

**THE POLITICIZATION OF THE MALIAN CIVIL SERVICE IN THE
CONTEXT OF DEMOCRATIZATION**

by

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ABSTRACT

The politicization of the civil service in Mali in the context of democratization had a catastrophic effect on the democratization and development process in Mali. In the first decade of democratization, the “dominant” party permeated and used the civil service to control and take advantage of state resources. In addition, the civil service has been also transformed into a funding agency for the “dominant” party as well as coercion and exclusion machinery. In the second decade the rules of the games were changed while the goal and outcome remained the same. “Dominant” party rule has been replaced with a diffused party system under the name of “consensus” politics.

This dissertation examines the phenomenon of the politicization of the Malian civil service in the context of democratization as a hindrance for its development into the institution needed to support and deliver democracy to citizens. Such an examination is important to uncover a new type of politicization whose objective is not to control the civil service for policy purposes, but rather the *élite*'s organized abuse of the state.

By using the ethnographic method of studying the concept of politicization of the civil service in the context of democratization, this dissertation argues that the phenomenon of politicization of the civil service in the context of democratization has been a hindrance for the civil service development into the institution needed to support and deliver democracy to citizens. This phenomenon of politicization has also destroyed all state institutions and has endangered the democratization and development processes.

The findings of the dissertation show how state leadership has engaged in grand corruption and clientelist practices to reinforce its power. The rupture of the state and its civil

service from society, the Malian *élite*'s abuse of the state and its citizens, the joint conspiracy of the administrative and political leaders against the people, and the insidious and organized grand corruption under implementation have caused a crisis in both state authority and state legitimacy as well as the failure of democratization and the development process.

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PREFACE

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1.0 INTRODUCTION

1.1 STATEMENT OF THE PROBLEM

The researcher's interest in this research began during a conversation with a friend while vacationing in Mali in the summer of 1998. This friend asked the researcher for her political affiliation and was surprised with the response of having no party affiliation. Then he immediately advised the researcher to join one to give herself a chance to get reappointed as a civil servant upon graduation. He explained that the civil service has been captured by political leaders and transformed into an instrument at their service.

The Malian civil service has a long history of politicization. In the colonial era, a Governor administered the territory of Mali, called French Sudan. The territory was divided into administrative units called "cercles" headed by French "Commandants". "Cercles" were divided into subunits called "cantons" headed by local traditional African leaders and nonmembers of the traditional chieftaincy who knew how to read and write French and who were loyal to the colonial government (Imperato, 1989).

At independence, Modibo Keita became Mali's first president in 1960. Keita was both president of the republic and secretary general of the single political party "Union Soudanaise-Rassemblement Démocratique Africain, (US-RDA)." A charismatic leader, Keita forged a highly centralized form of government following the logic of the command economy and Marxism became the guiding political philosophy for his administration. He moved quickly to Africanize the civil service, and loyalty to US-RDA became the key criterion for hiring and promotion in

the civil service. Keïta was overthrown in the coup d'état of November 19, 1968 (Imperato, 1989).

Moussa Traoré led the second Republic of Mali, put all political activity on hold and suspended the political institutions. In 1974, a new constitution was adopted in a referendum, leading to the creation of Mali's single political party, "Union Démocratique du Peuple Malien (UDPM)" in 1978. The military continued to dominate the regime; as they controlled the economy and strengthened their political power through the distribution of rents. Membership of the party and loyalty to the President's family were the main criteria for obtaining administrative appointments at the senior level (Diarrah, 2000). A popular protest of pro-democratic movement ended the Traoré regime in March 1991 (Danté et al, 2001).

A transitional government called "Comité de Transition pour le Salut du Peuple : CTSP" was appointed to launch the process of political pluralism and democratization. The Fundamental Act N° 1 specified its term limit and stated that its mandate was to assess the state of the nation and to draft a new constitution, a new electoral code, and a new charter of political parties. A sovereign National Conference was held from July 29 to August 12, 1991.

The Malian National Conference was called to formalize and launch the democratization process. Its main goal was to delegitimize the single party regime and lay the foundations of a new constitutional order consistent with democratic principles. Since all these drafts were written in French, the researcher served as a resource person to explain the content of the various drafts to the participants at the National Conference who were not literate in French).

The National Conference marked the transition from military rule towards the rehabilitation of the State. Pro-change forces succeeded in introducing multiparty politics and asserting the rights of ordinary citizens to speak out and organize independently of the state, and

demanding accountability from the governing elite. As a result, the *élite* pledged to rigorously, honestly and loyally work toward the building of a democratic society and to bring social and economic well-being to the Malian people. After a fourteen-month transition, Mr. Alpha Oumar Konaré became the third president of Mali, succeeding to President Moussa Traoré in June 1992.

After nearly two decades of democratization, the Malian leaders failed to rid the civil service of its historical patrimonial legacy. Instead, there has been a persistence of patrimonialism, exclusion politics, rampant corruption and the looting of the state within the context of multiparty politics. The “Alliance pour la Démocratie au Mali (ADEMA)” the dominant political party in power from 1992 to 2002 has used the civil service as an instrument of coercion and fundraising for its own benefit. With its exclusionary politics, ADEMA was the only party in the game. As such the then highest authorities had captured the civil service and turned it into the party’s fundraising instrument on the one hand and in an instrument of repression of opposition parties on the other hand.

President Touré succeeded President Konaré in 2002 and devised an inclusionary governance style of “consensus politics”. Then, the practice became a system of placing members of political organizations supportive of the executive branch’s agenda in key civil service positions to “help them”. Given the spate of political repression and violence under ADEMA rule, only few parties claimed to be in the political opposition. In view of Malian governmental rejection of political opposition, the state’s highest authorities have used various techniques to smother the opposition including exclusion and violence to ensure their compliance to the machinations of the “help network”. In Mali, senior civil servants have colluded with the political leadership to engage in grand corruption detrimental to the state, its civil service and the democratization process.

According to a 2007 World's enterprise survey, it takes 40.95 days to obtain an operating license compared to an average of 23.85 days in countries in the region and 27.63 days in all countries. It takes 133.63 days to obtain a construction-related permit compared to an average of 52.63 days in countries in the region and 64.80 days in all countries. The survey also found that 80.35% of the firms expected to give gifts to secure a Government contract compared to an average of 38.35% in countries in the region and 28.55% in all countries. According to the survey data, 53.95% of firms identified tax rate as a major constraint compared to an average of 37.99% in countries in the region and 35.70% in all countries. With regard to the infrastructure, it was found that it required 42.64 days to obtain water connection compared to an average of 28.60 days in countries in the region and 34.78 days in all countries. As of telephone connection, it takes 43.37 days to obtain a mainline telephone connection compared to an average of 32.73 days in countries in the region and 25.34 days in all countries.

The purpose of this dissertation is to bring to light state highest authorities' sponsored grand political corruption and financial delinquency of senior civil placed at key positions and "instructed" to rob the state treasury and use the money to service political parties and organization under the blanket of democracy. This poses a major challenge to democratization in Mali.

1.2 RESEARCH QUESTIONS

The consideration of this problem prompts a number of research questions. It is the researcher's contention that politicization weakens the civil service as it hinders its independence, its integrity, its autonomy, its responsiveness and the morale of career civil servants. It is the researcher's contention that both democracy and economic development require a strong, technically competent, effective, efficient and responsive civil service.

The main argument of this study is that politicization remains the major hindrance to democracy and to development.

The central questions to be addressed here are as follows:

- 1) To what extent are the structural and normative features of the Malian civil service in the context of democratization consistent with the Weberian model?
- 2) Are relationships between politics and administration alike in Mali and in liberal democracies?
- 3) How well is the Malian civil service grounded in core democratic values and principles to support liberal democracy in the making and to foster development?

1.3 RATIONALE AND SIGNIFICANCE OF THE STUDY

This study is timely because after nearly two decades of democracy, one of the major problems facing Mali today is the politicization of its civil service. Following the overthrow of President Moussa Traoré, a transitional committee was appointed to launch a democratization process. The first general elections took place in June 1992 and ADEMA came out victorious. Alpha

Oumar Konaré, the newly elected ADEMA presidential candidate in coalition with other political parties signed the “Pacte Republicain”. The ruling party was expected to devise the institutions of a democratic society.

The second election was organized in 1997 by an independent electoral commission. However, many opposition parties decided to boycott the elections as an expression of their discontent about the behavior of the civil service, accusing President Konaré of heavily politicizing it to serve ADEMA’s interests. They filed lawsuits to request the nullifying of the elections, arguing that the Konaré’s administration and the civil service conspired through various maneuvers to ensure ADEMA’s victory. The constitutional court invalidated the elections on the grounds of various irregularities.

First, there was too much wavering in the setting of the electoral calendar. With regard to the parliamentary elections, March 9, 1997 and March 23, 1997 were the dates set for the first and second rounds respectively. However, the promulgation of the electoral law as the basis of the whole process was delayed until January 14, 1997 because of disagreements between the ruling party and the “Collectif des Partis Politiques de l’Opposition (COPPO)”, or the coalition of opposition political parties. In addition, the “Commission Electorale Nationale et Indépendante (CENI)”, the national independent electoral commission, the key player in elections was established only on January 24, 1997. These two delays and the amount of work that lay ahead made it impossible to meet elections deadlines. Because the term of deputies would end on April 17, 1997 the President of the Republic resorted to the dissolution of the National assembly on March 3 to be able to set new election dates of April 13, 1997 and April 27, 1997 respectively for the first and second rounds (Sow, 2008).

Despite the postponement, CENI was faced with numerous problems. Accordingly, the president of the organization acknowledged the impossibility to plan and hold free and fair elections under such conditions and suggested delaying the elections to the Prime minister. CENI president announced on national television and radio that the prime minister rejected his suggestion to postpone the elections and firmly instructed that elections be planned and held regardless of the conditions. In reaction to the Prime minister's instructions, COPPO accused the ruling power of trying by all means to cling to power and threatened to boycott the upcoming elections.

Despite these reactions, ADEMA found a way to strengthen its position within the civil service. The party instructed the Ministry of Territorial Administration and the Directorate of Elections, the two administrative entities involved in the electoral process along with the CENI to proceed to the planning and administration of the elections without the CENI.

The study is significant because since the fall of authoritarian regimes and the emergence of competitive politics in Africa, numerous studies have been conducted on various subjects. These subjects range from the cultural aspects of democracy (Nzouankeu J-M. 1991; Jung W. and Krieger S. 1994), to national conferences (Adamo, A. D., 1995; Eboussi, B.1993) to constitutional debates (Jung W. and Krieger S. 1994), to the legitimating of elections and the electoral process, to developmental aspects of democracy (Sandbrook, 2000), to the assessment of democratic experiments (Bratton and Van de Walle, 1997), to consolidating democracy (Vengroff and Magala, 2001), to prospects of democracy (Wiseman, J. 1990) and so on. Two articles have been published on the politicization of the civil service. The first was authored by A. K. Gitonga, who argued that the politicization of the public service is one of the biggest

controversial issues in the post-colonial African public service. The second was published in the 1994 book of “African Perspectives on Development: Controversies, Dilemmas and Openings.”

In the case of Mali, there have been a number of studies conducted since the re-emergence of competitive politics in the 1990s. These include Kester and al’s 1997 book on the role of unions in building a sustainable democracy; Diarra’s 1996 book on democratic challenge in Mali; Sidibé and Kester’s 1994 book on the national dialogue on democracy; Vengroff’s 1993 and 1994 work on political parties, party system and electoral system in Mali; Diarra’s 1995 and Molinier’s 1994 articles on the constitutional debate in Mali, Nzouankeu’s 1993 and Pimont’s 1993 publications on the role of national conferences; Nzouankeu’s article on the transition to democracy in Benin and Mali.

A survey of the literature on Mali has revealed that there is no study on the phenomenon of politicization and that little attention has been given to the civil service within the new context of democratization and competitive politics in Mali. Therefore, this research is a pioneer work on the subject. Knowing the key role that the civil service plays in the state, it is this public administration that this study attempts to address. The objective is to examine the process of building a civil service institution based on the legal-rational model capable of responding to the demands of citizens. The ultimate goal is to examine the phenomenon of politicization of the civil service as one aspect of the problem of institutionalization of the state, deeply rooted in its political-institutional heritage, in the context of pluralistic politics in Mali. It is intended to shed light on the phenomenon of politicization of the civil service in Mali and its impact on the building of a professional civil service capable of mediating between the governors and the governed. By investigating the politicization of the civil service system, it may be possible to

transform the existing civil service into a new system capable of mediating between the state and citizens through the delivery of democracy and development.

1.4 STRUCTURE OF THE DISSERTATION

This dissertation is comprised of seven chapters. Chapter one has introduced the problem under investigation; provided the background of the problem; stated the research questions and outlined the rationale and significance of the study. Chapter two provides the review of the literature on the problem. Chapter three explains the conceptual framework and the research methodology. The contextual analysis is given in Chapter four. Chapter five presents respondents' perspective. Chapter six explains the politicization of the Malian civil service. Chapter seven concludes the dissertation.

2.0 A LITERATURE REVIEW: POLITICIZATION OF THE CIVIL SERVICE IN A DEMOCRATIC CONTEXT

2.1 THEORIES OF DEMOCRACY

Theorists of democracy have yet to reach a consensus on the meaning of democracy. There is a vast array of democracies throughout the world. Theorists of democracy have tried to classify democracies into few broad types to facilitate the study of democracy. In the views presented here, Mali is closest to a pseudo-democracy given the quality of its governance and state institutions. It was a “hegemonic party system” under President Konaré in which ADEMA leadership engaged in severe repression, patronage, and held the civil service captive to weaken opposition parties. This new party system became encompassing, preferential with a nonviolent clever refusal of the political opposition.

2.1.1 Democratic Theory

Collier and Levitsky (1997) identify a host of subtypes of democracies considering the range and extent of their political features. In this line of thinking, Diamond (1999) suggests four broad types of democracy namely electoral democracy, liberal democracy, midrange democracy and pseudo democracy.

2.1.1.1 Electoral Democracy

According to Diamond (1999), electoral democracy was first defined by Schumpeter (1947) as a system “for arriving at political decisions in which individuals acquire the power to decide by means of a competitive struggle for the people’s vote.” Huntington (1993), Lipset, (1981, 1994), Linz (1978), Przeworski (1991) among others have endorsed, clarified and refined Schumpeter’s (1947) definition with regard to its content and meaning. Collier and Levitsky (1997) have called this exercise a periodic “precising”. Schumpeter’s (1947) emphasis on elections is somewhat misleading because multiparty elections do not necessarily guarantee either the participation of all the citizens to the democratic process or the advancement of all citizens’ interests (Schmitter and Karl, 1993). Second paragraph.

2.1.2 Liberal Democracy

Dahl (1971), in his “procedural theory” or “polyarchy has suggested a number of conditions of democracy. First and foremost, elected officials must be vested with constitutional powers to run government. Second, state officials must be chosen in periodic, fair and free elections. Third, all adult citizens must have the right to vote and to run for office. Forth, citizens’ freedom to access information, freedom of expression, freedom of publication of information, freedom of assembly and freedom of association must be protected (Dahl, 1971).

Diamond (1999) identifies three dimensions to Dahl’s conception of “polyarchy” namely opposition, participation and civil liberties. Opposition refers to competition to access public office through regular, free, and fair elections. Participation is about the right for all adults to

vote and compete for office. Civil liberties entail the right of expression, the right to form or adhere to organizations, the right to assembly, the right to access information and the right to inform.

Diamond (1999) also finds some key components of democracy, namely the checks and balances through the separation of powers, the recognition and protection of minority rights, and the protection of individual freedom of belief and opinion. All these rights, freedoms and pluralism, the author argued, can exist only within the framework of the “rule of law”.

Schmitter and Karl (1993) define democracy as “a system of governance in which rulers are held accountable for their actions in the public realm by citizens, acting indirectly through the competition and cooperation of their elected representatives”. According to the authors, “a system of governance is an ensemble of patterns that determines the methods of access to the principal public offices; the characteristics of the actors admitted to or excluded from such access; the strategies that actors may use to gain access; and the rules that are followed in the making of publicly binding decisions”. This “ensemble” must be written in the form of a constitution and its subsequent laws (Schmitter and Karl, 1993).

Schmitter and Karl (1993) add two more conditions although they agreed with Dahl’s definition. The first addition is that popularly elected officials should be able to freely exercise the constitutional powers vested in them. The second addition is that there should be no outside interference to influence state power. By making these two additions, the authors sought to protect the sovereignty of nation-states by preserving their autonomy.

Turpin (1992) defines democracy as “a freedom, one of these words that ‘sing more that they speak’ and in the name of which a lot of crimes have been committed”. Gonidec (1977) asserts that “according to the new constitutionalism, liberal democracy rests on four foundations

or four pillars: the rule of law, the recognition and the protection of human rights, pluralism, a representative regime; these pillars are the building blocks of the democratic edifice”.

2.1.3 Midrange Democracies

The Midrange Democracies are subtypes of democracies which are somewhere between electoral democracy and liberal democracy. They include basic freedoms of expression and association, but restrict citizens' rights and have a flawed rule of law in which legal rules are applied unfairly and inconsistently. Linz (1996) defines midrange democracies as a political system which guarantees basic political freedoms, and regular, free and fair competitions for all public offices. This definition is an expansion of the Schumpeterian conception of democracy which undermines the reserved domains of power and suggests that electoral competition be based solely on basic political freedoms with no concerns about the protection of civil liberties and minorities' rights.

O'Donnell (1996) defines midrange democracies as a system that includes all the attributes of Dahl's "polyarchy" to which he added two more features. The first addition is that elected officials should not be arbitrarily removed from office before the end of their terms. The second addition is that elected officials should not be subject to severe constraints, vetoes or exclusion from certain policy domains. The reason for these additions is to secure a meaningful power for elected officials. The basic argument of O'Donnell (1996) is that many third-wave democracies are polyarchies with rampant clientelism and particularism with little concern about accountability to citizens and respect of formal rules.

Schmitter and Karl (1993) do not believe that democracies are necessarily better than autocratic regimes in solving citizens' problems. But by guaranteeing freedom, pluralism and the

possibility of choosing state officials through frequent, fair and free elections, liberal democracy appears to be the only form of governance likely to reduce poverty and social injustice, redirect ill-designed policies and curb corruption. In that regard, democracy should be considered to be a developmental undertaking (Diamond 1999).

Bruszt and Stark, (1997) argue that no democracy is capable of solving all the problems that society face. But giving more space to civil society groups, empowering historically powerless groups, encouraging citizens' participation in the political process, ensuring government responsiveness and accountability may increase elected officials legitimacy. Putnam, (1995) asserts that citizens' participation in the political process builds trust, reciprocity and cooperation; it reduces cynicism, encourages political participation, economic development, democratic stability and the resolution of social problems.

From a developmental perspective, Sklar (1987) affirms that democracy is likely to move in any direction. There is no single way of emergence of elements of liberal democracy. Once democracy emerges, Diamond (1999) calls our attention to the need for nurturing it to prevent the breakdown of its formal institutions leading to its decay.

