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Decentralisation amidst hybrid governance
The case of northern Mali

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The Malian peace agreement of 2015, known as the Algiers Agreement, aimed to improve relations between select representatives of northern Mali and central state authorities through decentralisation. Yet, in contrast to ongoing counterterrorism efforts, governance reform through the decentralisation process has received little attention from either the Malian government or its international partners. As a consequence, effective decentralisation in northern regions remains limited at this point in time.

This policy brief contributes to the debate on decentralisation in Mali by illustrating how decentralisation in northern Mali has become an issue of contestation between central state authorities and armed signatories. Decentralisation remains captured in a logic of territorial control, in which the representation of armed signatories takes precedence before the needs and interests of marginalised tribes and communities in northern regions. Central state authorities and signatories have been reinforcing this logic of representation, each trying to hamper the influence of the other over territorial control in northern regions.

1   Introduction

The Malian peace agreement of 2015, known as the Algiers Agreement, aimed to improve relations between select representatives of northern Mali and central state authorities through decentralisation.[1] Yet, in contrast to ongoing counterterrorism efforts, governance reform through the decentralisation process has received little attention from either the Malian government or its international partners.

Since the 1990s rebellion, decentralisation has become a reflexive co-optation strategy in response to repeated northern uprisings.[2] In practice, however, efforts to decentralise governance quickly lost momentum once the military threat of northern Tuareg-led armed groups subsided. As a consequence, effective decentralisation in northern regions remains limited at this point in time. Since 2015, armed signatories to the Algiers Agreement

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1   2015 Algiers Agreement, Article 6 calls for enhanced representation of populations in the national assembly.

2   Seely, J. 2001. 'A political analysis of decentralisation: coopting the Tuareg threat in Mali'. *The Journal of Modern African Studies*, 39:3, p. 499-524.

– specifically the former rebel coalition CMA[3] – have pushed for the decentralisation of governance. Yet, implementation of new decentralised regions following the peace agreement has been slow. This is because the Malian government has diverging priorities – pushing for the return of state security forces and DDR[4] in northern territories instead.[5]

This policy brief contributes to the debate on decentralisation in Mali by illustrating how decentralisation in northern Mali has become an issue of contestation between central state authorities and armed signatories. It outlines the extent to which decentralisation in the north of the country has reproduced existing governance problems, in which the interests of both signatory armed groups and customary elites take precedence over those of marginalised communities. Since the 2012 crisis, governance in northern Mali has been determined more by a logic of territorial control than by decentralised structures. In that sense, armed actors define the scope of administrative governance.

2   Democratising representation?

Recurring uprisings in northern Mali were centred around demands for both increased electoral representation and more autonomous territorial governance. Since the 1990s, decentralisation has been considered the necessary response to these demands – in the creation of new territorial units and new electoral positions. Starting with the first municipal elections in 1999, governance in Mali formally shifted from centrally appointed state representatives to locally elected civil authorities.

For historically subordinated groups, this provided an opportunity to contest societal hierarchies.[6] Decentralisation thereby became both a tool for increased representation of the north and a tool to challenge the hierarchical order of northern societies.[7]

To this day, division lines of local politics run along autochthonous (first-arrivers) and allochthonous (late-arrivers) members of a community.[8] Whereas village and fraction chiefs are customarily representatives of the families of first-arrivers, so-called late-arrivers to a particular area have had to fit into confined power structures. Local hierarchies are further structured around historically defined categories of 'nobles', 'vassals' and 'slaves'.[9] When decentralisation formally concentrated financial power in the hands of the mayor, the creation of electoral offices at municipal level provided a channel for challenging the socio-economic and socio-political authority of these customary elites.[10] In this sense, the electoral competition introduced through decentralisation is intertwined with both inter- and intra-community contestation, as members of historically subordinated fractions could formally compete for office with members of historically dominant fractions.

