle of "subsidiarity" should be rigorously applied in all work and at the heart of the donor policy dialogue with the Government. (That principle is that functions, authority, resources and the power for the solution of public problems should be given to the lowest possible level in any hierarchy of governments. It requires that the next highest authority should have clearly limited capacity to oversee or intervene in the domains of the lower authorities and that the higher powers should be defined by the nature of the functions that level is best able to perform in this hierarchy. Note: this clearly is NOT the concept of "tutelle" as currently used in Mali but its inverse. Nor is it, as many in the current Mission for Decentralization fear, a simply "federalist" concept that would undermine their much vaunted dedication to the "unitary state." But USAID, other donors, and Malian technical resorts will have to carry one a

¹ One project design notion for USAID-Peace Corps might be to establish some 20 local governance technical-support units in the interior (preferably with a group of Malians as in the current GREMs set up under the Decentralization Mission). PCVs (with MPA degrees or similar preparation in management, civil engineering, planning, or accounting) would be assigned to these units, supported by a central USAID and other donor financed Malian team with short-term US experts to back them (perhaps one US expert in a Chief of party role for coordination). Their job would be to provide assistance and intensive training to the new rural commune elected officials and administrative personnel in practical aspects of local self-governance, and on how to engage NGOs and local associations in local governance for health, education, natural resources management, etc.

continuous dialogue on these issues. Included in that dialogue should be members of the National Assembly who must consider new legislation as well as officials in the central ministries and agencies.)

b. USAID and other donors, especially the GTZ, should provide direct support to the Decentralization Mission's policy research into sectoral "devolution" -regarding authorities and responsibilities over natural resources management (eaux et forests), public works, health, agriculture and rural development (extension services and research), and labor intensive public works programs. These initiatives should be carefully vetted with the other donors for complimentarity, but not necessarily with policy conformity. It is clear that the UNDP has opted to support the current regime's preference for the French model of "aménagement du territoire" and its centralizing plan-directive tendencies. Mitigating this preference with genuine public choice concepts that involve local autonomy is urgent, but not easy to do. But it is not impossible for "regional planning" values to be balanced by "subsidiarity" principles and local autonomy.

c. USAID, working with the World Bank, should provide direct support to deal with the fiscal policy dimensions of decentralization. The heart of the program will lie in the determination of each jurisdiction's discrete revenue base and in the policy regime that allows: 1) the local jurisdictions authority to set levies, fees, taxes, etc. against that base with minimal recourse to central state approval, and 2) the right to retain and manage locally collected resources while conforming to nationally set standards of accountability and transparency. This exercise will mean setting limits on the central state's revenue domain and it may mean major efforts to initiate cadastral records for property tax purposes. The project, therefore, should include sufficient expert aid in tax policy and revenue administration, including property taxation, to make the analysis and resulting legal development feasible. The PCVs could be included in AID supported training for this effort and local firms could be engaged in surveys and community based inquiries. Training for new local authorities and financial administrators should be at the heart of the program and should itself be decentralized regionally for maximum impact and local relevance.

● **Fourth**, Donors should discuss with the Government assistance needs in preparing for and carrying out the first rural commune elections (perhaps to be held a year hence). This should include not only the voter registry, balloting and vote counting processes, but also pre-electoral civic education for citizens and candidates, through NGOs, the local language press and radio.

● **Finally**, a warning: the decentralization process will require a long-term partnership between the Government and the Donors. Sustaining the policy commitment will not be easy on either side because of inevitable backsliding and very hard going in implementation. Moreover, it will be vitally important that in its support, the donor community does not permit "donor paternalism" to replace the State paternalism that

decentralization is meant to replace. Impatience to get specific works done will encourage donor funded intermediaries --- NGOs, support units, planners, etc. --- to become managers of local projects that must be owned and managed by localities.