2.1.4 Pseudo-Democracies and Non-Democracies

Diamond, Linz and Lipset (1995) include what they call "pseudo democracies" as a fourth category of democratic regimes. According to the authors these are authoritarian regimes in disguise with some democratic features such as multiparty elections. Pseudo democracies include semi democracies which are closest to electoral democracies in their pluralism and competitiveness, as well as what Sartori (1976) called "hegemonic party system" in which a relatively institutionalized ruling party engages in a variety of actions to deny formally legal

opposition parties a chance to compete for power. In the latter systems, the ruling party regularly wins massively all the elections and maintains itself in power. Pseudo democracies also include multiparty electoral systems in which the undemocratic dominance of the ruling party may be weak and contested, highly personalistic and poorly institutionalized or in the process of turning into a more competitive system.

Pseudo-democracies tolerate legal opposition parties and give more space for organizational pluralism and dissent activity in civil society than non-democracies. Pseudo-democracies vary in their repressiveness and in their readiness to transform into electoral democracy. Thus, pseudo-democracies tend to have somewhat higher levels of freedom than other authoritarian regimes. Diamond (1999) argues that pseudo-democracies who tolerate opposition parties in the electoral process and who provides civil society with more space are likely to develop into true democracies. He is optimistic that many African countries have democratic features; therefore, they are likely to transform their regimes into full democracy.

2.1.5 African Vision of Democracy

Since the fall of the Berlin Wall, liberal democracy has become the universal model of governance regardless of the diversity of cultures. In the 1990s, democracy appeared to be the top priority in Africa and particularly in Mali where the fall of single party dictatorship occurred in bloodshed. There is a consensus among African scholars that some form of democracy has always existed in the African culture and society even prior to colonization.

Buchmann (1962) asserts that “Africa also had its true mystic of democracy”. Through his extensive work on pre-colonial black Africa, Diop, (cited in Sow, 2008), argued that black Africans have experienced democracy before colonization outside the framework of republics

when he stated that “Africans have never lived a republic experience, although the regimes have been democratic almost everywhere, with balanced powers... The king had no power; but power belonged to society. The manifestation of this was that the king could be put to death as he was also chosen by a council of wise men; which implied democracy not in the sense of pluralism but in the sense of control over leaders”.

Building on Diop’s (cited in Sow, 2008) work, N’Guema, (1992) supports the idea that some form of democracy has existed in pre-colonial Africa when he said: “According to proponents of the positivist thesis, democracy exists and is documented in traditional African societies where notions of people, human, nation, State, right, justice, freedom, equality, God, have a true meaning...It is only that these notions are conceived, perceived, organized and structured according to another vision, or if we prefer, according to another logic”.

In the same line of thinking, Randrianja, (1995) declares that a democratic popular culture has existed in pre-colonial times. Africa. Ba (2001) explains that “customary authorities’ power was neither arbitrary nor absolute...Of course the traditional chiefs also detained an enormous power, but most often, this power was strictly regulated by tradition, therefore, could not become either absolute or arbitrary. Traditional chiefs were being considered receivers of a divine power, they had to abide by strict behavior rules and there were multiple ways and means of controlling them”.

However, scholars of African development find some key features that distinguish the African society from the western society. According to Guéma (1992), it is the law of the state that applies to all citizens and assures social cohesion in Western societies while in African societies, social cohesion is the result of people’s desire and willingness to live together and

cooperate with one another. Ardant, (1995) underlined the centrality of the individual in Western democratic societies.

The above cited authors believe that the success of liberal democracy in Africa is contingent to a number of conditions. Gonidec (1977) firmly believes that individual freedom in Africa is severely restricted by the dynamics of groups that derive from the social life. Mbaye (1992) argues from human rights standpoint. According to the author, in the West, human rights are instruments that protect the individual against society, while in Africa their goal is to assure harmony and social cohesion by reinforcing the individual's acceptance in the community. Human rights in Africa do not have the conflict character rather they bond the individual with the community (Mbaye, 1992).

There is a widely held belief that democracy evolved from a culture generated by a society. As a result, Alliot (1993) deplores the attitude of westerners toward the African public decision making culture. The author explains that if in the West it is the state that makes the society, in Africa it is the common decision making which takes a unanimous form called consensual. He finds it very unfortunate that western scholars do not consider this process of decision making to be democratic, despite its representative feature, because groups are more often represented by elders.

For Elliot's (1993) various citizens groups' struggle to seek recognition and to influence public decision-making through mass demonstrations in western democracies has exposed the limits of state officials' decision making power. If this has allowed the author to infer that western "organized democracy" may be evolving into "African natural democracy", it has also given some insights into how to transform "African natural democracy" into "organized democracy". Obviously, these various statements call upon the African *élite* to either reflect on

the concept of liberal democracy and its viability in Africa or to consider African “natural democracy” as one type of democracy.

Alliot (1994) goes further to pose the problematic of democratization in Africa and therefore the problematic of the nature of the African State. This has become a persistent problem since the emergence of democracy in the 1990s. That is why Leroy (cited in Sow) called upon the *élites* for an invention of an “authentic African democracy” built upon the adaptation of colonial legacy, shared governance consistently with African values, the respect of the challenger and the rule of law.

Finally, the French interference in its former colonies is also an impediment to the progress of the democratization process in these countries. Sow (2008) cites the editorial of the 1981 issue of the journal “*Politique Africaine: African Politics*” which discussed the problematic character of France’s double standards on African policy. Indeed, the French government which took office in 1981 dealt selectively with the issue of human rights on the African continent to accommodate French interests in Africa.

Sow (2008) believes that the task of African societies seems particularly difficult because of their dual traditional and colonial past. In this endeavor, many concepts have been considered by both eminent scholars of African development in their efforts to construct a true democratic postcolonial state. However, nearly two decades after the fall of single party and military dictatorships, democratization is far from finding its way especially with regard to the inclusion of the African culture in the states systems of governance. In this regard, Badié (1990) acknowledges hesitant non-western societies between adaptation and innovation. This author finds the latter more viable in the long-run and the former more realistic and rational in the short

run. Other scholars offer the perspective adaptation and argue that colonialism or post-colonialism are not points in time. It is an evolving process that synthesizes elements of both.

The above contributions to the debate show how difficult it is for a given culture, to integrate elements coming from a different society. Meny (1993) underlines the failure of the new African constitutionalism through discrepancies between the affirmed big principles and their implementation. Unfortunately, most francophone African states, after independence and even after the democratic revolution of the 1990s, engaged more in imitation than innovation, not to mention invention (Sow, 2008). As a result, institutional and political practices often deviate from the adopted rules. Rules and principles are either abandoned or are bent to the interests of high authorities. (Sow, 2008). Therefore, the civil service has failed to deliver democracy in the African democratic context.

2.1.6 Malian Version of Liberal Democracy

The Malian Constitution of 1992 featured both popular and national sovereignty, unlimited multiparty system, electoral competition and separation of powers.

2.1.6.1 Popular sovereignty vs. national sovereignty

Bangoura (2003) notes the urgency to affirm the foundation of democracy in most African States. In their quest to reconstitute to the people its most fundamental power which has been confiscated by authoritative and autocratic regimes, most African States proclaimed principles of both popular and national sovereignty their corollaries, namely multiparty system, electoral competition, separation of power and respect of rights and liberties.

These democratic features are affirmed in articles 25, 26, 27, 29, and 118 of the Malian Constitution of 1992.

Article 25: “Mali is an independent, sovereign, indivisible, democratic, secular and social Republic. Its principle is government of the people, by the people, for the people. National sovereignty belongs to all the people who exercise it through its representatives or through referenda.

Article 26: “No fraction of the people, no individual can claim to usurp its exercise”.

Article 27: “The suffrage is universal, equal and discreet”.

Article 28: “Political parties participate to the expression of the suffrage. They form and exercise

freely their activities in the conditions determined by the law. They must respect principles of national sovereignty, democracy, territorial integrity, national unity and the secularism of the State.

Article 118: “The republican form of the State and its secularism as well as multiparty system shall not be changed”.

So the Malian Constitution included both direct democracy (popular sovereignty) drawn from the theory of Rousseau and indirect democracy (national sovereignty) drawn from the theory of representative democracy. The principle of representative democracy requires the selection of people’s representatives through multiparty electoral competition. Unfortunately, 80% of the Malian population is excluded from the democratic process because of its illiteracy in French the official language in which the official documents are written. Consequently, only the 20% who know how to read and write, the *élite* truly participate in the democratic process. This

situation has a negative effect on the state system of governance and the particularly on the principles of sovereignty, the foundation of democracy and development (Sow, 2008).

All this political arrangement is meant to operate on the principle of separation of powers. Indeed, “national and popular sovereignty” entails the separation of powers, secularism, multiparty system, electoral competition and recognition and protection of human rights and civil liberties (Constitution, 1992).

2.1.6.2 Unbounded Multiparty System

Mali’s national liberation struggle was led by multiple parties which merged to form two coalitions: “Parti Progressiste Soudanais (PSP)” and “Union Soudanaise-Rassemblement Démocratique Africain (US-RDA)”, a territorial section of the larger “Rassemblement Démocratique Africain” created in Bamako in October 1946.

The multiparty system also included union pluralism, affiliated with unions in the metropolis. In 1991, multiparty system, as a radical demand of the Democratic Movement has been translated into an ideology at the National Conference. Although political actors and international development partners made African people believe that multiparty system is a panacea in the early 1990s, many scholars were not convinced that multiparty system would be the solution to the crisis of the State in Africa. They suggested that multiparty system being a western institution may need some adjustment to function in the African context (Sow, 2008).

The challenges to democracy in Africa was that multiparty system is likely to produce a “dominant party” which can exercise power alone, paralyzing the legislative system, crushing the opposition and putting democracy in jeopardy. As Ki-Zerbo (1998), pointed it out, power alternation requires a viable opposition.

The Malian Charter of political parties includes a preamble and sixty one articles. The Charter addresses the followings issues: 1) citizens equal participation to the political life; 2) preservation and consolidation of independence, territorial integrity and national unity; 3) Free, pacific and fair participation of political parties in electoral competition; 4) adherence to the universal Declaration of Human Rights of December 10, 1948 and subsequent instruments.

The Charter affirmed political parties' duties of civic education. It defines the conditions for the creation, functioning and financing of political parties and provides for a moral and legal framework for political parties. Finally, although the National Conference did not accept the financing of political parties with public money, pressure from the political community forced President Konaré to institute the public financing of political parties under certain conditions clearly stated (Sow, 2008).

The unintended effects of this public financing were political opportunism, political clientelism and the fragmentation of the political community. In addition, the Malian multiparty system turns out to be disruptive to democracy with its rejection of political opposition. In this regard, Sow's (2008) claimed that the Malian system of governance is a "democracy without the people". The Charter of the opposition parties was passed to strengthen political opposition.

2.1.6.3 Electoral Competition

International development partners have largely favored and supported electoral democracy in Africa. The Malian Electoral Law touches upon every aspect of the elections. Despite the existence of this law, Malian political parties have not been capable of holding a single election without numerous allegations of fraud, cheating and other practices that adversely affected election outcomes. As a result, it has caused court litigations and brought political actors and civil society organizations to request a revision of the law.

The tampering of the electoral outcome is an old and recurrent practice performed by the civil service to grant victory to the “party of notables” or canton chiefs, the colonial masters’ favorite parties. Parties have a key role in the organization and the regulation of modern democratic systems. But politics in Africa has always been characterized by violence, disorder, personalization of power and weakness of constitutional rules and principles. Parties as western imports seem to have difficulty adapting to the African political life, just like liberal constitutionalism or representative government.

Multiparty system and electoral competition are two pillars of liberal democracy. The failure of the democratic era constitutions coupled with the failure of multiparty system and the electoral competition could be signaling that majoritarian democracy is not suitable for Africa; rather, consensual democracy might be more likely to cater to Africa’s development needs.

From 1992 to 2002 turnout of presidential and legislative elections were low as they never reached 50%. For the constitutional referendum of January 1992, the turnout rate was 43%. For the presidential of 1992 to 2002, the mean is 28, 41% while for the presidential elections 2007 the rate of involvement was 36, 24%.

As of court litigations, there were 197 requests for annulment of the 2002 presidential elections and 250 requests for annulment of the 2007 presidential elections. For the legislative, there were 505 requests for annulment in 2002 and 250 requests for annulment of 2007 elections (Sow, 2008). These demonstrates the fluctuating character of an organization that is constantly struggling and desperately trying to find a better formula, after almost twenty years of democratization and multiparty experiment. As far as rates are concerned, political party representation and the number of the court cases are proofs of the maladjustment of liberal democracy in Mali.

2.1.6.4 Separation of Powers

The principle of the separation of power derived from Montesquieu's works in France, later elaborated by Locke. It was based on the assumption that "any man who has the power is likely to abuse it", that is why it is important that "power stops power". For Turpin (1992), the need for power limitation "has two objectives, the protection of the liberty and the efficiency of the government..."

The principle of the separation of power is affirmed in the 1992 Malian Constitution. Unfortunately, there is a discrepancy between the principles and the political practice. The dominant party ADMA neutralized the principle and ended up assuring its control on all the State institutions including the legislative power. With 76 seats out of 116 in 1992 and 128 deputies plus 13 seats from allied parties out of a total of 147, ADEMA secured more than the absolute majority, while turning the National Assembly into a registration room. The same situation continued with the third legislature built on the "consensus".

These are the features and the functioning of the separation of powers in the Malian democratic system. The African culture is based on dialogue and conciliation. The electoral system of the "winner takes all" which excludes a large segment of the population is not consistent with the African culture and cannot support democracy in Africa. Instead, it encourages the emergence of a dominant party which later transforms the system into a single party system under the cover of a democracy: a pseudo democracy.

2.2 CIVIL SERVICE

2.2.1 Theories of Civil Servants' Behavior

Various theories have been proposed to explain bureaucratic behavior. The view of bureaucrats as generous social guardians maximizing general welfare considered to be the objectives of the state dominated the public administration literature of the 1960s and 1970s. From the 1980s, public choice theorists criticized the perspective and introduced the concept of civil servants as people who pursue their self-interest, rather than the common good. Though, public choice theories have been criticized for their emphasis on economic aspects only.

2.2.1.1 Public Servants as Social Welfare Maximizers

The development literature of the 1960s and 1970s viewed civil servants as being motivated by maximizing public welfare. Proponents of civil servants as public welfare maximizers such as Bentham (1834), Von Mises (1944) Weber (1946), Bardhan (1988), Das (1998), portrayed civil servants as people who place public interest before their personal interests before. These authors' assumption is that people selected for public office, protected from political and economic pressure, and given knowledge and power to do what they think is in public interest are likely to act in public interest. Particularly, Weber's (1946) concept of bureaucratic "impersonality", argued that civil servants' behavior is governed by rules, which require them to be deprived from their private interests. Such deprivation is what Weber called "publicness" and the rules governing and defining the behavior of civil servants are meant to ensure the advancement of public interest. For Weber the rules governing selection, appointment, advancement and other

bureaucratic discretion are also intended to curb civil servants' self interested behavior and encourage accountability.

According to Bardhan (1988), after independence, the civil servants behaved as guardians of public interest in the context of command economy system of governance operating in the state being viewed as a welfare-maximizer. Grindle (1991) added it was believed that government would make appropriate policies with the necessary technical advice about how to achieve citizens' well being. If a policy fails to achieve welfare, it was because of the poor quality of the information or the wrong analysis.

It should be noted that these theories have been developed in the era of single party regimes and the command economic planning in which the state was seen as the engine of development. As a result, the civil service of the newly independent states could only have a social welfare maximizing behavior. As these regimes evolved into authoritarian regimes, the civil service was transformed into an instrument at the service of the ruling powers. That was why the civil service in these countries was permeated by rampant corruption, clientelism and widespread patronage in its functioning. The rules governing the selection, appointment and promotion of civil servants have contributed to curbing patronage. However, the rules which defined the behavior of civil servants and governed their discretionary power in decision making did not generate structures of accountability. Instead, such rules have been distorted and turned into rent-seeking practices. Therefore one can say that the Weberian prescriptions for the civil service do not seem to be very effective in curbing civil servants' self-interested behavior.

2.2.1.2 Civil Servants as Self-Interest Seekers: Public Choice Theory

Opponents of the perspective of civil servants as welfare maximizers such as Tullock (1965), Downs (1966), Niskanen (1971), Bates (1981), have engaged in bureaucratic bashing to argue for their self-interested behavior. Bates (1981) conducted a study of civil servants in tropical Sub-Saharan African states and his findings supported the thesis of self-interested behavior of civil servants. He explains how civil servants have used the process of industrialization to take bribes in exchange for access to public services as their reluctance to pursue failing policies.

Tullock (1965), Niskanen (1971) and Krueger (1993) use evidence from their studies of the civil service to argue that civil servants are rational individuals primarily concerned with maximizing their self-interest in the form of economic gains such as: "salary, prerequisites of the office, public reputation, power, patronage...and the ease of managing the bureau." Downs (1966) sees civil servants as "utility maximizers" because they are largely motivated by their self-interests in the decision making process. Public choice theory attempts to explain the behavior of civil servants under authoritarian regimes in less developed countries from the economic perspective. But economics alone cannot explain complex administrative issues.

2.2.1.3 Critiques of Public Choice Theory

Detractors of public choice theory like Beetham (1987) and Dunleavy (1991) argue that the theory has failed miserably. Beetham (1987) contended that the assumption about the self-interested character of human nature is very narrow and that if economics can be applied to the private sector, it has a very little relevance for explaining complex situations within the public sector administrative matters. Public administration is different from the private sector, because it is subject to a whole range of scrutiny and its purpose is to provide public services in

accordance with both political and legal criteria of performance. In addition, the philosophy of public service is a very important aspect of public administration.

Dunleavy (1991) used what he calls a "collective action problem" to criticize public choice model particularly both Niskanen and Downs's models to support the notion of failure of public choice models of bureaucratic behavior as well as the disparate nature of the components of public choice theory. Bureaus are obviously made up of large numbers of staff, each of which will have its own unique utility functions. Consequently, collective-action is more likely to work in the civil service (Dunleavy, 1991). Findlay (1991) examines the conflict between the self-interest behavior of civil servants and the interest of citizens. For the author, if civil servants are individualistic self-interest seekers, mainly concerned with maximizing their own well being, to what extent this behavior conflicts with the interests of the citizens they are supposed to serve?

If public administration is subjected to multiple types and levels of scrutiny in western nations, this has not always been the case in Less Developed countries. The motivation of civil servants is to provide for citizens' needs in accordance with both political and criteria of performance. However, the civil service in less developed countries did so poorly in public service provision because the ruling powers have turned captured it and turned it into an instrument at their service. As a result, civil servants abandoned the "public service" philosophy a major aspect of bureaucratic action, and espoused the values of the ruling power.

This literature was built on the corporatist behavior of civil servants. The social welfare maximizing argument was based on the assumption that civil servants' behavior was shaped by patriotism and the socialist ideology. The public choice theory was developed on the hypothesis that civil servants were more concerned about the protection of their "corporatist" interests. Since the launching of the democratization process, neither of these theories has been able to

explain Malian civil servants' behavior. The so called "democratic governance system" has forced the Malian civil servant to develop a behavior of "pragmatism" to accommodate political officials' in their pursuit of both personal and party economic interests with little concern for the citizens. This research argues that such association of the civil service with the political community does not serve democracy; rather, it contributes to its crumble.