3   Coalition for Azawad Movements.
4   Disarmament-Demobilization-Reintegration.
5   The Carter Center April 2020. *Rapport de l'Observateur independent Observations sur la mise en œuvre de l'Accord pour la paix et la réconciliation au Mali, issu du processus d'Alger.*

6   Pezard, S. and Shurkin, M. 2015. *Achieving Peace in Northern Mali: Past agreements, local conflicts, and the prospects for a durable settlement.* Santa Monica, California, RAND Corporation. p. 32.
7   Hagberg et al. 2019. 'Intervention local, élites politiques et décentralisation de l'état au Mali'.
8   Hetland, Ø. 2007. 'The politics of decentralisation in Mali: the prospects for local democracy', *Forum for Development Studies*, 34:1, p. 142.
9   Molenaar, F., Tossel, J., Schmauder, A., Idrissa, A. and Lyammouri, R., August 2019, *The Status Quo Defied: The legitimacy of traditional authorities in areas of limited statehood in Mali, Niger and Libya*, The Hague: Clingendael Institute.
10 Lecocq, B. 2003. 'This country is your country: territory, borders and decentralisation in Tuareg politics'. *Itinerario-international journal on the history of european expansion and global interaction*, 27:1, p. 60.

As electoral office promised not only public authority but also access to state resources, electoral contestation introduced through decentralisation effectively fuelled tensions in tribal hierarchies, as customary elites at the highest echelons of traditional authority were challenged. Rather than institutionalising channels of contestation between the central state and northern peripheries, decentralisation has instead increased local and regional contestation.

Yet the ability to capture elected office is closely linked to both financial status and control of resources. This logic also holds in central Mali, where subordinated groups have a similarly poor chance of being elected.[11] Electoral mobilisation requires both social and economic capital.[12] The prevailing logic of decentralisation is more one of particular interests based on the logic of kinship and tribal fractions, than of representation of community interests.[13] The institutional position of member of parliament reproduces the political and social inequalities that exist among tribal fractions.

As a consequence, customary elites[14] have skilfully been able to capture electoral office across the territory, where their fractions are most powerful.[15] At both local level as mayors and district level as members of parliament, they have in many instances successfully cemented their influence.[16]

This logic of elite capture is best illustrated in the region of Ménaka, where the position of member of parliament was consecutively in the hands of customary elites. Oullimiden amenokal Bajan Ag Hamatou is an example of this dynamic, holding the position of both member of parliament and customary leader of Ménaka for more than two decades. This combination of hereditary and electoral capital facilitated the continuation of tribe-based representation in which customary leaders are elected based on the hereditary position they hold within the most numerous tribal communities.[17]

This dynamic illustrates how decentralisation processes are ill-equipped to deal with situations of hybrid governance in which non-state actors play key governance roles. As a result, customary actors are able to capture newly created electoral positions to maintain and stabilise their existing positions of power.

11 Jourde, C., Brossier, M. and Cissé, MG. 2019. 'Predation and violence in Mali: Fulani statutory elites and logic of domination in the Mopti region'. *Canadian Journal of African Studies / Revue canadienne des études africaines*, 53:3, p. 431-445.

12 Vliet, M. 2014. 'Weak legislatures, failing MPs, and the collapse of democracy in Mali'. *African Affairs*, 113, p. 45-66. NIMD 2019. *Etude Nationale sur le coût financier des campagnes electorales et des mandats electifs au Mali.*

13 Vliet, M. 2014, op. cit.

14 As administrators of territory since pre-colonial times, customary elites have remained powerful in the face of absent state capacity, especially in northern Mali. Customary governance actors play key roles in local conflict resolution and land management. See Molenaar, F. et. al. 2019. *The Status Quo Defied: The legitimacy of traditional authorities in areas of limited statehood in Mali, Niger and Libya*, The Hague: Clingendael Institute. p. 96. The title of the highest echelon of customary authority – amenokal – signifies him as 'owner of the land', highlighting the combined political

and economic power that comes with the title. Lecocq, B. 2003. 'This country is your country: territory, borders and decentralisation in Tuareg politics'. *Itinerario-international journal on the history of european expansion and global interaction*, 27:1, p. 60.

15 De Bruijn, M. and Pelckmans, L. 2005. 'Facing dilemmas: training Fulbe slaves in modern Mali'. *Canadian Journal of African Studies / La Revue canadienne des études africaines*, 39:1, p. 69-95.

16 Nonetheless, the 2013 deputy elections in the district of Kidal can be considered proof that this power also has its limits.

17 Similarly in Mopti, the electoral arena has consolidated the status of dominant Fulani elites. See Jourde, C., Brossier, M. and Cissé, M.G. 2019. 'Predation and violence in Mali: Fulani statutory elites and logic of domination in the Mopti region'. *Canadian Journal of African Studies / Revue canadienne des études africaines*, 53:3, p. 431-445.