Finding 3. Decentralized Governance of Education - The Most Urgent Domain for Local Self-Governance and Democracy Building

Participatory democracy in Mali is at grave risk with functional literacy at only 16% of the adult population, and primary school attendance at only about 23% of the eligible age group. It is equally at grave risk for lack of a civic culture in which citizens perceive governance as their domain not simply a duty of the state to be provided them. These two matters are intimately interconnected.

Few question the historical evidence of consistent linkages between sustainable democracy and an educated citizenry. Economists have long reached the same conclusion regarding links between sustainable general development and basic education. In the long term, democratic governance in Mali along with its economic progress may well rest more on a massive and sustained effort for basic education than on probably any other factor. However, the manner in which that objective is carried out in the short term, may be equally as important in creating the skills of self government in community and in re-rooting the schools in communal life. **Communal school governance can become the school for communal self-governance and thus, the hatchery for a new civic culture.**

Several major donors, including USAID and the World Bank, are already engaged in priority efforts to support basic education in Mali. They are encouraging new means of meeting the pent up demand for primary schools and to redress Mali's under investment in basic education. But they have yet to demand a full decentralization of primary education so as to place responsibility and authority for it in the communal domain for governance rather than leaving it as an essentially central state function with only some allowance for exceptions (some community and private initiative but within the overall centrally controlled rule framework). A conviction derived from the macro-political analysis referred to above is that **how this education base is expanded may be both the key to a future education for Mali's citizens and the key to their democratic future.**

Recommendation 3: Support Decentralized Communal Governance of Education

USAID, and other donors, should join with the World Bank to reevaluate all aid to basic education so as to assure that support in the sector is **preconditioned** on and accompanied by empowerment under law for **complete local autonomy** in the full range of governance over "school districts" to be formed in each school catchment area (or in some cases, in combined catchments). This engagement, though separable from a general decentralization assistance effort, would best be carried out in coordination and concurrently with that effort.

The concept of community based education is not new in Mali, but it is time that it be

elevated in the donor-Government policy dialogue on governance. The concept of making **independent local school districts fully responsible for primary education throughout Mali** is still resisted. Centrists are still fearful of self-governing entities with authority over a local tax and fee structure, including the power of sanction, and with full managerial authority over local resources for recurrent costs, for institutional management and maintenance. The notion is being **partially and tentatively** tried now in support of communal efforts. Now is the time to firmly and clearly implement such a reform in the educational regime as a condition to further donor support across the board.

ISSUES TO BE ADDRESSED:

- It may be that the "democratization" of basic education, above all other measures, has the empowering potential to stimulate the long delayed take-off for an educated Mali - by making the people in their communities and not the State responsible for their children's future. It may also be that it is here, in these self-managed, community controlled education domains that Mali will have its basic laboratory for local learning about how democratic self-governance works. Thus far donor initiatives in primary education reform have been somewhat tentative. The state-centric system still dominates and its rules govern the domain. Private entrepreneurial initiatives are being permitted and should continue to have a place in the overall scheme. Allowance certainly should be made for entrepreneurial initiative in private education, especially in the much neglected sector of vocational training where skills production should closely respond to market demand. But private education is essentially elitist, based on who can pay and managed by those who do. Communal governed education, based on a broad tax base, citizen elected boards of management, and available to all, is egalitarian, democratic and potentially universally available. The principle of community responsibility and authority over basic education is the long overdue corrective to the much discussed "inverted pyramid" of state determined, urban-biased, elite interest-group driven investment in education. Preaching to the State about reallocating resources should be ended by reallocating the function and the control over resources to communities.