2.2.1.4 Civil Service and Democratic Values and Principles

The "*raison d'être*" of the civil service operating in the context of democratic governance is to deliver democracy and development. Civil servants have the "obligation" of upholding democracy and the Constitution and to make sure that public policies are consistent with citizens' true wills. They must create conditions which allow for citizens' access to their constitutional rights in the framework of the rule of law (Waldo, 1980; Frederickson and Hart, 1997; Denhardt and Denhardt, 2003; Berkley and Rouse, 2004; Shafritz and Russel, 2005; Rosenbloom, and Kravchuk, 2005). To do so, civil servants need a broad knowledge base, technical skills and expertise sustained by high moral qualities and mental attitudes, the passion for public service and the quest for efficiency. They must use their expertise and their professionalism to encourage citizens' involvement in the policy making process (Mosher, 1982; King and Stivers, 1998)

2.2.2 Roles and Responsibilities of Public Servants in Democracy

Hamilton (2007) argues that for democracy to function and thrive, it needs to have a strong and professional civil service. Mosher (1982), Frederickson (1997) and Gawthrop (1998) embrace Hamilton's argument of a strong civil service to uphold democratic values and principles, with a

special emphasis on training and professionalism. Hamilton (2007) identifies a number of roles and responsibilities of public servants. They are 1) “delivery of democracy” and promotion of the public interest, 2) management and administration of public agencies and implementation of public policy and 3) development of professionalism, accountability and reliability, grounded in moral qualities and ethical values.

2.2.3 “Delivery of Democracy” and Promotion of Public Interests

This responsibility that falls in the shoulders of civil servants requires them to be fair, just and equitable in their decisions and actions in order to help citizen enjoy liberty, justice, freedom equality and equity. They owe to their commitment to excellence in public service to serve citizens with respect and devotion (Gawthrop, 1998; Denhardt and Denhardt, 2003). Frontline civil servants’ successful mediation between the state and citizens is the evidence of “public administration’s contribution to an ongoing renewal and reaffirmation of the social contract” (Frederickson and Chandler, 1997).

2.2.3.1 Management and Administration of Public Agencies and Implementation of Public Policy

Hamilton (2007) insists on the role of public servants as managers and administrators of public agencies because administrative procedures are crucial in upholding democratic principles and values. That is why Gawthrop (1998) prescribes the need for frequently reviews of administrative procedures to ensure they truly support democratic viability.

Box (1998) sheds the light on civil servants’ role in public policy-making process and its implementation. The author distinguishes three types of public servants in the public policy

making process. The first type is composed of “implementers”, those so called “neutral” practitioners who limit themselves solely to a policy implementation role. The second type he calls “controller” are practitioners who attempt to influence “their supervisors, politicians or citizens” in the policy making process. The last type is made up with “helpers” who take the role of mediators between politicians and citizens in the policy making process.

2.2.3.2 Development of Professionalism, Accountability, Reliability,

Moral and Ethical Values

Public servants must possess a large knowledge base, be well-educated and well trained professionals with moral and ethical character to be apt to solving complex and pressing social problems (Hamilton (2007; Gawthrop, 1998; Mosher, 1892; Lipset, 1995). These are the roles that civil servants are expected to play in western democracies.

2.2.4 African Civil Service System and the African Environment

At independence, most of African governments have not been successful in adapting their inherited civil service systems to their contextual conditions. Although these colonial civil service systems were built according to the principles of the Weberian bureaucracy with regard to their structures, their underlying ideas and visions were different (Darbon, 1991; Adamolekun, 2002; Balogun, 2002; Sow, 2008). Some scholars believed that the imported civil service systems from metropolitan countries to colonies have been corrupted by local cultural values in their adaptation process. These changes have adversely affected African civil service systems (Darbon, 1991; Ndi Zambo, 1997; Kamto, 1997; Adamolekun, 2002).

2.2.4.1 African Civil Services as Transferred Institutions

The post-colonial African system of government and administration did not undergo the process of adaptation despite Riggs's (1963) warning about the transferability of western forms of government and administration to developing countries. At independence, the majority of these countries inherited systems of government and civil services that have evolved in the history, culture and traditions of the metropolis. The inherited political and administrative systems have common features (Balogun, 2002). The newly independent secular States were to be guided in their actions by Constitutions, replicas of the Constitutions of the former colonial master, as well as a body of laws regulating their day-to-day life (Balogun, 2002; Sow, 2008). These Constitutions provided that the new States were founded on the will of the people and shall be run according to liberal democratic principles (Balogun, 2002).

The new States were also to sit on the principles of separation of powers between the legislative, the executive and the judiciary. The legislative branch, a popularly elected body, was to pass laws and perform budget analysis and general control functions following the procedures that have evolved over centuries in the metropolis (Balogun, 2002; Sow, 2008).

The second body was the executive branch, headed by a president or prime minister, responsible for law enforcement and the implementation of policies and programs. This branch was created to implement the laws appropriately enacted by the legislature and in case of legal dispute, to seek clarifications and interpretations from the judicial branch (Balogun, 2002; Sow, 2008). The third branch, an independent judiciary, was to arbitrate on constitutional and legal disputes. It was to be staffed by professionals and highly respected jurists. Members of the bench were to be respected and recognized by their robes and wigs, their dignity, manner and behavior, their scholarship in law and jurisprudence, as well as their integrity. Most importantly,

they were to be fully independent from the two remaining branches of government (Balogun, 2002; Sow, 2008).

As of the post-colonial civil public agencies' organizational design, it was highly centralized, with field officers under the authority of officers in central agencies. Although provinces or regions and districts were divided into smaller units to bring government "closer" to the people, the post-colonial administrative apparatus kept its highly centralized feature, its pyramidal rigidity and its clear and precise chain of command, with orders flowing down from the central agencies to the field officers. In a nutshell, newly independent states retained the bureaucratic organization governed by precise rules and regulations despite Eisenstadt's (1964) call for "de-bureaucratization (Thompson, 1964; Chambers, 1969; Mukandala, 1992; Olowu, 1998). Such organizational design, however, was based on the assumption that there would be a continuous and timely flow of information, resources, orders and instructions between central agencies and field offices.

2.2.4.2 African Civil Service and its Adaptation

In terms of values, Mukandala, (1992), Kamto (1997) and Olowu, (1998) affirm that African post-colonial civil services have kept certain negative values of the colonial civil services such as social categorization, loyalty to and cooperation with the colonial authority, paternalism, patrimonialism and discriminatory practices in the colonial era. These negative values in their adaptation process have produced other type of civil service systems with a totally different bureaucratic culture and rationality. The transplants in their adaptation process in the African social, economic and cultural context have undergone a value system change. The new value system that developed appears to be among the contributing factors to the crisis of the African civil service systems (Mukandala, 1992; Kamto (1997).

In addition to this negative influence of the colonial value system, Ndi Zambo (1997) contends that in their adaptation process to the African environment, local cultural values also have “corrupted” some components of the value systems of colonial civil service systems.

Therefore, respect for traditional authorities of the chief, replaced the legal-rational feature of the colonial civil services systems. The African people’s culture of distribution of gifts to their guests or elders as a manifestation of their sense of honor and their hospitality or appreciation was twisted to become corruption in civil service transactions. Colonial social categorization became favoritism and colonial civil servants’ loyalty to colonial order degenerated into their politicization (Ndi Zambo, 1997).

As a result of this adaptation, African civil servants found themselves caught between western bureaucratic values and indigenous values as explained by Riggs (1964) through his theory of “prismatic society”. They were somewhere in the middle between indigenous values and bureaucratic rationality, caught in a complex web of loyalty and devotion forcing them to discard professional rules and to use their positions to enhance their family and social status (Kamto, 1997). This situation is believed to be the blunt manifestation of the crisis of identity of the African civil service systems (Haque, 1996; Ndi Zambo, 1997).

It should be noted that the literature on the African civil service does not fully explain the shift in the Malian civil service system values from patriotism to “pragmatism” it is experiencing today. This situation is likely to be explained by greed and self-interest behavior of the *élite* combined with the total loss or absence of the philosophy of public service forged through years of military rule and reinforced by poverty.

2.3 POLITICIZATION OF THE CIVIL SERVICE

The relevant literature on the politicization of the civil service can be placed into two categories. The first category includes studies that present various types of politicization that occur in civil service systems. The second category of studies deals with theories of loyalty of subordinate civil servants to their superiors.

2.3.1 Types of Politicization of the Civil Service

2.3.1.1 Definitions of the concept of “politicization”

Peters and Pierre (2004) define the politicization of the civil service as “the substitution of political criteria for merit-based criteria in the selection, retention, promotion, rewards, and disciplining of members of the public service.” According to the authors, the term politicization has a general negative connotation in democratic societies and there is no single way of politicization. Politicization in industrialized countries means attempt to control policy and its implementation as opposed to supplying jobs to party members or members of a family or clique.

This definition is more oriented toward political influence on the behavior of career civil servants for policy purposes. One way of doing that is to use ideology and leadership skills to mobilize the civil service. Another way is to use political strategy to change the attitudes and culture of the civil service. A third way is to duplicate or supplement career civil servants with more political appointees. Finally, politicians may make few key appointments to change civil servants way of doing things. These ways of politicization are less likely to cause a political controversy (Peters and Pierre, 2004).

Ståhlberg (1987) identifies five types of politicization. The first type, which is more general, includes an economic and a functionalistic definition spearheaded by Ronge (1974) and Derlien (1985) who argue that politicization happens when the public sector grows along with an increase of its regulation of private matters. Koch's functionalistic definition implies that politicization occurs when the public sector reacts positively to political signals (Koch, 1985).

The second type of definition deals more with the relationship between the political and administrative power. From the normative conception of the civil service as a neutral and knowledgeable arm of the political power, Rylander (1969) sees politicization as the degree of the public sector's autonomy from the political power on the one hand. On the other hand, in the absence of the normative conception of bureaucracy, the author defines politicization as an inappropriate political interference within bureaucracy.

The third type of definition considers the relationship between bureaucracy and its environment outside government. Kingsley (1944) and Krislov and Rosenbloom (1983) argue that politicization refers to the extent to which civil servants are representative of the population they are expected to serve. This definition somewhat challenges the Weberian concept of bureaucracy, which defines bureaucracy as unrepresentative of people in general.

The fourth type of politicization has to do with the attitudes and behavior of bureaucrats. Aberbach et al. (1981) and Moulin (1975) define politicization as the extent to which bureaucrats participate in political parties or supply parties with information and partisan advice. This definition is in accordance with the Weberian. The last type of politicization is recruitment-related and regarded as patronage. In this case, politicization is defined as the extent to which party preferences are considered more important in recruitment decisions over merit principles (Rylander, 1969; Ståhlberg, 1987).

2.3.1.2 Debate on Politicization of the Civil Service

There are two conflicting views on the issues of civil servants' relationships with political parties and politicians and political neutrality. Opponents of political neutrality of the civil servants support the argument that civil servants should be politically partisan while proponents of political neutrality contend that they should be politically neutral. Political partisanship means allowing civil servants to express and publicly display their political preferences as freely as any other citizen. This allows them to join political parties, to participate fully in their activities and to promote their causes like ordinary citizens. Political neutrality means excluding civil servants from or severely limiting their involvement in political activities including asking preventing them from engaging in political activities, expressing partisan opinions and so on (Gitonga, 1994).

These authors also believe that it does not make sense to ask political leaders to act through non-political agents. The major argument here is that only public officials who are loyal to and share the political philosophy of the elected officials can implement the policies and programs of the latter faithfully and diligently (Gitonga, 1994).

Proponents of politically neutral civil service oppose politicization to prevent state power from being used to advance the interests of some political organizations or few parties at the expense of another or other parties. They believe that it enables recruitment to be done on the basis of merit while in politicized civil service appointments are made on the basis of political affiliation and loyalties, which may lead to appointments of mediocrities and incompetents, discouraging the civil service's objective capacity for effective and efficient performance in delivering democracy. In addition they argue, it may results in lowering the ethical standards of the civil service and in contributing to increase "administrative immorality" (Carney, 1975).

The solution adopted in most multiparty states is to attempt to strike a balance between politicization and neutrality. Top echelons are politicized and are often referred to as “political appointees”, while middle and the lower echelons are expected to be politically neutral. In one-party states, the civil service is always politicized to a more or less degree (Gitonga, 1994). Despite dramatic changes in the conditions of public administration, politicians still complain about the difficulties they encounter in trying to control their administrative systems.

In his contribution to the debate on politicization, Hojnacki (1996) brings back the old politics-administration debate. The author believes that the civil service is a constitutional symbol system as it uses its expertise and know-how to bring between governments closer to citizens. According to the author, civil service systems operate as channels of institutionalized values and norms which govern behavior, beliefs and missions. In his view, civil servants behavior has been molded by the constitution in industrialized countries while this is not very clear in developing countries (Hojnacki, 1996).

It is not easy to build upon the definition of politicization in terms of attitudes and behavior of bureaucrats with regard to western administrative systems. Because it is not necessarily true that a bureaucrat who has pluralistic views could not respect rules and principles of bureaucratic neutrality, given the extent to which bureaucrats adhere to principles of bureaucratic neutrality depends on administrative arrangements and the historical tradition in which they operate.

At first, one may argue that it is possible to combine most political attitudes with a non-political bureaucracy. But a closer look at the political recruitment shows that it entails the return of favor to the political party, which did the recruitment. Therefore, politicization goes against bureaucratic practices, as it increases compliance. In most western political systems,

there is a distinction between political and administrative power. The former makes decisions and the latter implement those decisions. However, it is noteworthy that over the years, many changes have altered the administration's position.

It is believed that politicians' permanent concern is how to control public bureaucracy because they believe that political power must be felt very strongly in public agencies and that the civil service should be politicized. As government organizations and administrative systems become more and more complex, politicians find it harder and harder to control public bureaucracy. In today democratic governance systems, civil servants are increasingly expected to be loyal to both politicians and the public, while organization representatives are granted direct access to public bureaucracy and civil servants through various corporatist arrangements.

One argument is for a total separation of politics and administration (Wilson, 1887; Goodnow, 1900). Another argument is that a representative bureaucracy could be the solution (Kingsley, 1944; Krislov, 1974; Agbessi, 1995). The third and fourth arguments are to maintain and reinforce civil servants accountability to citizens for their actions as suggested in the Friedrich-Finer debate (Friedrich, 1940; Finer, 1941). Finally, there are those who make the distinction between facts and values. These thinkers see public administrators as representing facts and politicians as representing values (Simon, 1957; Aberbach et al., 1981).

It is hard to find governmental arrangements built on one single model. Moreover, the concept of politicization of the civil service has different meanings in different traditions of thought. Of course it is very difficult to determine the degree to which party political criteria prevail over merit principles in recruitment. There are several reasons for preferring the recruitment-related definition of politicization. Merit recruitment emerged in most western administrative systems in reaction to a persistent patronage and after a long and sustained

struggle against it. Also, administrative systems are expected to follow the rule of law and to be loyal to the legitimate political power.

2.3.2 Theories of Loyalty in the Civil Service

There is an ongoing debate on loyalty at the workplace. Advocates of loyalty argue that employees owe loyalty only to the ideals of public service, while detractors of loyalty contend that it does enormous damage to the organization.

2.3.2.1 Proponent of Personal Loyalty

Denhardt (1987) as a vigorous defender of loyalty deals with personal loyalty from a managerial angle. He believes personal loyalty contributes to advancing an organization's interests because what is good for the organization is also good for the worker. He uses his concept of "organizational citizenship" to emphasize the unifying factor of personal loyalty which definitely benefits an organization. He believes that moral employees should strongly commit themselves to protecting their organization in all aspects ranging from its structure to its authority patterns, to its managerial norms and culture (Denhardt, 1987).

Denhardt's view is in accordance with the Weberian concept of bureaucracy, which preached that subordinates develop relationships of fidelity with their superiors. This view was intended to encourage hierarchical submission through establishing reliable ties (Denhardt, 1987). Fletcher (1991), a big supporter of loyalty, also argues in favor of employees' obligation to support the organization's mission and to abide by the rules and regulations that govern that organization. However, the author warns that we must be able to avoid biases caused by our membership in a group.

2.3.2.2 Opponent of Personal Loyalty

Opponents of personal loyalty view it as absurd and harmful to society. These authors strongly believe that loyalty does a number of harms to society. First, it is slowly replacing workplace loyalty by making employees choose administrative convenience over commitments to the ideals of public service. Second, personal loyalty undermines employees' accountability to the organization's rules and regulations. It promotes subordinates' actions geared at covering up their boss's misdeeds by ignoring commitments to the ideals of public service. Third, personal loyalty opens the door to organizational hypocrisy. Employees are incapable of differentiating between what should be done from what their bosses want to be done (Blamires, 1963; Souryal and McKay; 1996; Wilson, 1993; Hummel, 1994)

Ouchi (1981) brings the cultural factor of personal loyalty in the debate. Instead, he contends that civil servants have the obligation to be personally loyal to their superiors in some political systems. While in some others, children carry on their parents' institutional loyalty by working for organizations their parents once worked for. Kleinig's (1994) contribution to the debate is his attempt to combine the two views. On the one hand, he considers loyalty to be "an important virtue" which is not well understood because of some of its features. He calls for removing that "important virtue" from the hands of superiors who use it as an informal tool of manipulation and control of their subordinates.

Until the issue of loyalty is resolved, government ethics will continue to suffer. It is meaningless to believe that public servants would willfully uphold a faithful good conduct and cater to organizations' goals and objectives. Public servants are not sure if this behavior and attitude would protect their careers which leaves them defenseless. The fact is that personal

loyalty in public service will not die off so long as superiors continue to believe that the protection of their subordinates is crucial to their survival.

Meanwhile moral and dutiful public servants will continue to suffer from the clash of loyalties. Operating in a politicized environment and an adverse subculture, most public servants might end up in institutional desperation. There is also a fear that demands for personal loyalty to superiors in public service may irremediably inhibit the building of a good governance system. Such demands are likely to weaken public servants' sense of accountability and turn their moral sense into indifference and cynicism.

2.3.3 Configurations of Civil Service Systems

Miller and Friesen (1984) and Miller and Mintzberg (1983) have developed the concept of configurations of civil service systems. According to Miller and Friesen (1984), configurations may be defined in two ways: conceptually and empirically. Conceptual configurations are defined from the theoretical synthesis of the literature available, while empirical configurations are devised from quantitative data collection and analysis.

2.3.3.1 Conceptual Approach

Heady (1996) chooses the conceptual approach to develop configurations of world civil service systems, using five dimensions to describe variations in civil service systems, namely 1) relation to the political regime; 2) socio-economic context; 3) focus for personnel management functions; 4) qualification requirements; and 5) sense of mission. From these dimensions, the author identifies four general configurations of civil service systems.

The first configuration includes “ruler trustworthy” civil service systems. He argues that systems which fall in this category conform to rulers’ expectations, enjoy a high status, possess a corporate identity, and have a sense of mission as key policy makers. The second configuration comprises of “party controlled” civil service systems. In his view, systems in this category make allegiance to a political party, do not value professional qualification, and do not have a clear sense of mission (Heady, 1996).