3 Decentralisation and redistricting

Next to the logic of territorial representation, an essential part of Malian decentralisation lies in the re-ordering of territory into newly defined boundaries – called 'redistricting'. In northern Mali, this essentially means transforming existing districts into regions and the consequent changing of municipalities into districts. This territorial aspect of decentralisation is further fuelling tensions – with regard to potential access to central state resources in Bamako, and to existing resources and infrastructure in a given territory.

The 2019 regional consultation processes on decentralisation in Mali's northern regions has illustrated this pattern. As voting for members of parliament takes place at district level, the greater the number of districts the better the representation of a given population in Bamako, and hence the higher the likelihood of having access to central state resources. In the process of redistricting in Kidal, communities that were consulted proposed the creation of up to 19 districts in the existing region, with each powerful fraction attempting to establish their own district. Districting has become synonymous with holding power and resources.

As seen in Ménaka, territorial redistricting exacerbates grievances around access to essential resources. In a region characterised by repeated episodes of severe drought, decentralisation in northern Mali has, in some instances, increased grievances around access to water, education and justice. For example, in early 2018 historically marginalised communities in Ménaka protested against the proposed redistricting.[18]

Central state authorities lacking willingness to engage with these issues have left the decentralisation process stalled, even in areas where it has already been implemented. In January 2016, decentralisation increased the number of regions in Mali to ten, transforming the previous northern districts of Ménaka and Taoudéni into distinct regions and thereby increasing the number of elected positions for northern communities.[19] Four years after its implementation, operationalisation of these new regions had not yet been completed on all administrative levels, and decentralisation in northern Mali is therefore effectively lacking a proper foundation. As a result, central state authorities did not take the new regions into account in the legislative elections of March and April 2020.

This move has been interpreted by some as a disregard of existing decentralisation. As one interviewee argued, the decision has further alienated civilians, who have a hard time comprehending such disregard of legally recognised regions.[20] In this sense, while recognition of existing decentralised structures would have effectively increased institutional representation of candidates affiliated with the former rebel alliance CMA, its blatant disregard risks adding to an already pervasive sense of inequality in northern regions.

4 Armed actors and changing power relations

In the absence of reliable state apparatus capable of governing its entire territory, Malian central state authorities have relied on a dual governance strategy in which officially implemented decentralisation is accompanied by strategic alliances with regional elites – both customary and armed. Rather than co-optation attempts

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18 Yattara, Inamoud – unpublished transcript. Note Techniques: Analyse de la déclaration des Communautés lésées du cercle de Ménaka relative au découpage communal (Région de Ménaka).

19 République du Mali. 2012. Loi N°2012-018 portant création des Cercles et Arrondissements des Régions de Tombouctou, Taoudénit, Gao, Ménaka et Kidal.

20 Interview AMM Representative, Bamako, Mali, February 2020.

through decentralisation, state–society relations in northern Mali have instead been shaped by a strategy of counterbalance relying on establishing regional proxies as an antithetical element to restive Ifoghas Tuareg tribes.[21] In this sense, central state authorities' governance relied more on a few selected individuals and groups, rather than any attempt to 'represent the full spectrum of society' through the formal decentralised governance channels.[22]

In Ménaka, Bamako's reliance extended to both the aforementioned customary elites cementing their influence in electoral office and the armed groups comprising the pro-government Platform, including the Imghad Self-Defence Group GATIA and its ally MSA, led by Daoussahak Tuareg. This dual reliance on customary and armed actors favoured counterbalancing rather than integrating and co-opting rebellious Ifoghas Tuaregs,[23] putting the decentralisation process at the end of the queue.

This dual position of customary leadership in Ménaka as proxy and de facto para-sovereign of the region[24] is best expressed in the saying 'If Bajan is strong, the state is strong.'[25] In this sense, customary elites operate on the same clientelism pattern employed by the state, with both central state authorities and their regional proxies relying on particular interests rather than on

inclusive representation of constituencies. Through their reliance on local elites to counterbalance Ifoghas Tuareg, central state authorities ultimately profit from the elite capture of democratic positions.