- Donors must firmly address the policy level issues with the Government: Equalization measures will be needed to assist the poorest areas of the nation in realizing the constitutionally recognized human right of "instruction for all." The more circumscribed role of the Ministry of Education as curriculum developer (provider?), teacher trainer and certifier, and of standards monitor (national achievement tests, accreditation, et. al.) needs to be firmly set and **delimited**, but this will be resisted by centrists. It should be clear that the right to an education should be in the hands of the people, in their communities, for them to provide, not for the State to ration. The communities must become fully cognizant that they can and must exercise that right responsibly under rules of self-determination, self-assessment, and self-management - accountable to the community under regular public audit. The role of the new central democrats should be to help communities **unlearn** that their children's knowledge and skills will always depend on all knowing paternalistic central government and to empower those communities with the legal obligation and the means (tax base, not simply fee structures) for mobilizing local resources and for managing those

resources to meet that obligation. Allowing rural schools to have variable school calendars, locally determined, to accommodate family labor demands related to the agricultural seasons are among the authorities that the self-governing regime must recognize. Certain curriculum flexibilities must also be considered.

- There are risks. Standards may drop for a time. Some localities will be mismanaged. There will be inequalities nation-wide. But many believe that it is certain that in a very short time, more resources will be mobilized in the communities, by the education hungry Malians taking charge of their children's future, and that more schools will be formed than would be possible were the central State to continue to control the domain. Moreover, it will be the people that decide.

- Donors can assist Mali in defining the local revenue regimes that must be available to communities for self-assessments as well as assistance in framing school jurisdictional authorities and in framing the structures for jurisdictional governance. Though the transfer of responsibility over primary schools from the central state to the communities may be incremental (and may be done in association with the overall program of decentralization) there should be an unequivocal and clear national decision on the policy and a calendar of implementing actions for carrying it out.

- For the United States, a redirected policy regime in this arena could well be complemented by a major Peace Corps effort. American volunteers, trained as teachers, or in education administration would be ideal candidates, who, with appropriate pre-assignment training and technical backstopping, working at the community level, could significantly help in developing the democratic community education culture suggested here.

- Other bilateral donors---Canada, Switzerland, Germany---who share these systemic experiences could make similar contributions with volunteer workers and in grants to rural communes and participating Malian NGOs. A cadre of Malian educators could be recruited and retrained in the principles of community governed local schools, organization and management practices, and modes of democratic citizen governance. This cadre, with technical support from donors, could be the technical assistance resource for communities, NGOs, Peace Corps Volunteers, and the Ministries of Education for carrying out the scheme. As indicated above, this initiative could be part of a more general decentralization assistance package or it could be a separate but complementary undertaking.

Finding 4: Balancing the Legislative - Executive Equation

The new, multi-party, democratically elected National Assembly has gotten off to an admirable start in its first two years of deliberative democracy and custodianship of the legislative function. The huge volume of "organic" laws that it has had to pass to implement Constitutional prescriptions for the new order has represented a daunting task. But the Parliament has inherited a tradition of legislative subservience to the Executive branch that will be difficult to readjust and its resources are such that in legislative give and

take it cannot match the Executive branch's resources. It is understaffed for its critical functions of constitutional implementation, public policy analysis, critical examination of executive agency performance through oversight of lawful administrative behavior and program execution, and thorough scrutiny of national budgets, projects of law, and Governmental program proposals. Moreover, it has been relatively timid in asserting its needs for resources to perform these tasks. The grave fiscal condition of the Government as a whole has caused the Assembly to exercise admirable restraint in many respects but probably excessive restraint in demanding adequate funding for its vital role as an independent branch of government that warrants a greater degree of co-equality in the balance of state powers.

Recommendation 4: USAID and Other Donors Consider Assistance to Strengthen Parliament's Capacity for Policy and Fiscal Analysis, Legislative Oversight, and Law Initiatives

USAID, as it designs any new project on Democracy, should mobilize a small team of experts on parliamentary administration and information management systems to objectively analyze --- with the National Assembly leadership and with the opposition parties --- the staffing and resources support needed for effective parliamentary operations. A comparative frame of reference - therefore, outside experts - is needed in this exercise since local leaders do not have a modern, effective parliamentary system within their experiential frame of reference. The potential for matching identified staff needs to available senior government personnel should be explored with the "Function Publique" in the process. Budgetary issues regarding recurrent salary and indemnity costs for maintaining such a staff and for ensuring their dedication and motivation in their assignments must be thoroughly discussed for the Assembly's leadership and with the Ministry of Finance. Conducting such an assessment as part of a project "identification" or design process should not be assumed as an up-front commitment to subsequent projectized support.