The third configuration is made up with “policy receptive” civil service systems. The author considers these systems to operate in pluralistic and competitive environments and require appropriate credentials for membership, and adhere to the constitution and laws.

The fourth configuration comprises of “collaborative” civil service systems. According to him, systems in this category have a sense of mission aiming at avoiding manipulation from the political leadership and maintaining their support, value competencies for good administrative performance and respect authority (Heady, 1996).

2.3.3.2 Empirical Approach

Unlike Heady, Morgan (1996) takes a different approach in the same exercise of developing configurations of civil service systems in poor countries, including the emerging democracies of Eastern Europe. The author uses the empirical approach to develop his model based on four parameters: 1) level of institutionalization of the state; 2) public attitudes toward the state; 3) degree of professionalism/politicization; and 4) tension between process and outcome.

He distinguishes three types of state. The first type is “the integral state”, a state that is the pillar of national social and economic development. These types of state developed a civil service that was expected to be a rational policy instrument at the service of development.

The second type is the “patrimonial state”, a state that is permeated by clientelism, while it develops a strong central government to control the economy. This type is mostly seen in Africa. The civil service that developed in these countries is more concerned with “servicing patronage networks.”

The third type is the “custodial state”, in which the civil service is the most institutionalized agent of the state to overcome endemic instability. This type is mostly seen in Latin America (Morgan, 1996). Each of these configurations has a different influence on the functioning of the civil service systems.

2.4 LIBERAL DEMOCRACY, THE AFRICAN CIVIL SERVICE AND POLITICIZATION

One of the major debates with regard to the post-independence African civil service has been about the issue of the political role of civil servants. The State was seen as the engine of social and economic development therefore, post-colonial civil services were expected to adapt to the developmental State and to assist political leaders to achieve the development objectives of the State. The Africanized civil servants were seen as servants of the African people, appointed to permanent career positions to tackle underdevelopment in all its aspects. Thus, the civil service was expanded to meet the new challenges of development (Mukandala, 1992; Adamolekun, 2002).

It was in the Cold War era that development was equated with ideology. Some viewed it as transplanting Western model of economic, political and social models into underdeveloped or developing societies. While others considered development as the export of command economic

planning model sustained with a single-party rule called the “people’s democracy” (Balogun, 2002). It was also the era of the rise of modernization theory which involved the transfer of technology and technical assistance from developed countries to newly independent states with a special emphasis on professionalization and decentralization in development management and development economics. Stronger civil service systems were believed to be the engines of development (Mukandala, 1992; Balogun, 2002).

From its features namely specialization, merit-based recruitment, orderly organizational arrangements, the civil service appeared to be the appropriate institution for assisting the newly independent States in their developmental role. As time goes by and with the multiplicity and complexity of developmental challenges, the limits of the civil service became apparent. As an institution built according to the legal-rational model, the civil service is supposed to hold individual civil servants and public agencies accountable for the realization of specific objectives and the law enforcement.

Unfortunately, the characteristics of the traditional society have facilitated many civil servants’ avoidance of accountability for their actions. As we all know, the sovereign power of the state, executive responsibility and bureaucratic authority with accountability are the key ingredients for “good” governance. As a result, the civil service had a limited contribution to advancing democratic values and principles in Africa because of the dynamics of politics and administration in the newly independent States. From the 1960s to the early 1990s, the governance of many Africa countries fell into the hands of a political and/or military *élite* that was not truly dedicated to democracy. Their attitude coupled with the post independent environment contributed to the fragility of the inherited governance institutions and impeded the modernization process of post-independent societies (Balogun, 2002).

Indeed, from the 1960s to the era of democratization, the civil service was highly supportive of dictatorial rules as many countries were under either one-party or military rule. The single-party rule entailed the abandonment of values and principles underlying the Weberian model and their replacement with a command economy and the supremacy of the single party over state institutions (Mukandala, 1992).

As a result, the practice of single-party regimes was to politicize the civil service and require senior officials to be members of the “ruling party”, transforming the career civil service into an instrument of control and repression. In this role, the civil service was expected to serve only the interests of the ruling class, not the interests of citizens. As politicization and partisanship became common features of single party systems, party militancy replaced the merit system as the key criterion for recruitment, appointment and promotion. The political neutrality principle of senior civil servants was abandoned for fear of excluding the well educated from politics (Haque, 1996; Adamolekun, 2002; Balogun, 2002).

In the military regimes, preference was given to association with the military to the detriment of political neutrality and security of tenure for fear of military reprisal (Haque, 1996; Adamolekun, 1987; 2002). At the beginning, the tendency was for the military to rely on the civil service to conduct state business; but over time, the military turned it into a terrible instrument of military supremacy with no respect for civil servants and no accountability to citizens (Balogun, 1997.)

The police or the “gendarmerie” was used to enforce those new policies even at the expense of citizens. Public utilities were managed by civil servants directly accountable to the military. Political decisions were made by the military, shaped by civil servants with no

consultation with the citizens. Corruption and rent-seeking became rampant both among the military and the civil servants who were very cooperative with the rulers (Balogun, 2002).

Civil service systems in those new states who embraced the free market economy displayed the same behavior. Despite their choice of economic liberalism, recruitments, appointments and promotions were contingent to political patronage (Haque, 1996; Adamolekun, 2002). By the 1980s, the failure of the African State as well as its civil service system became apparent (Mukandala, 1992; Haque, 1996; Adamolekun, 2002; Balogun, 2002). African people lost faith in the State and its civil service system and bureaucrat bashing became common practice (Ndi Zambo, 1997).

By the mid-1980s, many African countries were under structural adjustment programs with the World Bank and the International Monetary Fund. These programs prescribed a reduction in the size of civil service and its wage bill, a roll back of state expenditures, a freeze on new recruitments and a reengineering of government. African civil services have been called upon to implement these remedies (Mukandala, 1992; Adamolekun, 2002).

In the early 1990s, structural adjustment programs showed their limits and African people began to be more vocal about the harm these programs have done to them and to press for a change. They blamed structural adjustment programs for worsening their living conditions because of the cutback management principle, especially because of deep cuts in social programs. With the fall of the Berlin wall in 1989, social movements formed everywhere in Africa and popular protests against structural adjustment programs and poverty took center stage. Change occurred in many countries at varying degrees, marking the abandonment of State-led development for the market-led economy and democratization (Mukandala, 1992; Adamolekun, 2002).

2.5 RELEVANCE OF THE LITERATURE

This literature revealed three key features which distinguish Western societies from African societies. The first feature is about the individual versus community. In Western societies, the individual is at the centre of society while in Africa, the individual is defined as a member of a community. The second feature is about the protection of the individual versus ensuring social cohesion. In Western societies human rights protect the individual against society whereas in Africa, human rights ensure social cohesion (M'Baye, 1992). The third feature refers to Western “organized democracy” versus African “natural or communitarian democracy”. It is believed that the contact with Western “organized democracy” has destroyed the African “natural democracy” and posed the problematic of democratization in Africa, therefore, the nature of the African State (Elliot, 1994).

The re-engineering of the African democracy in the form of adapting liberal democracy to the African cultural context became an obligation of the African *élite*. It was hoped that this would be done through a new constitutionalism. But the new constitutionalism has failed to devise new constitutions based on African realities, to reproduce the constitutions of the metropolis. The implementation of these new constitutions has resulted in discrepancies between the rules and the practice. The Malian Constitution of 1992 was no exception to the imitation of the French Constitution of 1958 granting the executive branch with extensive powers.

However, democratic theory has not been very helpful in categorizing the nature of the Malian democracy. In the first decade, it resembled Sartori's (1976) “hegemonic party system”. Though, it evolved in a “consensus” democracy with extensive powers in the hands of the President of the Republic, a malfunctioning of fragile democratic institutions, a rampant

grand political and administrative corruption resulting in a popular disaffection with politics and politicians.

The evolution of the Malian democratic experiment has not yet adapted to the African context to become a “communitarian democracy” as African scholars have suggested. “Communitarian democracy” involves a governance style based on power-sharing that caters to the well-being of the community, and the people at the national level. This is not the case in Mali. It has neither evolved into a true democracy nor turned in a dictatorship as Linz, Lipset and Diamond (1995) have predicted about pseudo-democracies. Instead, it was transformed into a soft regime that tried to bring as many parties as possible along with the civil service around a president with no party membership in an association based on the spoliation of the already bankrupt state of its meager resources to benefits only members of the clan.

This is a whole new tendency that is unique in Africa and in the developing world which no theory has foreseen. “Consensus” governance has been forged initially to appease the social tension created by the dominance of ADEMA, the bitter war its leaders have waged against the leaders of other political parties to push those aside and gain the full control of states resources causing frustrations, tensions and division in the political community.

The civil service as one of the state institutions has been suffering and continues to suffer this political capture. It has been observed that civil servants have displayed a pragmatist, opportunistic behavior to secure their positions and avoid public humiliation with their acceptance to comply with the rules of the informal grand political corruption erected into a system of governance. Instead of delivering democracy to the people, the Malian civil service has become hostage of the political community it has tacitly agreed to serve the interests to the detriment of the citizens. No theory has explained this situation in a democratic context.

In liberal democracies, there is a distinction between the strictly administrative sphere and the political sphere however complementary they might be. But in the midst of the implementation of the ongoing democratic experiment in Mali, the confusion of the political and administrative sphere is a phenomenon yet to be well documented.

African scholars have argued that African cultural values have “corrupted” the Western values of the civil service in its adaptation process to the African environment. The authors discussed corruption in the form of a bribe, but the fact that civil servants service political parties teaming up to steal and share state money in a democratic context without the people’s consent has not been discussed as a corrupt practice. That is the reason why the researcher has chosen to engage in the endeavor of documenting this pernicious type of democratic governance system.

The politicization literature focuses mainly on the attempt of politicians to control the civil service from public policy making and implementation perspective (Kingsley, 1944; Ronge, 1974; Rosenbloom, 1983; Peters and Pierre, 2004). Hence, in Mali, the politicization of the civil service has taken the form of civil servants “helping their parties to live” on public money. So far, no theory of politicization has explained the fact that the democratic state and its resources have become the booty the winners share after each election and that the civil service as an outgrowth of the political power has abandoned its role of supporting democracy to associate itself with the winners of the elections in these corrupt practices.

The goal of this dissertation is to examine this type of politicization of the civil service in Mali in order to bring an understanding of and document the phenomenon with regard to its process and outcomes.

2.6 CONCLUSION

The review of the literature has revealed that liberal democratic system of government transplanted in the African context has produced different types of government systems that have done anything but to encourage the expansion of democratic rules and practices in Africa. Liberal systems of government have evolved in historical, economical and cultural contexts that were completely different from the African context. The transplanted systems have been corrupted by African cultural values as they were going through the transition and adaptation process. This apparently has opened the door to all sorts of abuses of the state, endangering the Malian young democracy. Above all, the literature reviewed here does not fully explain the current Malian situation. It does not grasp the document the subtle “pragmatism” of Malian governance system under the cover of democratization.

3.0 CHAPTER THREE: CONCEPTUAL FRAMEWORK AND RESEARCH METHODOLOGY

3.1 CONCEPTUAL FRAMEWORK: THE BEHAVIORAL APPROACH

The reader may recall what prompted this study of the politicization of the Malian civil service. The politicization of the Malian civil service can be traced back to the colonial era. The colonial administration leaned on local traditional African leaders and nonmembers of the traditional chieftaincy who knew how to read and write French and who were loyal to the colonial government (Imperato, 1989). At independence, Mali's first president Modibo Keita continued the colonial legacy of politicization of the civil service through his *de facto* single party rule within the logic of the command economy and the political philosophy of Marxism(Imperato, 1989).

After Keita's overthrow on November 19, 1968 in a coup d'état led by Lieutenant Moussa Traoré, the military also continued the politicization of the civil service through "Union Démocratique du Peuple Malien (UDPM)" established in 1978 (Diarrah, 2000). A popular protest of pro-democratic movement ended the Traoré regime in March 1991 (Danté et al, 2001) and a transitional government called "Comité de Transition pour le Salut du Peuple : CTSP" was appointed to launch the process of political pluralism and democratization. A sovereign National Conference was held from July 29 to August 12, 1991 to delegitimize the single party regime, to

rehabilitate the state and to lay the foundations of a new constitutional order consistent with democratic principles.

Despite pro-change forces' success in introducing multiparty politics and asserting the political and civil rights of Malians and the *élite's* pledge to rigorously, honestly and loyally work toward the building of a democratic society and to bring social and economic well-being to the Malian people, they failed to de-politicize the Malian civil service. After a fourteen-month transition, Mr. Alpha Oumar Konaré became the third president of Mali, succeeding to President Moussa Traoré in June 1992.

After nearly two decades of democratization, the Malian leaders failed to rid the civil service of its. Instead, there has been a persistence of the historical politicization legacy in the form of patrimonialism, exclusion politics, coercion rampant corruption and the looting of the state within the context of multiparty politics. In Mali, senior civil servants have associated themselves with the political leadership to engage in grand corruption erected in a system of governance fatal to the state, its civil service and the democratization process.

The purpose of this dissertation is to shed a light on state highest authorities' sponsored grand political corruption and financial delinquency of senior civil placed at key positions and "instructed" to rob the state treasury and use the money to service political parties and organization under the blanket of democracy.

The consideration of this problem prompts a number of research questions. The main argument of this study is that politicization remains the major hindrance to democracy and to development. The central questions to be addressed here are as follows:

- 1) To what extent are the structural and normative features of the Malian civil service in the context of democratization consistent with the Weberian model?

- 2) Are relationships between politics and administration alike in Mali and in liberal democracies?
- 3) How well is the Malian civil service grounded in core democratic values and principles to support liberal democracy in the making and to foster development?

This study has been built around the self-interested behavior of both civil servants and the political leaders, within “the patrimonial state”, and subject to politicization defined as the recruitment and promotion of agents according to political party loyalty. Elected officials are supposed to represent people’s interest and civil servants are accountable to elected officials in channeling these interests. As politicians are more interested in remaining in office, they appoint civil servants loyal to them to make and implement policies that may not necessarily be in the interest of the citizens to reach this goal. Because recruitments and promotion within the civil service are not based on merit and the absence of career security leave civil servants at the mercy of politicians.

After the elections, the winner party or party coalition proceeds to the replacement of incumbent senior civil servants with those loyal to their parties; the new comers in turn, replace those under their authority and so on. The result looks more like politicians’ and civil servants’ joint conspiracy against the people to serve their self-interests. This conspiracy is more observable within “the patrimonial state”, a state that is permeated by clientelism, and develops a strong central government to control the economy. In this case, the civil service is more concerned with “servicing patronage networks.”

In Mali, the President is the most powerful authority. As extensive powers are vested in him by the Constitution, he became the lord of the political game in practice. In this capacity, the Presidents of the democratization era have developed political networks within the civil service

to access state resources and use them for political ends. The difference is that President Konaré has displayed an exclusion leadership behavior in keeping all the resources to his party ADEMA and its members while President Touré has shown an inclusion leadership behavior by allowing his supporter parties and associations to access and use state resources to their benefit. Thus, it is the evidence of the failure of Malian constitutionalism.

The purpose of this research is to examine how a politicized civil service functions in Mali and whether it impacts the building of a professional civil capable of mediating between the governors and the governed. This dissertation argues that democratization has encouraged a specific type of politicization which is destroying the foundation of the civil service. Instead of serving the people, politicization has encouraged civil servants to abandon citizens and team up with political officials to loot the state treasury.

3.2 RESEARCH DESIGN

To address the issue of politicization of the civil service in Mali, this dissertation uses the case study method based on the qualitative method of generating data. Because, this study is more concerned with understanding a process, the quantitative method of generating data will not be able to describe contexts, activities, perception and beliefs surrounding the phenomenon. Of course the limit of a case study is that it does not lend itself to generalization. But its strength is that it allows for a detailed and thorough investigation of the problem of politicization of the civil service in Mali. This study is interpretative in nature, and uses the ethnographic approach in order to provide a descriptive account of the politicization of the civil service and its impact on the process of building a distinct identity for the civil service system in Mali. Applied to the

study of the politicization phenomenon as it occurs inside the civil service, ethnography provides rich, descriptive data about contexts, activities, perception and beliefs of the participants involved (Goetz and LeCompte, 1984).

The hallmark of the ethnographic approach is fieldwork with informants. Fieldwork involves participant observation along with in-depth interviewing, with the researcher adopting the posture of detachment. This requires a high degree of sensitivity, adaptability, and insight on the part of the researcher (Babbie, 1995).

This study uses “triangulation,” a strategy, which consists in using multiple sources of data in order to develop multiple perspective accounts of a societal situation or social process (Denzin, 1978). Cohen and Manion (1994) suggest that triangulation is most appropriate when the phenomenon under investigation is fairly complex or controversial, or when one single approach is likely to produce a limited and distorted image.

3.3 DATA COLLECTION METHOD

The primary qualitative method selected for this research is in-depth interviewing, which involves repeated face-to-face encounters between the researcher and informants. In this study, data collection has been based on face-to-face interviews and official document analysis.

During fieldwork, the researcher worked closely and maintained a regular contact with participants. As an active civil servant, the researcher closely followed appointments and promotion to civil servant positions at all levels. This helped the researcher take an insider’s view of the institution, learn from participants, and map as many perspectives as possible of the problems, concerns of civil servants, and proposed or perceived solutions to existing problems.

A closed attention was paid to stories, jokes, ceremonies, and special language used to describe or characterize the condition or status of civil servants.

The researcher relied on informational and semi-structured interviews with open-ended questions for data collection and prepared a letter of consent for participants to sign before the interview sessions. For practical purposes, an interview guide was developed, which was then translated into French because Mali is a French-speaking country.

Interviews were conducted orally in French and interview sessions lasted between forty five (45) to sixty (60) minutes in a setting of informants' choice, mostly their homes and their offices on weekends. All interviews were audio taped. Tape recording allows the researcher to capture everything that the informants say and how they say it. Few people were not very comfortable with the tape recorder at first; but as they spoke, they became comfortable and talked freely. The researcher conducted the interviews, transcribed all of them verbatim and translated the transcriptions in English.

Immediately after each interview, additional notes and comments that informants may have said off recorder were written as well as notes of emerging themes and interpretations, and non verbal communication language. At the end of each interview, the researcher explained to the participant that there may be a need for a follow-up interview at a later time. They all showed their willingness to help so long as there are informed earlier. Interviews were thorough and there was very little need for follow-up interviews. Information was also gathered from official documents. These included official reports, appointment and promotion documents, newspaper articles, policy guidelines, regulations, and national databases.

3.4 SAMPLING

Ethnographic designs rarely use probabilistic sampling procedures. Ethnographers view selection processes as dynamic and sequential rather than static. The goal of sample selection in ethnographic research is to expand the scope of the study, refine the questions or constructs under investigation, or generate new lines of research (Goetz and LeCompte, 1984). Instead of making statistically based inferences at the end of the study, ethnographers use inductive reasoning and sequential logical inferences based on accumulation of as many corroborative sources of evidence as possible.

A commonly used sampling method in ethnographic research is known as “criterion-based selection” (Goetz and LeCompte, 1984). This procedure is used not only to choose the group or site to be studied, but also to establish new sets of phenomena to be investigated.