Since the 2015 peace agreement, interim authorities installed in northern regions, in coordination between the signatory armed groups and central state authorities, have contributed to a further blend of authority. While these interim authorities at regional and district levels have been installed by the state, they represent key personnel of the signatory armed movements, making a separation of power de facto impossible. The position of interim authorities is thus an additional example in which armed territorial control has become congruent with administrative power. As such, interim authorities in Ménaka – a former stronghold of the Platform coalition – have been nominated by Platform members GATIA/MSA, whereas interim authorities in Kidal had been proposed by the ex-rebel coalition CMA.

The strategy of counterbalancing, however, failed most recently with regard to Bamako's non-state armed allies of the Platform – GATIA/MSA. As partners in French counterterrorism operations, they had been increasingly targeted by radical actors, which weakened the alliance and resulted in splits within the Platform. The ex-rebel coalition CMA stepped into this chasm of territorial control, further expanding into northern regions including Ménaka. This change in power relations has led the aforementioned customary elites – long-acting as proxy for Bamako – to adapt through renewed alliances with the CMA. At the November 2019 summit of Ifoghas-dominated HCUA, arguably the CMA's most influential bloc, Oullimiden aménokal Bajan Ag Hamatou officially declared his alliance to the group.[26] This switch of allegiance was similarly observed across various tribal fractions, formally announcing their shift to the CMA,

21 Boone, C. 2003. *Political Topographies of the African State: Territorial authority and institutional choice*. Cambridge, UK, Cambridge University Press. The strategy of counter-balance was also deployed to influence in-group dynamics of the Ifoghas.

22 Pezard, S. and Shurkin, M. 2015. *Achieving Peace in Northern Mali: Past agreements, local conflicts, and the prospects for a durable settlement*. Santa Monica, California, RAND Corporation, p. 26.

23 Nonetheless, the CMA cooperated by securing northern Mali during the 2018 presidential elections that led to the re-election of President Ibrahim Boubacar Keita.

24 Sandor, A. 2017. *Insecurity, the Breakdown of social trust, and armed actor governance in central and northern Mali. A Stabilizing Mali Project Report*. August, p. 23.

25 Grémont, C. 2004. Les liens sociaux au Nord-Mali: entre fleuve et dunes: récits et témoignages. Karthala Editions.

26 United Nations 2020. Letter dated 28 February 2020 from the Panel of Experts Established pursuant to Resolution 2374 (2017) on Mali addressed to the President of the Security Council.

thereby adapting to the armed group most capable of extending at least a fragile form of protection.[27]

In the increasingly fragmented conflict landscape of Mali, this switching of alliances is indicative of the necessity for customary central state proxies to align to new power balances. it similarly underlines the continued dependency of both central state and armed actors on selected influential customary leaders. As local strongmen, their ability to mobilise large numbers of the population makes them an attractive cooperation partner for both governments and non-state armed actors.[28] In this sense, customary actors remain intermediaries between state and society,[29] a function that further allows them to cement local power hierarchies, to the disadvantage of subordinated groups.

While it is difficult to distinguish the degree to which territorial control will correspond with political power in Ménaka, the latest legislative elections demonstrate the CMA's ability to attain electoral dominance.[30] This ambition has similarly translated to the region of Ménaka. Their capacity as veto players on the national level has once again become visible ahead of the 2020 legislative elections, for which CMA advocated the taking into account of increased representation of northern populations by including the region of Ménaka created in 2016. Accounting for the new region of Ménaka, with its distinct districts – instead

of Ménaka as a district of Gao region, would have increased the number of national representatives of this territory by a factor of four. Instead of one member of parliament for the district of Ménaka – as in previous years, amenokal Bajan Ag Hamatou was elected with 75% – the new region of Ménaka could have elected four members of parliament for each of the respective districts of the newly created region.

Governance dynamics in northern Mali are therefore characterised by the competing logic of both formal and informal peripheral governance arrangements deployed by the central state. As such, the formal decentralisation process has been in competition with a logic of armed territorial control, on which both the ex-rebel coalition CMA and the central state through its proxy armed Platform coalition relied. In this sense, the predominant form of governance has so far been shaped by selective reliance on customary elites and pro-state armed groups to counterbalance the ex-rebel CMA coalition. As a consequence, decentralisation in the northern region of Ménaka has contributed little to democratising representation and has instead empowered selected ethnic groups to the detriment of subordinated fractions.