ISSUES TO BE CONSIDERED

- It is not a donor's responsibility to broker the differences between the powers of a democratic state. The questions regarding new staff formed by "detaching" current senior civil servants, now in surplus, from the administration to the parliament, the funding of adequate salaries for them, and other institutional maintenance issues must be resolved between the Assembly and the Government. But the issues should be clear and objectively framed for their debate and determination. The recommended assessment could facilitate the legislative-executive debate even if no significant, projectized donor aid follows. Depending on the results of the debate the following assistance may be appropriate:
 - > Preliminary estimates suggest that a minimum of twelve new professional staff is needed: one qualified professional for each of the seven Assembly commissions, plus another 5 for central functions including law research and law drafting, improved information

systems management and publications services, operations and communications management, and Assembly leadership services including media relations to encourage an open forum and transparency in the Assembly's operations. These or whatever number may be arrived at will require training in policy analysis and legislative services. Several of the donors could provide both visitation and observation training and on-job workshops with short term specialists, for parliamentarians and staff.

> A legislative information management system needs to be designed and installed. Appropriate computer equipment and software should be procured and staff trained in its operation. Data banks need to be designed and linkages to existing data banks in the executive agencies need be negotiated and established. Other support equipment such as printers, copiers, files, and basic supplies will be needed. Technical assistance and training in the information management systems field will be essential. Special training in legislative publications, reports of debates, the daily journal, press notices, etc. will be appropriate. The USAID and other donors could share in this assistance.

> Periodic workshops for Parliamentarians themselves may be considered appropriate with experts from abroad providing interchanges on fiscal and budgetary policy and analysis, on key social policy issues, on Structural Adjustment Programs and associated monetary policy issues, on institutional reform ("reinventing government") and bureaucracy management and motivation, etc. Practical issues such as providing constituency services, conducting effective inquiries into administrative programs as well as innovative legislative activities (at least for Mali) such as conducting public hearings in committee could be broached.

Finding 5. The Democratic Discipline of Popular Limits The Electoral System

In Finding/Recommendation 2 above on decentralization, the importance of rural commune elections was noted. As donors consider assistance in this regard, these elections should be seen in context. The elections of 1992 went well under the Transition Government. But there is increasing concern among opposition parties and other observers that the next elections may be manipulated by the majority party so as to institutionalize a de facto one-party regime. It is critical that the regime show real maturity and commitment to institutionalized multi-party democracy by guaranteeing election integrity through a truly independent administration. The rules for the rural commune elections, including voter registry requirements and monitoring, must be understandable by the rural peasant majority. The outcomes must be credible as having been fairly administered and verified.

Recommendation 5: Donors Should Consider Support for the Conduct of the Next Electoral Round as May Be Required to Assure Fair, Free Elections

Donors may conclude that the Government should be assisted in making an assessment of the electoral system prior to the up-coming rural commune elections. It has been suggested that decentralization of civil registry/voter registry and election administration functions should be put in place under independent, multi-party supervised regional boards and administrative systems. It has also been suggested that, in preparation for national elections in 1997, further work, with donor assistance, may be required to update census data, to further improve the voter registry nation-wide, and to reexamine the distribution of Assembly seats among electoral districts (i.e. reapportionment). Concurrently, the opposition parties are calling for a reevaluation of the two election rules for "winner takes all" in national elections and proportional seating in local elections. Though this latter debate is clearly an internal affair, donors could assist in facilitating the discourse and providing experts who could discuss alternative electoral rules and their observed consequences. In the electoral assistance arena, if requested, USAID may wish to call for assistance under Africa regional projects to specifically evaluate Mali's overall election system needs. Ideally such as evaluation would be done cooperatively and jointly with other interested donors. The Canadian provided major pre-electoral and election assistance in 1992 and have indicated considerable interest in helping to make improvements before the next voting rounds.