“Criterion-based selection” was the sampling method used in this research. The basic “criterion” of sampling in this research was the civil service. This study focused on the national government only, because decentralization was at its infancy in Mali. The sample size is 33 senior civil servants with 15 years experience.

The executive branch was composed of thirty (30) ministries, the Office of the Prime minister and the President’s staff. The participant selection consisted of one (1) senior civil servant at each ministry, two (2) at the Office of the Prime minister and one (1) at the President’s Office. Before starting data collection within these various groups, the researcher has sought authorization to carry out the study from the Centre for Scientific and Technical Research (CNRST), the state agency in charge of approving research projects in Mali. Permission was been granted through “Autorisation de Recherche N°0369654/08/MESSRS/CNRST du 03 Octobre 2008”.

The researcher used the national civil service database to draw the sample. To do so, the researcher identified the names and addresses of people in each ministry, in the Prime minister's office and in the President's office. The researcher then contacted people at the ministries she knew to be introduced to her potential participants. The researcher met the five potential participants, one person at a time in each ministry to explain the purpose the research and asked for their participation. In accordance with the Malian culture, this was the introductory visit that gave the researcher the chance to show respect and talk about the importance of the participation of potential respondents to the research. During this visit, the researcher explained the purpose of the study and sought their assistance and cooperation. The first person who accepted to participate among the five was selected as participant in that ministry.

The researcher explained to each of her informants that their participation will be in the form of an audio taped interview which may last between 45 to 60 minutes. She assured each of them that they had the choice of the date, the time and the place of the interview. She also guaranteed the protection of their privacy and the confidentiality of the information they will provide. She asked them not to give out any personal information during the interview. Finally, she emphasized the voluntary nature of their participation. A week later, she contacted the participants to make interview appointments at their convenience. Before interviews began, the researcher made each of the informants sign the informed consent form.

The major questions asked during the interviews are listed below.

- 1) How do you perceive the role of the civil service in general?
- 2) What is the meaning of a professional civil service for you?
- 3) What do you think about civil servants' behavior toward citizens?

- 4) To what extent are you satisfied with civil servants performance in producing goods and providing services to citizens?
- 5) Do you have any knowledge of any formal and informal criteria of appointment and promotion within the civil service?
- 6) What do you think about civil servants' behavior toward political parties and party leaders?
- 7) How would you describe the relationships between the party in power and the civil service?
- 8) Could you give me your point of view about civil servants involvement in partisan politics?
- 9) What do you think about the appointment and promotion of individuals in the civil service?
- 10) Could you tell me the advantages and disadvantages of this type of appointment and promotion you just described?
- 11) Do you see a difference in civil service appointment and promotion practices between the Konare regime and Touré's rule?
- 12) What do you make of various criticisms civil servants suffer from the public and opposition parties in terms of service delivery and handling elections?
- 13) How would you describe the type of civil service you would like to see develop in Mali? Why?
- 14) Is it possible to put such a civil service in place? How?

3.5 DATA ANALYSIS

Within the qualitative research tradition, data collection and data analysis are described as inseparable aspects of the same process (Marshall and Rossman, 1999; Strauss, 1995). According to Spradley (1980) and Bogdan and Biklen, (1982), qualitative data analysis involves organizing data, breaking it into manageable units, synthesizing it, searching for patterns, discovering what is important and what is to be learned, and deciding what you will tell other people.

In this study, the researcher relied on a strategy of data analysis suggested by Strauss (1995) and Spradley (1980). Audiotapes of in-depth interviews in this research have been transcribed to provide a written record of each interview for data analysis. Data analysis itself is a process, in which the researcher constantly tries to make sense of the data. In this process, ideas that developed in reading through and thinking about the interview transcripts, field notes and written document contents are added to notes as they occur.

The overall goal of data analysis in qualitative research is to arrive at a good fit between the data and explanations of social phenomena (Taylor and Bogdan, 1998). With regard to this research, the goal is to fit civil servants' assessment of the politicization phenomenon and its explanations. A fundamental aspect of qualitative data analysis is data coding, which is the way of developing and refining interpretations of data (Taylor and Bogdan, 1998). Data coding involves bringing together and analyzing all the data bearing on particular themes, ideas and concepts by assigning each piece of written evidence a symbol or number to reflect the category or categories in which it belongs.

Spradley (1980) defines data analysis as a search for patterns or regularities among data. The initial step in the ethnographic analysis is domain analysis, which involves the search for domains under which smaller categories that give meaning to members' perceptions and assumptions are subsumed. The next step, taxonomic analysis, consists in the systematic search for attributes both components and meaning that are associated with each domain or cultural category. These attributes may be regarded as dimensions of contrast among the members who share the same set of meanings and assumptions in that particular domain. The final stage in data analysis is thematic analysis, which consists in the discovery of recurrent themes that tacitly or explicitly cut across several domains of the phenomenon under investigation.

Strauss (1995), describes the procedure of data analysis in terms of stages of coding. According to the author, the initial type of coding is called open coding, which consists of reading very carefully the data word by word. Axial coding follows open coding, which consists of a serious analysis of each category in terms of the paradigms such as conditions and consequences. The third stage of coding is the selective coding. This is the stage of grouping the axial codes together into categories that are relevant to the research. Finally, the categories that emerged from the selective coding are grouped into core categories, which account for almost all the variation in a pattern of behavior. The number of coding categories used depends on the amount of data and the complexity of the analysis.

Coding tasks and data analysis were facilitated by the use of the Non-numerical, Unstructured Data Indexing, Searching, and Theorizing (NUDIST) qualitative data analysis software program. NUDIST does indexing in the form of nodes that allow for hierarchical organization of concepts into categories. NUDIST helps the researcher to identify emergent

themes and the construction of coding categories. Codes were merged by hand to get core categories or relevant themes.

The core categories that emerged from data analysis are:

Core category # 1: Degree of politicization of the civil service. Three indicators were used to measure the degree of the politicization of the Malian civil service. They are:

- Political appointments and promotion of civil servants determined in terms of the existence of legislation, *de facto* criteria that applied, politics of exclusion with politicization outcome and the advantages and disadvantages of political appointments and promotions.
- Degree of civil servants' involvement in partisan politics determined in terms of the absence of loyalty to the state and the existence of loyalty to their parties.
- Party interests versus public interests determined in terms of fundraising for parties through state contracts, fundraising for parties through cash money and securing election victories to parties.

Core category # 2: Characterization of civil servants-political party leaders' relations.

Five indicators were used to measure relationships between civil servants and party leaders. They are:

- Civil servants as political party leaders determined in terms of party leaders being also civil servants, few private sector party officials and parties' presence in the civil service.
- Civil servants as "pragmatic" self-interest seekers determined in terms of "juicy" position hunters, the courting of parties and the seducing of party leaders.

- Party leaders as clientele seekers determined in terms of clientele formation exercise and non civil servants' hiring.
- Party officials' alluring behavior determined in terms of competent cadres and moral obligation to join the minister's party.
- State clerks resistance to political involvement determined in terms of professionalism opposed to party, left on the sidelines, punishment for disobedience and decision of clerks to leave.

Core category # 3: Politicization as a threat to the building of a professional civil service. Seven indicators were used to measure how politicization poses is an impediment to the professionalization of the civil service. They are:

- Civil servants and policy and decision making determined in terms of policy making and implementation and the blind support for party choices.
- Degree of openness of policy and decision making determined in terms of less involvement of civil society organizations and civil society organizations' ambiguous position.
- Public service delivery and users' satisfaction determined in terms of users' dissatisfaction, bad image of civil servants, bad behavior toward users and users' lack of objectivity.
- Transparency and accountability determined in terms of lack of transparency, absence of accountability and widespread clientelism.
- Independence, autonomy and neutrality determined in terms of bad judgment on civil servants, lack of neutrality, lack of independence and lack of autonomy.

- Honesty and integrity determined in terms of lack of honesty and lack of integrity.
- Civil service values and state officials' moral values determined in terms of state officials' involvement in grand corruption and the struggle to get a slice of the national cake.

4.0 CHAPTER FOUR: CONTEXTUAL ANALYSIS OF THE POLITICIZATION OF THE MALIAN CIVIL SERVICE

In Mali, the democratization experiment has been quite challenging for both state institutions and between the state and citizens. It has been characterized by a continuing crisis of the state and a continuation of single party regime practices. State institutions have failed to function according to the constitution. Under both ADEMA and the “consensus” regimes, the dominance of the executive branch was apparent. In both regimes, the executive branch has managed to become the master of the democratic game and has paralyzed the legislative and the executive branches. The politicization of the civil service is a case in point. Both regimes have captured the civil service, a key democratic institution, politicized and manipulated it by totally destroying its philosophy and its public service spirit and have turned it into an instrument at their service. The state-society relations have not fared well either, with continuous human rights violations, repressions, torture and jailing.

This chapter explains the contextual conditions in which the politicization of the civil service under study has occurred. It shall do so by considering a number of points. First, the Malian economic and social context will be presented. Next, the political context of the Politicization of the Civil Service will be discussed under both ADEMA and the “consensus” regime. Finally, the profile of the Malian Civil service will be provided.

4.1 ECONOMIC AND SOCIAL CONTEXT

Gonidec (1977) said that “The prevalence of democracy is nothing but the answer to the crisis of the state and the crisis of economic development”. In Mali as in any other less developed country, people believed that democracy would be the answer to the economic crisis. So much was expected from democracy in Mali as the regime that will bring a solution to all the social and economic problems.

With regard to economic and social development, much has not been achieved. In 1994, after the devaluation of CFA franc, the Malian economy was relatively healthy with a sound macro-economic framework. From 1994 to 1998, the GDP grew at an average annual growth rate of 5%. However more challenges remained: 70% of the population was classified as poor and economic disparities between regions as well as within various localities of regions also grew significantly. School enrollment rate was around 50%; 30% of the population was classified as suffering from malnutrition and adult illiteracy rate was higher than 20%. The 6% annual growth rate of the GDP triggered by structural adjustment programs and a healthy macroeconomic framework has not contributed to the improvement of the living conditions of the large majority of the Malians. From 2000 the economic growth rate fell to 2% (Camara, 2007).

In the 1999 World Report on human development, Mali ranked 16 out of 17. In 2002, Mali ranked 172 out of 175 countries and in the 2005 World Report on human development, Mali ranked 174 out of 177 countries, with a human development indicator of 0.333; the highest indicator being 0.963 for Norway and the weakest being 0.281 for Niger (Moulaye Z. 2005). The Malian government has angrily disputed this ranking and published its own report on the

country's economic performances from 2002. Table # 8 below summarizes Mali's key indicators of development.

Table 1. Mali key indicators of development

| Indicators | Years | Value |
|--|--------------|--------------|
| Current GDP (billions of CFA franc | 2004 | 255.0 |
| Real GDP growth rate (in %) | 2004 | 2.2 |
| GDP per capita (in thousands of F CFA) per annum | 2004 | 233.0 |
| Population (in million inhabitants) | 2004 | 11.3 |
| Population growth rate of the (in %) | 2004 | 2.2 |
| Life expectancy to the birth | 1998 | 60.5 |
| Nominal stock foreign debt/GDP (in %) | 2004 | 65.9 |
| Poverty ratio on households (in%) | 2001 | 63.8 |
| Adults prevalence of VIH/AIDS in the (in %) | 2001 | 1.7 |
| Rural population access to drinking water in (in %) | 2003 | 62.0 |
| Malnutrition rate for 0 to 5 years (in %) | 2001 | 33.0 |
| Infant mortality rate (for 1.000 live births | 2001 | 113.0 |
| Youthful death rate (for 1.000 live births) | 2001 | 229.0 |
| Maternal death rate (for 1.00000 live births) | 2001 | 582.0 |
| School enrollment rate in primary education (in %) | 2004 | 70.5 |
| Parity index (girls boys) in primary education (in %) | 2004 | 76.9 |

Source: Ministry of Economy and Finances, August 2005. See also Moulaye Zeini, 2005. See also Camara, 2007.

“Democratic Governance of safety in Mali-a challenge of sustainable development”, Frederich Ebert Foundation, Bamako, p. 37.

From these World Reports on human development, we can infer that poverty has been increasing among the Malian population since the launching of the democratic experiment. Malian officials argued that the figures in the table above are the outcomes of the

implementation of the first generation of the Strategic Poverty Alleviation Program (2002-2006). According to the implementation report of the Program, Mali had 4.3% growth rate in 2002, 7.6% in 2003, 2.3% in 2004, 6.1% in 2005 and 5.0% in 2006. The average growth rate was 5.1% versus 3% in other West African Monetary Union member countries in the 2002-2006 period. This good economic performance was due to good harvests combined with the rise in the price of gold as well as a good productivity in gold mining in 2005 and 2006 (Camara, 2007; Essor 8.8, 2007).

In the same period, inflation rate fell from 5.1% in 2002, to -1.3% in 2003, to even -3.1% in 2004 to climb at a significantly high 6.4% in 2005 because of a bad harvest in 2004 and 2005 and an average 2% inflation rate. As a result of this macro-economic performance, monetary poverty was said to have decreased. Poverty rate dropped from 68.3% in 2001 to 59.2% in 2005 on the basis of an update on poverty line from 420 CFA francs in 2005 to 397 CFA francs in 2001. Investment rate rose from 16.0% of the GDP in 2002 to 22.0% of the GDP in 2006 with an average 10.0% rate for private investment and 7.3% for public investment (Camara, 2007; Essor 8.8, 2007).

However, experts are divided on the issue of the correlation between the economic performance and the living conditions of the Malian population. The vast majority believe that the economy is healthy and that Mali has neither a backlog in its debt service, nor in the payment of its wages bills. While a small number contended that the good health of the economy did not translate into any noticeable improvement of the living conditions of the population; rather, they find that poverty has increased dramatically (General Report of the Prospective National Study “Mali 2025”, 1999).

From the results of the first generation of the Strategic Poverty Alleviation Program and its second generation, it can be said that much needed to be done not only to alleviate, but more ambitiously to eradicate poverty because more than 60% of the Malian population still live on less than one dollar a day. This was why the first five years of “consensus politics” were centered on “the social demand” that aggregated people's desires and aspirations.

A second Strategic Growth and Poverty Alleviation Program (2007-2011) was developed without Malian officials' true autonomy in the decisions that were made and is been implemented. It is less likely that the program will be able to solve Mali's pressing social and economic problems, given the country almost rock bottom in UNDP ranking on the indicators of human development. For the next five years of “consensus” politics, a social and economic development program was extracted from the Strategic Growth and Poverty Alleviation Program because Mali public officials have pledged to achieve a 7% accelerated growth before 2012. The implementation of the first generation of the Poverty alleviation program has brought little improvement on the cost of living, especially food prices. The Malian economy may be growing, but the impact of this growth is not visible on the life the Malian people.

4.2 POLITICAL CONTEXT OF THE POLITICIZATION OF THE CIVIL SERVICE

Ardant's (1995) statement that no democratic regime functions to perfection is a universal truth. Transferring liberal democracy from western societies where it developed to the African context was not foreseen to be easy. This is particularly the case in Mali where democracy has so far not been able to take roots. The Malian regime has gone from a dominant party regime under ADEMA rule to a politically diffused regime under “consensus” politics with severe

consequences for state institutions and particularly for the civil service which underwent a heavy politicization. The politicization of the civil service in the context of democratization began with the ADEMA regime and continued in the “consensus” era in another form.

4.2.1 ADEMA Regime: from “concerted exercise of power” to a “dominant” party rule

The fall of the military regime in March 1991 following a popular protest was the consequences of poverty and rejection of the World Bank-International Monetary Fund’s structural adjustment policies. Malians were demanding for a radical change and the restoration of democracy. The goal of this insurrection was to rebuild the state on the basis of principles of liberal democracy known or believed to foster economic, social and cultural development and to restore civil liberties and political right.

Indeed, at the time of the national Conference convened in August 1991, the people's representatives insisted on the necessity of building a democratic State. A new constitution was discussed, approved, adopted by referendum on January 12, 1992 and signed into law on February 25 1992. This constitution guarantees the republican nature of the state and establishes a democratic regime again with its attributes namely the principle of separation of powers, multiparty party competition, and the protection of political rights and civil liberties. It marked the rupture with the *de-facto* one-party dictatorial regime of the first republic and *de jure* one-party authoritarian military regime.

But the fact remains that Malian institutions and Mali institutional mechanisms came out of the National Conference with deficiencies and incoherence. The quest for the rule of law and for democracy caused insufficiencies. There was a debate on two conflicting views at the National Conference: the balance of power and power sharing versus a strong state. The younger

generation was highly supportive of the balance of power and power sharing was while the older generation favored a strong State. With regard to a new mechanism, new constitutional arrangements, the younger generation was told that: “we need a strong state”. And the younger generation responded to this statement by saying: “if we choose a strong state with strong powers vested in the president, he/she will not be able to exercise them; and because nobody will exercise them, our democracy will be disrupted”. With the insistence of supporters of a strong state, the Constitution granted the president of the Republic extensive powers. Even the Judicial branch seemed to be placed under the President’s authority because he/she has the power to appoint magistrates and to preside over the Superior Council of the Judiciary.

After a 14 short months transition, the Malian people democratically elected their first president of the third republic in April 1992. The president elect was inaugurated on June 08 of the same year. In March 1992, parliamentary elections were held and ADEMA came out victorious with 76 seats over 129 seats in the National Assembly. The younger generation’s argument at the National Conference happened to be true. That no matter who wins the elections he/she will end up with a consensus government.

There was also a heated debate at the National Conference about the public financing of political parties. But, at the end, the idea of financing political parties with public money was rejected. When the president took office, he ignored this decision and modified the electoral code to include that the State will devote 0.25% of its budget to fund political parties.

4.2.1.1 “Concerted Exercise of Power”

After the general elections of 1992, the ruling party signed “the Republican Pact” with a number of parties that have been called “Participant Parties to the Republican Pact (P.S.P.R.)”. The coalition was based on the principle of “concerted exercise of power”, a power sharing

mechanism devised by the ruling party officials. According to Diawara (1994), the Pact stipulates : “ They (parties members of the coalition) sign the present Pact to mark their will of working together and jointly to the advent of a democratic society on the basis of a concerted and democratic management of state institutions to the benefit of all the Malian people”.

Obviously, the goal ADEMA leaders’ call for other parties to join in the exercise of power as a coalition government was to ensure a social basis and legitimacy for the regime. But their decision clearly showed the discrepancy between what the people have wanted in the constitution and what practice has demonstrated. The winner takes all principle of liberal democracy happens not to better reflect the reality and the political and economic needs of the people. In Mali, whoever sits alone in power today, tomorrow people will take the street and oust him/her. But if a certain number of people are called in to share power, people will say “Oh, he/she is not the only one in power; they are many”. In fact, only power sharing is more likely to give credibility and meaning to state authority (Sow, 2008).

To materialise their idea of “concerted exercise of power”, ADEMA leaders appointed a coalition cabinet which included nine ministers who were members of the parties which have signed the Republican Pact. Unfortunately, the invitation of other political parties, civil society and even “people without party affiliation” to participate in the exercise of power was not welcomed by all the members of the ruling party’s leadership. ADEMA leaders managed to dominate government decision-making process and to push other party representatives aside. In sum, Mali had *de facto* returned to the party-state system of government (Sow, 2008).