5 Conclusion

Five years since the signing of the 2015 Peace Agreement, governance in northern Mali is characterised by overlapping spheres of customary, armed and administrative authority,[31] in which the separation of power eludes set categories. As authority waxes and wanes,[32] signatory armed groups hold administrative positions through the interim authorities, but also shape the latitude of administrative actors through their

27 Interview HCUA Representative, Bamako, Mali, March 2020.

28 Raleigh, C. and De Bruijne, K. 2017. 'Where rebels dare to tread: A study of conflict geography and co-option of local power in Sierra Leone'. *Journal of Conflict Resolution*, 61:6, p. 1230-1260.

29 Molenaar, F. et al. 2019, *The Status Quo Defied: The legitimacy of traditional authorities in areas of limited statehood in Mali, Niger and Libya*. Clingendael Institute. Chapter 2; Leonardi, C. 2019. *Making Order Out of Disorder: Customary authority in South Sudan*. Rift Valley Institute.

30 Thurston, A. 'Mali: Analysing the Legislative Results from Kidal'. *Sahel Blog*. Available here: https://sahelblog.wordpress.com/2020/05/01/mali-analyzing-the-legislative-results-from-kidal/.

31 Raleigh, C. and De Bruijne, K., 2017. 'Where rebels dare to tread: A study of conflict geography and co-option of local power in Sierra Leone'. *Journal of Conflict Resolution*, 61:6, p. 1230-1260.

32 Hagmann, T. and Péclard, D. 2010. 'Negotiating statehood: dynamics of power and domination in Africa'. *Development and Change*, 41(4), 539-562.

role as key military powers. In this sense, military force accompanies political power – a recognition to which even pro-state customary leaders such as the amenokal in Ménaka have to submit.

In the aftermath of the 2015 Algiers Agreement, decentralisation has become conceptualised as both a tool to increase relations between northern Mali and central authorities and a means to transform armed governance into institutionally accepted channels of contestation. This has been more aspiration than reality, a fact that has been most recently underlined in the context of legislative elections held on 29 March 2020, in which the failure to implement decentralisation in Ménaka region led to renewed contestation by the ex-rebel coalition CMA.

These ramifications of decentralisation do not depend on the institutional creation of decentralised structures, but on the governance dynamics in which decentralisation takes place.[33] While decentralisation has in some cases enabled the population to challenge historical hierarchies, the decentralisation process in the aftermath of the 2015 peace agreement continues to play out between elites. The signatory armed groups – presenting strong but marginal fractions such as those within CMA, and representing numerous tribes such as within the Platform – have installed interim authorities, while customary elites proved able to secure their positions as deputies through flexible alliances.

In addition, decentralised structures have been a marginalised channel of contestation. Instead, most power plays still take place at macro level through the problem of armed territorial control and the implicit political influence it implies. Changing power relations in northern Mali, following the implosion of the Platform coalition in 2019,[34] could therefore provide renewed impetus to focus on institutionalised decentralisation instead of selective informal decentralised arrangements.

The current decentralisation process is captured in a logic of territorial control that remains dominated by the armed signatories, whose representation takes precedence before the needs and interests of marginalised tribes and communities in northern regions. Central state authorities and signatories have been reinforcing this logic of representation, each trying to hamper the influence of the other over territorial control in northern regions. In the present context of changed power relations, implementing decentralisation at district and municipality levels in the newly created region of Ménaka will likely lead to greater representation of CMA interests in the national assembly. But the integration of former rebels follows institutionalisation, be it in the security sector or governance. In this regard, Mali's international partners should not shy away from holding central state authorities accountable: the fact that criticism of the stalled decentralisation process has come from the ex-rebel CMA bloc does not render it any less valuable.

33 See Boone, C. 2003. *Political Topographies of the African State: Territorial authority and institutional choice*. Cambridge, UK, Cambridge University Press.

34 The Carter Center. January 2020. *Rapport de l'Observateur independent Observations sur la mise en œuvre de l'Accord pour la paix et la réconciliation au Mali, issu du processus d'Alger*. Significant splits within the armed groups composing the signatory Platform coalition – both within the Arab Movement of Azawad (MAA) and the GATIA (Tuareg Self-Defence Group and Allies), weakened the politico-military power of the Platform coalition.

About the author

Anna Schmauder is a Junior Researcher at Clingendael's Conflict
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