Finding 6. Strengthening Civil Society in Key Components and at the Society <---> State Interface: The Open Public Realm

Finding 6. a. Expanding the Policy Dialogue through State Institutions

Mali's Constitutional prescription for a formal link between major social actors and the State was the formation of a representative Economic, Social, and Cultural Council (ESCC). The Dutch financed technical consultation and an excellent study to assist the Government in figuring out how to get the ESCC in place. If the rules for constituency based elections of council members are right and provide for inclusive representation this new venue should be able to serve to ventilate most issues rising from the social sectors. In their open deliberations, the ESCC should be able to examine state policy and program and to influence the terms of engagement between society and state. Recommendations should flow to the Government and the Parliament for legal remedies and from the Government through the ESCC to the social sectors for policy debate, interest reaggregation around policy option formation and then again through the ESCC to the Government.

Recommendation 6.a.: Facilitate Linkage Institutions in Civil Society

The donors need to be alert to developments in this area and need to stand ready to assist in shaping ancillary venues for building the State <---> Society linkages for dialogue and action even as the ESCC begins to fill a void at the center. Among the options to consider as

complementary to the ESCC would to encourage a more inclusive association among NGOs and their attention to a collective "civic" agenda. Similarly, commercial and industrial employers, unions, professional associations, peasant groups and associations, need better means to build the combined capacity in each domain to debate among themselves their public policy concerns, aggregate their interests within and between sectors and through the ESCC, and through the deputies to the Parliament. A variety of donor activities, now in place, can be extended to encourage this process. Certainly USAID does not need a separate project in its extensive outreach to PVOs/NGOs, but rather to seek ways to help NGOs build horizontal linkages among themselves and to become more effective demanders of good governance and positive policy outcomes.

Finding 6. b. The Media in Civil Society Capacity-Building and as a Policy Forum

A weak but courageous, if undisciplined media is playing a vital role in the new Malian democracy. But a free and open information regime is still wanting. Government agencies have old habits of secretiveness, even including the National Assembly which does not publish its agenda in advance for public awareness, does not encourage public observation of open sessions, does not broadcast its debates, and does not publish debates and reports on its activities with regularity or in a timely manner. Ministries now have public information officers but they tend not to facilitate access for journalists as much as they serve as PR persons for "the program" and the minister. The media needs much more help (though some is already coming from USIS and Canadian Cooperation) on techniques of investigative journalism, on "journalistic ethics", on print media distribution, on small radio station management and news coverage in local languages, on effective economic reporting, and certainly on entrepreneurship and financial management in media operations. The Panos Institute, with additional assistance in Mali from Dutch cooperation has studied "radio pluralism" and provided assistance as has USIS to for local language civic education and mobilization efforts by independent broadcasters.

Recommendation 6.b.: Continue/Increase Donor Support to the Independent Media

Donors may wish to consider assistance to all the independent (non-governmental) media actors through an independent national press center. To do so, the various associations of journalists - print and radio - would have to join together in establishing such a center and then solicit funding and technical assistance to meet their joint and individual needs for aid. This idea, indeed, has already broached by USIS with members of the print media. But they have not yet set up a suitable locale and have otherwise been slow to organize so that they might benefit from the proffered aid. For donors to assist media actors one-by-one is difficult and smacks of taking sides in a rather partisan milieu. Even so, Malian print and electronic journalists recognize their need for help. They want access to wire services, to the tools for composing copy such as desk-top publishing and computer word-processing and for developing tapes for radio transmission. They want access to regularized seminars and workshops on their craft such as - investigative techniques, analyzing government source documents, political-electoral reporting, journalistic ethics or "deontology," and making

issues understandable to a public highly differentiated in education and interest levels, etc.