Ministers from other parties felt they were been appointed for the sake of social peace and complained that they had no power, that their hands were tied and that they did not even have the right to speak at the Council of the Ministers. Few months later, they resigned, and “the

concerted exercise of power” ended (Sow, 2008; Diarra, cited in Diawara, 1994). After the failure of the “concerted exercise of power” ADEMA dominated the political life. The ruling party took full control of all state institutions, replaced incumbent cadres of the higher civil service with its own members and controlled state resources.

4.2.1.2 ADEMA, the “Dominant Party” vs. COPPO, the Opposition Coalition

The first legislature 1992-1997 evolved into a radical power as elections were getting closer. Opposition parties banded together to form the “Collectif des Partis Politiques de l’Opposition (C.O.P.P.O): Collective of Political Parties of the Opposition”. The failure of April 13, 1997 elections constituted an important turn in the history of the opposition and the political practice in Mali. The radicalization of COPPO’s positions combined with ever increasing social demands of all sorts led to confrontations and serious violence, putting thus the young Malian democracy in danger for the second time (Sow, 2008; Villalón and Idrissa, 2005).

This power struggle that had some serious consequences happened because of conflicting objectives. For the ruling party, it was about the planning of elections regardless of the obvious lack of preparation, to avoid the constitutional vacuum while COPPO required the postponing of the whole electoral process until all the planning conditions were met (Sow, 2008; Villalón and Idrissa, 2005). This lack of election preparation will be the reason of the failure of the April 13, 1997 presidential elections with significant consequences on the parliamentary elections. It was characterized by an electoral calendar that amounted in serious deadline problems as well as an “electoral forcing” despite essential prescriptions of the electoral law. Both COPPO and observers firmly believed that this was the ruling *élite*’s attempt to cling to power at all costs.

This conflict climate worsened with the failure of 1997 elections. COPPO had a showdown with ADEMA about its electoral requirements. Political demonstrations were met with violent repression in violation of human rights.

It was in this context of uncertainty for the normal holding of the 2002 elections that a civil society organization called “Cercle de Réflexion et d’Information pour la Consolidation de la Démocratie à l’Horizon 2002 (Cri-2002) : Circle of Reflection and Information for the Consolidation of Democracy on the Horizon 2002” which played a key role in solving the political crisis. The President of Cri-2002 successfully mediated between PARENA and COPPO on PARENA president’s request and convinced the two parties to join forces in their actions. The two parties held a Round Table to examine the major laws of the Republic. COPPO, other political actors and civil society organizations agreed to defuse the political life and to define sound rules of the game to save the 2002 elections.

Cri-2002 was asked to plan the Round Table. The meeting was held and a Declaration on the relaxation of the political life in Mali was written at the end called “le Pacte Républicain de Bonne Conduite Electorale: a Republican Pact of Good Electoral Conduct”. The Pact was an official and public commitment to national reconciliation that set the rules of the democratic game. Over 50 political parties signed it before the national and international media (Sow, 2008).

Then COPPO and other dissidents from the ruling party agreed to participate in the planning of the 2002 elections. Thus, the electoral competitions could take place in an appeased social context (Sow, 2008).

When President Konaré stepped down in 2002 at the end of his second term, he left behind a very weak and divided political community. President Konaré's two terms caused division, bitterness and fear in both the political and administrative communities.

4.2.2 The “Consensus” governance

4.2.2.1 General Elections

The presidential election was held in 2002 with a record number of twenty four (24) candidacies including M. Amadou Toumani Touré, a former army general and former President of the democratic transition, a candidate with no party affiliation. This high number of candidacy was first because COPPO failed to choose a single candidate for the opposition and second, the internal power struggle within ADEMA made it difficult to deal with the issue of choosing the party's presidential candidate, which later caused the party division. A political organization called “Mouvement Citoyen: Citizens' Movement” and the bulk of political parties including ADEMA supported Touré's candidacy.

Touré won the presidential election and sought to reconcile the political community. To achieve this goal, a new form of governance called “consensus” was devised. This was a power sharing system of governance which has gotten the “Mouvement Citoyen” and the parties which supported the new President's candidacy involved in the exercise of power. More parties were quick to declare their support for the president's agenda and joined the presidential coalition. Only the “Bloc des Alternatives pour la Renaissance Africaine (BARA): the Block of Alternatives for African Renaissance” led by Prof. Yoro Diakité claimed to be in the political opposition.

4.2.2.2 “Consensus” Politics

One of M. Touré’s campaign promises was that he will govern with the majority the people will provide him with. When no party could win a comfortable majority in the National assembly, the President announced that he will work with a constituted majority while he will stay equidistant from the political parties. Then, a “presidential bloc” was formed from a coalition with smaller parties, with much less cohesion. The coalition survived because of the “consensus” politics, which the new rulers said is not a mandatory concept, but a free participation of all the actors to a process that encourages political tolerance. Obviously, this situation was to the advantage of the newly elected president. But forming the cabinet was not an easy task. After a long negotiation, a balanced distribution of ministerial positions was stricken with the major parties (Sow, 2008; Villalón and Idrissa, 2005).

However, observers of the political scene found that the key to “consensus” power sharing ministerial appointments was as follows:

- Major parties which won seats in the National Assembly;
- Parties which are symbols of the nationalist movement before independence or whose leaders have a specific political background or charisma;
- Armed forces and other uniform people;
- Civil society with the connotation of ethnic minority representation;
- “Mouvement Citoyen: Citizens’ Movement” with the specificity of representing the President in Government;
- Civil society with the connotation of women’s representation;
- Higher state officials’ own friends.

“Consensus” politics was devised to mark a rupture from ADEMA leaders’ exclusion politics and violence opposition parties have endured. “Consensus” was possible because parties feel no longer comfortable to go in political opposition. It appeared obviously that the electorate has imposed a coalition because it was possible to build a majority in the National Assembly by combining the 41 RPM seats, ADEMA 36 seats and the URD 13 seat, had these three parties agreed to it. As Sow (2008) says “the President could reign without governing the country” and the country would be governed by a coalition still consistently with the Constitution.

Political party leaders felt that only insane or stupid party leaders will go in political opposition because their first experience has shown that the Mali democratic system has rejected political opposition. People still have a fresh memory of ADEMA leaders’ exclusion and repressive behavior toward opposition parties. Since no single party can live without state money, party leaders found it wise to be on the side of the ruling power. At least being on that side will give them a chance to stay alive and not to be repressed. Then, the President slices and distributes the national money among his friends, allies and supporters. Each party’s share depends on its political weight.

At the end of his first term, he decided to run for a second term. Apart from, SADI, PARENA and RPM which had announced their intention to go in the opposition in a coalition called “Front pour la Démocratie et la République (FDR) before the elections, all the parties were reluctant to produce a presidential candidate of their own. They all said they will support the incumbent president’s candidacy. M. Ibrahima Boubacar Keïta announced his intention to run as RPM’s candidate. Mr. Soumeylou Boubeye Maïga, an ADEMA member decided to run against for president and the party dismissed him.

In fact, it was mainly those officials who were holding ministerial positions who were very active in urging their parties to support the incumbent president's candidacy for a second term. This was unheard of in a democracy; political parties banding together to support an independent candidate. But it happened in Mali. As it could be imagined, parties worked hard to secure the incumbent president's victory. From the 2007 legislative elections, SADI, PARENA and RPM declared themselves in opposition. For how long this opposition would last remains to be seen.

Under "consensus" politics, Mali no longer had a dominant party; rather, it had a coalition of powers expressed as "consensus", the executive branch asserted his dominance over both the legislative judicial branches. In such a case, an open opposition will not change much to the situation.

4.3 MALIAN CIVIL SERVICE: A PROFILE

4.3.1 General Structure

The Malian bureaucratic system, copied from the French system, bears the basic features of the classical bureaucratic model. Article 3 of the law n° 94-009/AN-RM of March 22, 1994 determining the fundamental principles of the creation, the organization, the management and control of public agencies defines six (6) categories of public agencies: 1) central agencies, 2) regional and sub-regional agencies, 3) quasi-autonomous agencies, 4) extra-territorial agencies. 5) local government agencies, and 6) autonomous agencies.

At the top of the administrative hierarchy, there are ministries organized by broad areas of activity. Yet this classification doesn't talk about the ministerial organisation which constitutes the first level of the administrative architecture. For that reason, we will proceed to the examination of the politico-administrative superstructure and ministerial organizations to descend to the central agencies level.

At the national level, ministries have national and general directorates and central agencies (*directions nationales, directions générales, and services rattachés*) under their authority. At the regional and sub-regional levels, they are functionally represented by regional and sub-regional agencies (*directions régionales et services de cercles*).

The territorial administration is structured in eight (8) regions, and 48 districts (*cercles*). Each region is headed by a governor who report to the Minister of Territorial Administration. Governors are the chiefs of executive at the regional level as they have hierarchical authority on all the regional agencies and district officers in their jurisdiction. Each district is headed by a district officer (*préfet*). These district officers have hierarchical authority on sub-regional agencies. They also are the interface between local governments and governors. Then there are local governments (*communes*) headed by mayors.

4.3.2 Ministerial Structure

The Malian Constitution granted extensive power to the President. He is the head of a strong executive branch empowered to monopolize the most important decisions of national policy (article 29). He appoints the Prime Minister and ministers and terminates their functions (Article 38). He presides over the Council of Ministers (Article 39). He has the power to dissolve the National Assembly (Article 42). He is the Supreme Chief and the Army Commander in Chief

(Article 44). He is the president of the Superior Council of the Magistracy (Article 45). He appoints senior civil servants and senior military officers (article 46). He can take emergency measures as required by the circumstances, after consulting with the Prime Minister, the President of the National Assembly and of the President of the High Council of Local Governments as well as the Constitutional Court. He must inform the nation of the situation afterward (Article 50). He may delegate certain powers to the Prime Minister (Article 51).

The prime minister and the ministers constitute the President's cabinet. The Prime Minister is the head of the cabinet. In this capacity, he directs and coordinates governmental action. He assures the execution of the laws. He may delegate certain powers to the ministers (Article 55).

Currently, the President's cabinet is composed with the Prime minister and 30 ministers. The Prime minister's office has a chief of cabinet, technical advisers, officers in charge of political affairs called "chargés de mission" and his handyman called "attaché de cabinet".

After their appointment, the Prime minister and Ministers appoint their staff members. Every staff team is composed of a General Secretariat and a ministerial cabinet. The law n° 94-009/AN-RM of March 24, 1994 determining fundamental principles of the creation, the organization, the management and the control of public agencies in its articles 22 and 23 announces the general secretariat and the ministerial cabinet in its article 19.

Secretariat General

The law n° 94-009/AN-RM of March 24, 1994 determining fundamental principles of the creation, the organization, the management and the control of public agencies Talks about the Secretariat General in its articles 22 and 23. According to articles 22 and 23 of that law, the Secretariat general is in charge of defining the ministerial agenda in the areas of its members'

expertise, monitoring and assessing various program and project implementation activities and coordinating and controlling technical and administrative activities in the department. It includes the Secretary General, technical advisers, a mail service, a document and record keeping service and a typing service.

The Secretary General and technical advisers are appointed among career civil servants of category A, magistrates, superior military officers and security services and senior officers of the police. The Secretariat General is organized by the decree n° 94-202/P-RM of June 03, 1994.

The Secretariat General is headed by A Secretary General who manages and provides guidance to five (5) technical advisers, subordinate national directorates, directorate of administrative and financial affairs, autonomous or quasi-autonomous bodies and agencies. As the memory of the department, the Secretary General became a strategic administrative figure in the ministerial organization. Because the position of Secretary General is considered to be a steady and key position, its holder ought to be protected from frequent cabinet changes and political interference. The Secretary General, national directors, the director of administrative and financial affairs and technical advisers are all career civil servants.

Ministerial Cabinet

Like the Secretariat general, the law N° 94-009/AN-RM of March 24, 1994 determining the fundamental principles of the creation, the organization, the management and the control of public agencies talks about the ministerial cabinet. Articles 20 and 21 of the above-cited law provides that the ministerial cabinet is in charge of managing relations with the socio-political environment, public relations with the press and preparing and organizing the Minister and his envoys' travels inside and outside the country.

The ministerial cabinet is organized by the decree n° 94-201/P-RM of June 03, 1994. It includes the chief of the cabinet, the officers in charge of political affairs “chargés de mission”, an “attaché de cabinet” and the Minister's personal secretary. Members of the ministerial cabinet are appointed by decree of the Council of Ministers. It is worth noting that the profile of ministerial cabinet members is not specified in the law. This gives the flexibility to the Minister to appoint either civil servants or non civil servants to these positions. The non civil servants cabinet members are bound to the civil service by contracts which ends as soon as the minister who appointed them cease to be minister, unless they get appointed in another ministerial cabinet.

Table 2. Ministerial structure

| | | | |
|---|--|----------------------|--|
| <p>Prime Minister He is the coordinator of ministers' actions</p> | | | |
| <p>Chief of the Prime Minister's Cabinet He assists the prime minister through the coordination of the work of ministers</p> | | | |
| <p>Minister Guidance of a department</p> | | | |
| General Secretary | <p>Management and guidance of:</p> <ul style="list-style-type: none"> • subordinate national directorates. • directorate of administrative and financial affairs. • autonomous, quasi-autonomous bodies and agencies • Technical advisers. | Chief of the Cabinet | <p>Political advice to the minister. Management and guidance of:</p> <ul style="list-style-type: none"> • Officers in charge of political affairs called "Chargés de mission" • Minister's handyman called "Attaché de cabinet". |
| Undersecretary | Assisting the general secretary in his management and guidance tasks. Interim of the general secretary. | "Chargés de mission" | Relations with the National Assembly, political institutions and civil society organizations |
| Technical advisers | In charge of public management issues | "Attaché de Cabinet" | Helping the minister to manage his professional and private life |
| National directors | Management of specific areas of the ministry | | |
| Director of administrative and financial affaires | Management of all ministerial human and budgetary resources | | |
| <p>Council of Ministers A collective body which includes the President, the Prime minister and ministers Adoption of government decisions</p> | | | |
| <p>Committee of General Secretaries A collective body which comprises of ministries' general secretaries Preparation of decisions made in the Council of Ministers</p> | | | |

4.3.3 Size of the Civil Service and Statute of Civil servants

According to the National Director of the civil service, the current official number of the Malian civil servants is 38,074 civil servants, 9,569 of which are women; this represents roughly 25.13%. This number does not include the police although they are civil servants and State contractual employees. Civil servants are hierarchically organized by categories and grades. Table 1 shows the breakdown of the total number of civil servants into 3 categories.

Table 3. Civil servants by category and age groups

| Civil servants by category | | Civil servants by age group | |
|-----------------------------------|---------------|------------------------------------|---------------|
| A | 11,121 | 19-30 | 2,848 |
| B | 21,727 | 31-40 | 8,404 |
| C | 5,226 | 41-50 | 11,594 |
| | | 51 and above | 15,228 |
| Total | 38,074 | Total | 38,074 |

The classification by age groups shows that 70% of civil servants are between 19 and 50 years old and 30% are 51 years old and above.

Mali's Constitution relied upon the law to determine nature of the contract of service and the legal status of public servants. The Malian General Statute of Civil Servants, Ordinance N° 77-71/CMLN of December 26 1977, amended by Act N° 87-46/AN-RM of July 1987 reflects their particular legal status in its sections 9 and 10. Section 9 reads: "the civil servant is in a legal and statutory governed relationship with the Administration" while Section 10 reads: "the civil servant shall serve the State with devotion, dignity, loyalty and integrity".

A close look at the Ordinance clearly shows its striking similarity with the French civil service selection and appointment system. It states that recruitment shall be done in accordance with official rules and on the basis of personal merit. It also includes provisions of nationality,

age and aptitude. By doing so, the State sought to give an equal opportunity in employment to all citizens. The Ordinance requires that selection be conducted once a year for all ministries and government agencies through competitive examinations at the National Directorate of the civil service (Direction Nationale de la Fonction Publique et du Personnel). Those who pass the examination will fill positions that are budgeted at the National Directorate of Budget (Direction Nationale du Budget) to meet ministries staff needs expressed in proposals submitted to the National Directorate of the civil service on a yearly basis.

These recruitments mainly focus on new graduates from universities and vocational schools. Competitive examinations are composed of two types of tests: a general knowledge test and a specialized knowledge test. These two tests are graded according to a grade scale and the two grades are compared to identify highly qualified candidates for recruitment.

The newly recruited enter the civil service on a one year probationary basis. A year later, the new recruits produce a report on their learning experience in the civil service and submit them to their supervisors. After an evaluation of these reports on a discretionary basis, supervisors send the reports to the National Directorate of the civil service along with their proposition to promote the new recruits to a full civil servant status.

The categories in table 1 match the grade system and professional experience and educational requirements determine progress up the hierarchical ladder. Each category has four (4) classes in a descendant order: class 3, class 2, class 1 and class Exceptional. Each of the first three (3) classes has six (6) echelons and the class Exceptional has three (3). Progress up from echelon 1 to echelon 6 is achieved through supervisors' appraisal. Moving up from category C to category B is subject to a competitive professional examination (concours professionnel), while moving from category B to category A requires a university degree.

The “post” system (cadre organique) introduced in the late 1980s requires that all positions in the civil service be filled with career civil servants except the posts of Minister, ministerial cabinet member, ambassador and consul. National Directors, Associate directors, middle and lower management positions are career civil servant posts. Each government agency has an organizational chart with clear job descriptions as well as educational requirements for each post. Appointment to these posts is supposed to be done on the basis of work performance or other demonstrated skills and abilities.

In terms of discipline, Ordinance N° 77-71/CMLN of December 26 1977 devotes a whole chapter to civil servants discipline. Section 73 states the general principle: any non-fulfillment of duties by civil servants in the framework or outside the exercise of their functions exposes them to a disciplinary sanction, notwithstanding any punishments foreseen under the criminal law. Section 74 provides for two types of sanctions: first and second degree sanctions. First degree sanctions include: demand for explanation, warning and blame.

The second degree sanctions are: lowering of a step of grade, temporary exclusion, demotion, termination without loss of pension rights and termination with loss of pension rights. Section 80 stipulates that the punishment of warning and blame may only be inflicted after a demand for explanation within a certain time and when that time limit has expired, the disciplinary procedure may go ahead. Sanctions of second degree can be given only after hearing before The Disciplinary Committee. Civil servants have the right to appeal administrative decisions in the administrative section of the Supreme Court. They have the right to receive a copy of the written charges and defend themselves.

4.4 CONCLUSION

In nineteen years of democratic experiment, the Malian democracy evolved from a dominant party system to a single-party system with the destabilization of the political community through various maneuvers, to a new system of governance called “consensus”, which seems to function well because of political parties fear to engage in an opposition that will yield no return. Therefore, all the parties made allegiance to the President of the Republic and claim to be members of the “presidential support group”.

In response to their allegiance, the President grants each of them their fair share in the distribution of strategic positions within the State apparatus. Parties that have seats in the National Assembly get ministerial positions in the President’s cabinet while those who have no seat in the National Assembly are contented with directorial positions in public agencies, consul or ambassador positions in our diplomatic representations abroad. 2007 witnessed the re-emergence of a declared political opposition. But, it could be short lived as it may join the “President’s support group” at any time for various reasons.

The evolution of the Malian democracy shows that the political practice discards fundamental democratic principles and gives preference to pragmatism over democratic and constitutional orthodoxy. To determine whether politicization weakens the civil service, we are obliged to approach those civil servants who are positioned at the axis of the interplay between political and administrative imperatives.

5.0 CHAPTER FIVE: POLITICIZATION OF THE MALIAN CIVIL SERVICE: PARTICIPANTS' PERSPECTIVE

It is argued in this dissertation that politicization perverted the role of the Malian civil service system to the benefit of the political establishment. This distortion has failed civil servants to deliver democracy and development. This chapter provides participants' perspective on the politicization of the civil service. It reports data collected through in-depth interviews and official document contents analysis. It reflects the views of senior civil servants posted in policy-making positions in the higher civil service, those who are very much exposed and subject or victims of the politicization phenomenon in the Malian civil service. The data reported in this chapter was generated from the questions below. The central questions addressed here are as follows:

- 1) To what extent are the structural and normative features of the Malian civil service in the context of democratization consistent with the Weberian model?
- 2) Are relationships between politics and administration alike in Mali and in liberal democracies?
- 3) How well is the Malian civil service grounded in core democratic values and principles to support liberal democracy in the making and to foster development?

The data revealed that the type of politicization observed in Mali is unique. It is not limited to the distribution of civil service positions to political friends and supporters loyal to the ruling power. It also entails the return of favor to the political party for which the appointment was done. This reciprocity is visible within the normal course of administrative action in the form of civil servants stealing state resources including cash money allocated to their agencies for service delivery to the citizens, to finance a host of political parties' activities and to line their own pockets along the way. It is the transformation of the civil service into a gigantic grand political corruption and financial delinquency network under the sponsorship of the Presidents of the Republic in the democratic era through the civil service. The state leadership knows about it, but no action has been taken to stop it. The reason for this silence and inaction is that the practice benefits the all of them because the administrative leadership is the same as the political leadership.

Under ADEMA rule, its cadres posted at all the key administrative positions contributed to the financing of the party and enriched themselves in an arrogant manner. Opposition parties were thrown out of the civil service and the state system and their protests were severely repressed. Under President Touré's regime, the beneficiaries' base has been expanded to include political parties and other political organizations which supported his candidacy and those who claimed to support his agenda after the presidential election and to destroy or silence political opposition. This gave state high authorities a large margin of maneuver to manipulate democratic institutions to their advantage because no leader from the public sector can dare to criticize or confront them for fear of being excluded from the network.

If ADEMA leaders have secured their strong hold on the civil service to enjoy state resources, higher authorities in the “consensus” era distributed key administrative positions among members of the “consensus” network in their own words “to help their parties and political organizations”. Today the Malian leadership has become the predator of the state. These practices have been observed in single party regimes and not expected in the context of democratization. “Consensus” politics has not been about power sharing to cater to the Malian people’s well-being as suggested by African scholars. It was aimed at pursuing the predatory politics of defunct single party regimes in association with the civilian leadership through the civil service. This is why Mali has so many political parties. Therefore, it is fair to say that the Malian democratization project is doomed and that state higher officials’ sponsored large scale corruption and financial delinquency is a unique case in Mali and probably in Africa.

The core categories which emerged from the data analysis are the followings:

- 1) The degree of politicization of the Malian civil service;
- 2) The characterization of civil servants-political party leaders’ relations;
- 3) Politicization as a threat to the building of a professional civil service.

5.1 DEGREE OF POLITICIZATION OF THE MALIAN CIVIL SERVICE IN THE CONTEXT OF DEMOCRATIZATION

Data analysis yield four (4) indicators to measure the politicization of the Malian civil service: 1) political appointments and promotion, 2) civil servants involvement in partisan politics, 3) civil

servants behavior toward political parties and party leaders, and 4) civil servants' party interests versus public interests.

5.1.1 Political Appointments and Promotions of Civil Servants

The analysis of the data yield four (4) indicators which characterize appointments and promotions of the civil service, namely, 1) the existence of legislation, 2) de facto criteria applied, 3) the politics of exclusion with politicization outcome, and 4) the advantages and disadvantages of political appointments and promotion.

5.1.1.1 Existence of Legislation

The majority of participants in this study said they know about the existence of defined criteria in the General Statute of Civil Servants and Act N°94-09 which has replaced ordinance N° 79-09 with regard to appointments, promotion and reappointment of civil servants based on merit. They explained that the legislation makes a distinction between politico-administrative positions and purely administrative positions. Appointments to politico-administrative positions are left to the discretion of the President of the Republic. These are ministerial, Ambassador, Consul General and presidential cabinet staff members' positions. There are no set criteria for appointment in these positions in the substantive law of our country. However, it is suitable that people appointed at these positions be qualified for the jobs because of the strategic nature of their jobs otherwise, appointing mediocre at these positions will depict on State credibility.

Beside the discretionary positions, there are administrative positions, higher civil service positions which do not fall in the categories listed above. The Council of Ministers appoints administrative positions. Informants thought that they are well defined, but insufficient criteria

are only defined in relation to the category of the civil servant. What is called a career system does not exist in Mali. This means these criteria are not sufficient to allow civil servants to hold positions consistent with their level of education and training, their administrative class, their seniority in the civil service, their work experience or their qualifications. The civil service is about hierarchy, in any case appointments and promotions must be done according to administrative hierarchy. This means the first version of the ordinance N° 79-09 wanted that positions be filled first according to the rank of the civil servant. Thus this does not work because the link has simply been maintained between the function and the category.

Government did not agree with the extension to the rank and the criterion was and still is to belong to category of the administrative hierarchy. To be a head of division or a head of a section, it is necessary to simply belong to category A; whereas it could have been required that to be a head of a section, cadres must be in the third or the second class of the administrative hierarchy and to reserve the functions of head of division to people in the first class and the exceptional class. This would have improved the criteria of appointments in the civil service. So it is acknowledged that these criteria are very insufficient and need to be clearly defined and completed. The fact that they are very incomplete makes them very vulnerable as one respondent observes:

“Written rules exist, but they are not very clear, we do not have clear guidelines,...the system is incomplete, very insufficient, with very objective limits that allow all kinds of appointments”.

5.1.1.2 *De facto* Criteria Applied

Participants have observed that since the advent of democratization, there has been no compliance with the existing criteria. As a result, appointments, promotion and reappointment of cadres who hold higher civil service positions are done on the basis of political affinities, friendship and family ties. Cadres have to be either a member of a political party or have good connections with the highest authorities of the State or be submissive or subordinated to the political elite. A frustrated cadre said this:

“...we notice today that the best criteria for appointment to any civil service position are submission, subordination to the political elite...the criteria are political or clan membership, political clientelism, I am not afraid to say the word”.

Participants said that under ADEMA rule, priority seemed to be given to the cadres who declared members of the ADEMA party. There was a real ADEMA tendency to control and possess the whole State apparatus. The majority of the higher civil servant positions were occupied by ADEMA and allies. With regard to the choice of the men and women, the partisan equation was surely extremely important. Those who were known to be opponents in the administration were excluded from holding higher administrative positions, mistreated and humiliated. They were victims of injustices, calumnies and plots. ADEMA wanted to know and control everything. The entire civil service system belonged to the ruling party; and its leadership had placed party loyal members at all the important administrative positions. Not only that, but party leaders wanted to lay their hands on everything in the civil service.

In fact, the civil service appointments in ADEMA era depended on extra professional factors because if cadres knew someone in a department, they go there to seek appointment.

Because they claimed to be members of the ruling party, they were appointed. The political criterion played a major role. Some participants believed this is normal since all the parties have their cadres, when a party comes to power, it appoints them. Participants found it deplorable that there were not many appointments and promotions on the basis of professional worth, merit or technical expertise. Only very few civil servants with exceptional worth have been appointed and promoted on the basis of their professional qualifications, expertise, or their merit only.

Unfortunately, those other civil servants of average value are frustrated because they have difficulties for accessing senior positions; they felt neglected. Under “consensus”, there was no difference between the ruling party and an opposition party; they all played the same game. They lived and operated in a consensual system; there are big parties in the President’s cabinet. The Prime Minister informally discusses ministerial appointments with the big political parties. After consulting with the Prime minister, they proposed names for appointment. Obviously there was a minimum morality check and the like, but if one person did not qualify the party was asked to provide an alternative name. Therefore, big party officials were consulted; this was a situation of dialogue. The regime was not a single party or a dominant party system. This was “consensus”, a system of power sharing between the major political parties.

The logic here was that if the top was openly or discretely politicized, objectively, it is normal that the same political logic dominates. Therefore, with the same level of expertise, political devotion was an asset. If two senior civil servants are available to participate in the Minister’s cabinet or Secretariat General or a national directorate or any senior position, for the same level of expertise, work experience and everything, logically political coloration, political devotion would prevail. This was a necessary consequence of being in charge. People who were

said to be in charge must have the maximum of margin of maneuver to have the men and the women whom they judged politically and technically able to be loyal to them.

Within a party, the basic criteria are expertise and the level of education. But to make a national selection, it is loyalty; it is the political affiliation which will be taken into account. The principle of “the right man/woman at the right position” does not exist in Mali. Overall, the two systems may be different from the way they operate, but they yield the same results. One of the participants described the situation in this statement:

“Under ADEMA rule, there was an opposition. This situation made it possible to know and to clearly show that those who were in the majority were favored to the detriment of those who were in the opposition. Now, we are in a context where there is no opposition, everybody supports the President, everyone supports the government. In such a context, in fact other considerations may be taken into account for the choice of cadres. There are of course political considerations, because though we all know that things cannot completely change overnight. Everybody recognizes today that there are certain people who owe their position only to their membership to a party. Therefore, on the one hand, things have changed and took another form, but on the other hand, things still remain the same”.

5.1.1.3 Politics of Exclusion with a Politicization Outcome

Participants have noticed that with the advent of democracy, things have changed, but they have taken another direction. After the revolution of March 1991, there was a strong tendency of those who were called the leaders of the democratic movement to push aside those they regarded as collaborators of the defunct regime. Thus there was this strong tendency of exclusion. There

were times when at the Council of Ministers, it was extremely difficult to make appointments because any person whose name was suggested, was subject to objection from those who thought they were there in the name of the democratic movement and they have to make sure cadres who collaborated with the defunct regime do not have access to certain positions.

Thus, there was this tendency to push many civil servants to accept to be affiliated with the majority party to have a good blanket. As the majority party also needed to renew the higher administration of State, this has given the opportunity to many cadres who became ADEMA members not by conviction or anything, who became ADEMA members because it was necessary to be an ADEMA members as it was necessary to be UDPM member in the military era, to have access to certain positions. Therefore, the politicization of the civil service continued this way too.

And on this basis there was a kind of exclusion of the senior civil servants who were other party members particularly opposition parties. There were periods when to be CNID or to be MIRIA did not really facilitate access to certain positions. But evidently, priority was given mainly to people who displayed their membership to ADEMA, the “dominant” party. Therefore, this strongly explains why people have good relations with party leaders, whether people show off at various events or contribute to the financing of parties. Today within parties the problem which arises is for a party leader to gain respect from his/her party members, he/she must be able to place party militants in the higher civil service. A party leader who had no possibility of placing his militants in these positions was not considered to be truly a party leader because people will not give him the consideration, the respect and the attention he/she deserves although they have chosen him/her to be their leader.

5.1.1.4 Advantages and Disadvantages

According to the participants, the advantage here is the loyalty of the civil servants who have been appointed to the party who appointed them. For the person who decides on appointments and promotions, the advantage could be the moral satisfaction to have placed a friend, a relative, a cousin or a party member at an executive position in the civil service. For the person who has been appointed or promoted, the advantages could be that he/she will have premiums and allowances and access to the investment and operational budgets which could enable him/her to show his/her gratitude to his/her benefactor and his/her party by returning financial favors. In addition, the appointee is always happy and proud of his/her appointment because it is his/her family which has gotten the favor.

It is the political loyalty which is put forward as the most important criterion for appointments and promotions. People do not appoint individuals whom they do not know and trust. Another advantage is that with regard to the social aspects, these appointments might contribute to a more or less peaceful society.

A major disadvantage is that the system is designed in such a way that now parties, whether they admit it openly or not, function on State resources. The civil service draws no advantage in this action; instead it weakens. These kinds of situations discourage experienced and talented civil servants, destroy the spirit of initiative, the passion for public service and kill excellence. In addition, some unfortunate trends have been also observed. Young people from class 3 and even trainees without professional experience were being appointed as members of a ministerial Secretariat General or promoted at senior position to supervise cadres who have long years of professional experience. This is frustrating and de-motivating. Obviously, these inexperienced new recruits cannot serve effectively in these capacities. A more serious problem

is the fallouts of their appointments because when they leave these advising positions, they will not have any motivation to move to lower positions.

Some participants pointed fingers to ministers who went as far as to impose particular agents to their agency directors for appointment. The consequences are the ruining of hierarchical relations; it can be said that there will be no more hierarchy. First of all, these imposed agents knew that the agency director has no power. If the minister sends people to an agency and instructs the agency director to appoint them at such or such positions, the agents who are being appointed know that in fact, it is the minister who has appointed him. So for these individuals the director does not count. That is why when trivial things happen, these cadres disrespect and remind their director that they are the minister's *protégés*. The incident will be reported to the minister and if the director is not lucky, he/she may be replaced as soon as possible. That is a very serious issue in a civil service that these types of appointments have created.

Currently, nominations and promotions at senior positions follow partisan line. Party leaders grant appointments and promotions to their cadres militant. People want to work with those they know. Since appointments at some higher civil service positions are at the discretion of the highest authorities, they choose men and women who claim their party memberships. There would be no problem with that if these people had the necessary competence to hold these positions.

There have been Malian ministers who displayed notorious incompetence, who could not even read the speeches their advisers have written for them. Therefore, that disappointed many and made people doubt about the quality of the civil service because although a ministerial position is a politico-administrative position, it represents the first level of state administration. It

should be held by an individual with a strong intellectual background; otherwise, the person's incompetence may surface any time and put the quality of the state in question.

5.1.2 Civil Servants Involvement in Partisan Politics

The analysis of data allowed the researcher to identify two (2) indicators which best describe civil servants' involvement in partisan politics. These indicators are 1) the absence of civil servants loyalty to the state and 2) loyalty of civil servants to their parties.

5.1.2.1 Absence of Loyalty to the State

There is a split with regard to the issue of newly appointed ministers who completely change incumbent cadres in their ministries. Most participants preferred that new ministers replace incumbent non-career civil servants in ministerial cabinets and keep career incumbent senior civil servants in ministerial Secretariat Generals. However, they prefer that those holding director position remain because they are the memory of the civil service and ensure its continuity. They suggested that directors could be replaced as their incompetence, lack of skills, and lack of loyalty to the State or lack of professionalism surface.

While few participants found it normal that those senior civil servants who hold higher positions in their ministry's hierarchy be replaced on the ground that people feel more comfortable working with those they know and trust. They attributed this never ending movement situation in the civil service to the absence of clear guidelines and an incomplete, insufficient and unclear General Statute of Civil Servants.

5.1.2.2 Existence of Loyalty to Parties

Almost all the participants acknowledged the involvement of civil servants in partisan politics. When political ministers come in office, they must have a commitment of loyalty to government. But with respect to their parties, if these political ministers were to follow criteria of professionalism and competence, perhaps they would not always please their parties. Therefore, there is a tendency for these ministers to place themselves at the service of their parties and their partisans and care less about the general interest, the principle of neutrality and impersonality which are core public service principles.

In previous reforms, laws have been passed to establish Secretariat Generals and ministerial cabinets to make a distinction between administrative functions which must be based on competence, job security, professional experience and ministerial cabinet functions intended to serve politics if the minister is a politician. But, these laws have never been respected because ministers knew better, because they were often proposed by political parties and were not always the most qualified candidates within their parties. Their selection was done on the basis of their importance or their loyalty to the party. This is reflected not only on the choice of their men and civil servants but also on the operation of agencies under their authority.

Allegiance is prolonged in the ministries in the choice of people and criteria of professionalism are not always respected. Allegiance continues in the department's financial resources management where human and financial resource management lacks transparency because of the inadequacy of the rules enacted as well as their non-observance.

There is also an agreement that senior civil servants are citizens and have the right to join political parties. However, participants deplored the fact that civil servants prefer to be loyal to political parties rather than to the state. If they work for a minister with whom they share party

membership, they deliberately neglect their work assignments to focus more on satisfying the minister and their party needs. In addition, they are said to be likely to sabotage work if they do not belong to the same party as their bosses. As a result, they become openly biased in the line of duty and care more about matters related to their parties and party members. One participant described how the sabotaging is done:

“But from the moment people refuse to see the objective things, I say, well, this one for example is in the opposition. I am not a member of his party. The obligation of loyalty that I owe the state administration, I will not keep that anymore; that is dangerous. For example, instead of working because my minister has objectives to achieve, I will say, ‘well, my minister and I do not belong to the same party’; I do whatever it takes to practically sabotage the assignment. What does sabotage means for an executive officer? You are given an assignment to be turned in today at 10 a.m. You wait until tomorrow at 10 a.m. to turn it in..... You have been asked to give statistics; all the statistics you give are not accurate and everybody in the ministry knows that the statistics are not accurate.... This is the absence of loyalty; this does not have anything to do with, you are not obliged, you do not betray your party when you are loyal to the person who has appointed you. And this is the danger of partisan politics.”

5.1.3 Party Interests vs. Public Interest

The analysis of the data allowed the researcher to identify three (3) indicators which best describe civil servants’ parties’ interest versus public interest. These indicators are 1) fundraising for parties through state contracts, 2) parties financing parties through cash money, goods and

services and 3) securing electoral victory to parties. In the Malian political context, party interests have always been put before public interest. In the ADEMA era, the party had primacy over State institutions to the point that some people have called the system a “party-State”. With the “consensus” system of governance, participating parties also enjoyed some privileges.

5.1.3.1 Fundraising for Parties through State Contracts

One way was to create a big project in the ministerial department. Either buildings are torn apart and rebuilt or the equipment was declared obsolete and in need of replacement. These public works involved State contracts. Only party members or higher officials’ friends or family members were awarded these contracts. Whoever got the contracts knew there were non-written rules of 10%. That meant contractors must return 10% of the value of their bids to the director of administrative and financial affairs who is the supervisor of these contracts. A participant narrated state contracting procedure:

“ADEMA members were the only ones in the game and they have developed silly things which went as far as printing ADEMA business partners’ cards. For private sector business persons to get State contracts, they had to have this card. The majority of tradesmen and private business people bought the card and exhibited it in state agencies to be awarded State contracts, and this was known to everybody. The cards were printed and sold at a very high price and the funds raised from card sales were used to finance the ADEMA party.”

Therefore, this was stealing in broad daylight. They did not need to break into the state coffers to take money. So these practices seemed more or less legalized. This modus operandi looked like a large net which is woven. Everybody knew it but nobody ever complained about it, let alone fight to end the practice. Party leaders wanted parties to leave on state money both

legally through state subsidies and illegally through civil servants placed at strategic positions where they can have access to public money to finance their parties' activities.