If the journalists cannot or will not organize to jointly receive donor assistance to strengthen the independent information regime in democratic Mali, there remains for the donors the current approach of occasional aid to separate associations or to specific radio-print enterprises based on worthy initiatives. Donors should continue to offer open seminars by expatriate journalists on aspects of the craft and to provide aid to NGO publications and radio programs that include outreach in civic education as well as developmental matters. They might consider start-up grants for new ventures such as peasant oriented radio in isolated or ill-served areas of the country, etc. It is hoped that the donors will continue to work with and through the existing regional bodies such as PANOS, the West African Union of Journalists (UJAC) which are promotion open information regimes throughout the region. None of the foregoing is meant to suggest that State media professionals should be excluded from opportunities to improve their performance in an open information regime. To the contrary, it is evident that these professionals - information officers in the ministries, public radio and press persons, etc. - should not only be included in training opportunities but that special donor sponsored seminars treating their roles and functions should indeed be offered.

ADDITIONAL ACTIONS:

This set of **priority** findings and recommendations by no means exhausts the areas in which the transition to democratic governance may need support. A reading of the full assessment will suggest other needs and other opportunities to the Malian leadership and to the donors. The foregoing is offered only as the immediate, first order concerns that are derived from the macro-political analysis. They are presented at the request of USAID/Mali as the beginning of a possible project design agenda for its consideration.

ANNEX 1:

TABLE 1
Summary of 1992 Election Results - All Contests

| PARTY/ Pres. Cand. | President/% Vote | | Natl. Assembly Won after Round2 Electoral Districts Seats | | In 19 Commune contests: seats won PerCent Number | |
|---|------------------|--------|--|-----|---|-------|
| | RND 1 | RND 2 | | | | |
| ADEMA/Konare | 44.95 | 69.01 | 37 | 73 | 28% | 214 |
| USRDA²/Konate USRDA/Haidara USRDA (total) | 14.51 7.37 | 30.99 | 5 | 8 | 17% | 130 |
| CNID/Tall | 11.41 | -- | 4 | 9 | 13% | 96 |
| RDP/Sylla | 9.44 | -- | 2 | 4 | 8% | 64 |
| PDP/I.Traoré | 4.1 | -- | 1 | 2 | 5% | 40 |
| RDT/Niangadou | 4.01 | -- | 1 | 3 | 1+% | 11 |
| PUDP/Diaby | 2.16 | -- | -- | -- | 1% | 6 |
| UFDP/Diallo | 2.04 | -- | 1 | 3 | 3% | 24 |
| PMD/(none) | 0 | -- | 1 | 6 | 1% | 9 |
| PSP(none) | 0 | -- | 1 | 2 | 3+% | 29 |
| UDD(none) | 0 | -- | 1 | 4 | 8% | 63 |
| UMADD(none) | 0 | -- | 1 | 1 | 0 | 0 |
| JFD(none) | 0 | -- | 0 | 0 | 7% | 50 |
| OTHERS(7pty) | 0 | -- | 0 | 0 | 2% | 15 |
| TURNOUT % | 23.9% | 20.9% | -- | 22% | -- | 33.7% |
| TOTALS | 100.0% | 100.0% | 55 | 115 | 100.% | 751 |

Voter Turnout: Interestingly, fewer voters came to the polls in each of the successive elections. The Constitutional referendum on January 12 drew 40%; the Commune Council elections fell to 33.7%. Each round of the National Assembly elections saw 22% voting. The first tour of Presidential race brought out 23% but round-two voting fell to 21%.

² USRDA split before Presidential elections into two factions: the Congr s Extradinaire group (Konat  wing) and the Comit  Directeur group (Haidara wing). Municipal party lists and National Assembly lists were named prior to the split. Thus only the total for USRDA is given for Assembly and commune seats.