5.1.3.2 Parties' Financing through Cash Money, Goods and Services

With regard to this issue, participants said that the deal between cadres and the ruling party or parties which supported the "consensus" is their commitment to contribute to the financing of the party. This was and still is a common practice for all the parties involved in the exercise of power and is done in a number of ways.

Contributions are paid on the monthly basis and their levels depended on position levels. Hence, the stealing of government money has been institutionalized. That was why each newly appointed minister replaced the incumbent director of administrative and financial affairs without any allegation of financial mismanagement. Because in most cases both new and incumbent directors of administrative and financial affairs were and still are financial management specialists. One would expect allegations of financial mismanagement as a good reason for the replacement of incumbents or even their indictment.

The party became so demanding that some financial contributors ended up digging big holes in their financial management and became trapped in their parties. Worse, they must now blindly obey party officials to secure their protection and to avoid public humiliation. If they try to be disobedient of party principle, party officials will publicly frame them, accuse them of embezzlement and misconduct and they will end up in jail. Given the entire system is corrupt and politicized from the administrative machinery to the judicial system to the political community, the accused agents will be the only ones to know about their innocence. Party leaders will engage in defamatory

campaigns against them through the media by publishing articles on their alleged practices.

This will be the end of their careers because the party which did this to them might remain in power for ten years. They will not be active; they will be put aside during these ten years. Ten years is too long in civil servants' careers. These demoted agents may run the risk of getting psychological problems. Not only they will not be comfortable vis-à-vis their family members who have always regarded them as honest civil servants and for whom they have done nothing extraordinary in terms of expenses.

This is still in effect under President Touré "consensus" regime. In his first term (2002-2007) he championed consensus politics as his leadership style. There were a number of parties involved in this power sharing exercise, parties which claimed to support him.

The highest authorities apportioned the national cake through the distribution of strategic civil service positions to reward each and everyone who supported the regime. Parties which gained parliamentary seats are granted ministerial positions according to their political weight. Parties which have very limited political weight but have declared their support for the regime are also awarded some positions. Even the less significant parties got at least one or two director positions or an ambassador position. The reason for this distribution of strategic positions is to provide each allied party with some financial support basis.

Militants who have been noticed for their active support for the regime, have been hired at administrative assistant or handymen positions. Those who could not be hired were awarded Mercedes Benz cars. Some cadres who had embezzled public money and whose management was under Interpol police's investigation fared well in getting involved in the 2007 electoral

campaign. Indeed, Interpol police was instructed to classify their files and to leave them alone.

A participant reflected on his conversation with a party leader in this statement:

“I know political parties whose leadership members told me that they could not get ministerial positions. But one of the highest authorities told them ‘I am going to give you such and such director positions and I even think those would be better for you than a ministerial position’. They accepted the decision and these parties and party leaders are happy with those positions. On official whose party benefited from two director positions happily told me about his conversation with the one of the state official. And he said that he really appreciates what these two directors bring to the party; that he was grateful to these two directors because they help the party enormously. “

Lastly, participants mentioned the connection politics-private sector as the finest, more flexible, and more complex connection never developed in another country. They found the necessity for the civil service to rebel against these practices. For them, Mali’s pluralism is a fake one; the highest state officials are the ones who finance all the Malian political parties either from their pockets or from the state coffer. This is why and how “consensus” politics survived and continues to exist. In the Malian politic, the actors of this practice called it “political realism”.

Participants mentioned another way of financing parties. Public agency directors and directors of administrative and financial affairs diverted public money to defray the costs of party officials’ trips to countryside for campaign purposes or for visits to touch base with their constituency. Ministry cars, fuel, drivers and per diem are made available to party officials for their numerous trips to their bases. Ministers have always prepared requests for missions and

sent them to the ministry of finance for approval and payment. Requests for mission are official documents which are submitted to the control and verification of the directorates of budget and of financial control before payment. They included the budget, the purpose of the trip, the names and number of people who are traveling, their destination and the duration of the travel. At the end of the fiscal year, national directors, and directors of administrative and financial affairs always managed to produce forged financial documents to prove that money allocated to the ministry has been spent to produce goods and to provide services to citizens. A participant honestly states it:

“The party needs reliable civil servants not only to implement its policies but also, let us not hide our faces because everybody knows that political parties live on public money. So the party needs reliable people who can guarantee the resources needed for parties’ functioning. So the party needs a director from whom it can ask a favor of placing 4x4 pickup trucks at the party’s disposal to transport party officials on a party mission or a director who can rather give State contracts to party militants, than to deal with people who are not willing to do any favor to the party..... For example, if the party in power appoints a cadre without political coloration, he/she does not have to feel obligated to join the party, but he/she must provide the party with the service expected from a civil servant.”

5.1.3.3 Securing Elections Victory to Political Parties

Participants said that policy implementation was not the only reason for parties' clientele formation. The second reason was the search for reliable cadres who can secure election victory for the ruling party, parties appointed civil servants who would agree to return favors to the party. Thus parties use civil servants to bring back and to build an electorate for them or at least to guarantee election victories.

To achieve this goal the ruling party has often used the services of the ministry in charge of public safety to re-conquer the electorate in some places in the country. The minister in charge of public safety, who was not member of the ruling party, instructed his staff to conduct a special mission aiming at convincing opinion leaders, traditional leaders and elders to vote for the party in the upcoming elections. Meanwhile, the ruling party leaders officially declared in a speech, that at the next elections, their party will carry that particular place. Their efforts bore fruits because the party carried that area in the very next elections. A participant who knew about the secret mission revealed the instruction given to the missionaries here in his own words:

"We have a difficult zone, we have a budget for you; we want you to do everything in your power to bring us the electorate of this area for the party's sake".

The ruling party leaders could also make a deal with a civil servant whom they appoint to a position in which he/she can secure election victory for the party:

"I want to appoint you as governor of this area, because it is a difficult area; thus do your best convince the "Great Electors" to vote for the party."

Civil servants have been subject to acerbic criticisms from both citizens and political officials. Public opinion believes that civil servants are not impartial in the handling of the electoral process. The two administrative agencies which are involved in the electoral process have always been under fire. The

“Direction Générale des Elections” has been criticized for the non transparency in its work especially with regard to the establishment and the management of voters’ database and voters’ cards. At the 2007 presidential election, this distrust led to a crisis between this agency and the Secretary General of the RPM party who demanded either an audit or at least a scrutiny of the agencies electoral activities. The distrust also came from the fact that the agency director is a military.

The Ministry of Territorial Administrative and Local Governments has also been subject to criticism. Both political officials and citizens accused this ministry’s cadres of not being neutral and for encouraging fraud. After the 2009 municipal elections, the president of “Union pour le Développement au Mali (UDM)” angrily denounced before the media massive electoral fraud perpetrated by some actors of the election with the complicity of the electoral administration in charge of the electoral process. He said that actors and unhappy recipients reported how piles of ballots with fingerprints have been removed on the election eve with the complicity of corrupt polling station presidents and distributed to people to use them to vote for specific parties in exchange for very little money. Elsewhere voters’ cards were removed and given to unknown voters to vote with these cards. In addition, taking advantage of the ignorance of many party representatives in polling stations, forged poll reports and minutes were written. The President of CNID also made the same comments before the media. He has denounced cheating and the purchase of consciences with the complicity of the electoral administration. All these demonstrate the people’s distrust in civil servants’ role in the electoral process.

5.2 NATURE OF CIVIL SERVANTS-POLITICAL PARTY LEADERS’ RELATIONS

The result of data analysis showed that there are five (5) indicators of the relationships between party leaders and civil servants. They are namely 1) senior civil servants as political party leaders, 2) civil servants as “pragmatic” self interest seekers, 3) party leaders as clientele seekers,

4) party officials' alluring behavior, and 5) state clerks' resistance to political involvement. In Mali, senior civil servants are also party leader. In these dual roles, they have always sought to secure and preserve their interests on both fronts. In addition to preserving their interests, they have also always attempted to recruit clientele for their parties in the civil service. However, many civil servants also engage in courting political parties as their position hunt strategy while a relatively small number struggle to resist political involvement.

5.2.1 Civil Servants as Political Party Leaders

Participants pointed out that a very important feature of the Malian political system is that the political community comprised of more civil servants than people from liberal professions. Therefore, there is inevitably an interpenetration of political parties in the civil service today in Mali. This is to say that the vast majority of Malian political *élite* wear two hats: they are the political parties' leading class and senior civil servants at the same time. As such, they all aspire to "good" or "juicy" positions in the civil service. Obviously, their first wish is that their party be able to place them at "juicy" civil service positions. Therefore it is a shame that participants have found the Malian civil servants to be very unfaithful party militants.

The politicization of the civil service also occurred mainly because in political parties, all the executive body members are mostly civil servants. Therefore, civil servants engage in a courting game with parties and party leaders while it is also certain that party leaders also have tried hard to charm and even sometimes have forced competent and capable civil servants to join in. Finally, there are few cadres who have decided not to enter politics and who have a hard time keeping their political neutrality.

All those who can think, find social agenda, bring ideas and opinions to the parties, criticize government action and can access information, are civil servants. These people are party leaders, parties decision-makers. All those who can think, find social agendas, bring ideas and opinions to the parties are civil servants. The development of the private sector dates back to the late 1990s in Mali when many state enterprises have been privatized and certain professions were liberalized. Those who are in the private sector are more interested in taking care of their businesses. But they often forget that in fact the policies and decisions that are made are likely to make their businesses prosper or go bankrupt.

Therefore, parties are very much present in the civil service. People's willingness to comply with the rules of deontology of the civil service, is what shows how different they are. Some take less account of their political affiliation while in the line of duty. Others are openly biased in the line of duty and care more about matter related to their party members. Because party leaders are also civil servants, they are caught in the politics-administration dilemma. As they aspire as civil servants to gain access to higher civil service positions, as political leaders, they have avoided to publicly acknowledge their membership to the opposition in the ADEMA era. Under the "consensus" rule, they were forced to either keep quiet or weigh their remarks or refrain from clearly expressing their disagreement with state higher officials for fear for their careers in the civil service and their parties' survival.

5.2.2 Civil Servants as "Pragmatic" Self-Interest Seekers

Participants felt that more often, senior civil servants adhered to political parties not for political conviction, but in the hope that a particular party will help them access a "juicy" position in the

civil service. What are called “juicy” positions are those financial management positions where the politically backed civil servants have access to and control of state resources.

Some participants have offered two main explanations for this behavior. The first explanation was historical. They argued that political leaders in the single party system and military dictatorship have exercised so much pressure on civil servants in the treatment of various cases that it was very difficult for them to keep their impartiality. So the behavior became a heritage which has proven difficult to eliminate.

The second argument was economical. For a long time, Malian civil servants were one of the most underpaid in Africa. Thus, the low pay was also believed to have shaped civil servants’ behavior. Appointment to “juicy” positions went with the entitlement to allowances and perks which supplement the low salary. Others have invoked political opportunism to explain this behavior. They said they have noticed that partisan politics has become the rule of the game and the survival mechanism for experienced and competent civil servants to maintain themselves in their positions.

Those who are lucky to get appointed to “juicy” positions are been forced to accept the rules of the game imposed on them by the political party which has appointed them to remain in their positions, respondents added that some highly regarded cadres who hold top positions in the civil service have been known for changing their party membership so many times to secure their positions as a survival mechanism. This is a behavior that is commonly referred to in Mali as “political nomadism”. Below is a participant’s statement with regard to the practice:

“I know someone who had three or four party membership cards. Because at the beginning in fact CNID was flying high, a young party which preached the “Ko ka djè: fight against corruption and promotion of transparency”, he was a

CNID member. But when already in the first round it was obvious that the ADEMA candidate was likely to win the elections, suddenly he became an ADEMA member.”

Participants have also explained civil servants' courting behavior as a way of seeking party sponsorship for appointment in their dream positions. They showed off and made themselves available and useful to parties, particularly the ruling party. When they learned that the party was in need of some experienced people to do some specific work, they did everything to contact party officials who were in charge of the matter and proposed their services. They completed the assignments as quickly as possible and turn them in. They attended party events, made themselves noticed through comments and suggestions about how to make things better in the party, made financial contributions or volunteered for parties. This was characteristic of the behavior of cadres who have poor or average professional worth in their attempt to emerge. When they succeed in joining in, cadres also have displayed a collaborative behavior toward parties. Participants said that unfortunately the Malian civil service is full of these kinds of agents. One participant described these courting maneuvers below:

“There are gold diggers, people who want to make it at all cost, who think that the shortest road as it is very often said is not the straight line, but the ladder. You show off, you make yourself useful to the party. When someone tells you: ‘he/she is the secretary general of such party who has such documents for such and such assignment’, you do everything, if the assignment requires a week, and you do it in two days. You turn it in yourself at the party headquarters and you say things like ‘I would have really wished, I heard about your party, but if you made such or such thing it would be better and so on.”

Participants clearly expressed their concern about the practice of “political nomadism”. They firmly believed that some mechanisms must be developed to either stop the behavior or to inflict sanctions to those who engage in “political nomadism”. In addition, they called for a regulation of civil servants involvement in partisan politics and one of them out of frustration said this:

“I think that we need to make the difference between commitment, the membership to a political organization and the expression of this membership. I believe that we need to organize this at the level of our state, the expression of the political engagement of civil servants while proceeding to the necessary differentiations according to levels or strata of the civil service.”

5.2.3 Political Parties as Clientele Seekers

In this regard, the relations seemed to be simple. The ruling party needs competent civil servants to implement its policies. Civil servants need the ruling party to access positions they have always wanted. In the ADEMA era, in the party’s search for civil servants’ responsiveness and subservience, its officials demoted incumbent cadres and promoted those who were at the bottom of the pyramid. Incumbents who are not been replaced would only owe ADEMA leaders the chance they have been given to remain in their positions. Agents who have been appointed or promoted felt obligated to the ruling party ADEMA. This was a clientele formation exercise; it was a way to constitute a group of obligated cadres to the party. A participant had this to say about ADEMA leaders’ move when the party gained power:

“I do not know if you have read “the Prince” of Machiavelli? When a new power comes in, it needs to demote incumbent cadres and promote those who were at the bottom so those individuals know it is to the ruling party that they owe

everything. An incumbent does not owe you anything except the chance you give him to remain in his/her position. Whereas someone you appointed or promoted feels obligated to you more than an incumbent.”

The massive invasion of the civil service with non civil servants party members has also been deplored. Public administration is a profession that requires specific training. This invasion of the civil service with agents who have no training for public service, who have never served in the civil service and who enter as “*chargés de mission*” or “*chefs de cabinet*” and others as part of ministers’ staff members constitute the gangrene of the civil service; this is clientelism at play.

The practice is very wrong because these positions have been neither very well defined and described, nor well targeted and it was agreed upon that they will be the political components of ministerial cabinets. But they have become positions that allow for intrusion of non-civil servants in the civil service, totally disturbing and disrupting hierarchy. The practice has also caused a serious discomfort among career civil servants because it means that people have found an alternative door of entry in the civil service. These people came in as “*chargés de mission*” and remained in the civil service without meeting the qualification requirements.

The practice has caused complete hemorrhage, a disaster, one of the reasons why civil servants’ ascension in the administrative hierarchy has become problematic. Indeed it is very unfortunate that this has been the entrance for all those who are called “*chargés de missions*” and others. The imbalance caused by non-civil servants has been exacerbated by an attraction effect and many people have been trying to go in the direction of the attraction initiated, a rush of people to what are called “juicy positions.

Some civil servants coming from different horizons have also invaded others “*corps*” while draining the rest of the system. These two factors combined to worsen the deficits that have been caused by structural adjustment programs.

In any case the hiring of contract agents in the civil service to close the deficit of civil servants in certain sectors of the civil service became a necessity provided these hiring be under control otherwise, they may be used for political partisan hiring. Obviously, there are some ratios which are necessary for the civil service to function well. If a palliative is to be found to close the deficit, the contractual hiring can be considered particularly in education and healthcare sectors.

In fact an incident that broke between the Minister of Health and the Minister of labor over the hiring of health professionals brought suspicions in this regard. The Ministry of health has gotten some budget allowance to hire a fix number of contractual health professionals to staff the health facilities throughout the country and the hiring was to be done by the Ministry of Labor because as the central hiring authority. After the hiring decision was signed and although both ministers are members of the same political party, the Minister of Health rejected the decision, accusing the Minister of Labor of not only hiring more people than requested but also for hiring a large number a people who have no healthcare training. Neither the identity of the disputed new recruits nor their educational background has been revealed. Then public opinion made inferences of partisan hiring.

5.2.4 Party Officials' Alluring Behavior

Participants also described party officials' behavior toward some talented and highly qualified cadres. Initially, they have noticed these talented civil servants and parties have appointed them to key administrative positions if the party had no qualified members to fill the positions they need to fill. In these cases, parties did not openly require these civil servants to join in. As time went by, it became tempting for them to join the parties that have appointed them. In most cases, these agents have ended up joining their benefactor parties as a sign of gratefulness. If they do not do so, they are likely to lose their positions because of pressure from unhappy party members. The deterioration of work relations may lead either on party members' resignation or their replacement with party members like a respondent put it:

“Some situations occurred in which civil servants whose worth has been truly recognized by everybody have been appointed by parties because in their view, they did not have senior executive members of the parties they needed to fill certain positions they had the obligation to fill. Parties do not ask these people do join in..... Right there, chances are that people move into their minister's camp; choose the camp of their minister.... because there are pressures from party militants who are also waiting.... So, this could gradually deteriorate work relations, the work environment which can cause the agents to resign or the minister to get rid of them.”

5.2.5 State Clerks Resistance to Political Involvement

Participants talked about a scenario which involved civil servants who have decided not to get involved in politics. These cadres do not care about political parties; they do their job and do not care about the rest. At least they have good conscience. They kept their dignity and did not

prostitute themselves for politicians. They regarded themselves as clerks of the state and paid allegiance to the State. They may not be numerous, but they exist. These cadres often displayed a behavior of indifference to politics. They do their job faithfully and well, they do not fear anything from party leaders. Thus these are people who are detached from political considerations. They considered themselves to be servants of the people and their main concern was the satisfaction of citizens needs, which is the *raison d'être* of the civil service. Besides, they were ready to oppose their professionalism to parties and party leaders and did not worry about political interferences.

Parties have still tried to court them too. When they resisted, party courting turned into a threat of removal of the cadres from their positions and their replacement with party members. In many cases, these cadres ended up losing their positions to some of those who accepted to be subservient to the political élite or to political friends and “*protégés*.” Some of them have been lucky to be move to lesser important positions while other not so lucky have been left on the sidelines without any reappointment or even redeployment for an undetermined length of time.

Ultimately, this took the form of punishment inflicted to these “disobedient” cadres as the lesson of their vulnerability and helplessness with regard to the political power. By doing so, political parties sought to send a strong message to career civil servants who were bold enough to turn down their membership and loyalty requests.

Participants also mentioned the social challenge faced by the big clerks. In Mali, each civil servant feeds and takes care of an average of ten people, members of their extended families. On the one hand, newly appointed ministers would want to force the big clerks to resign by making their lives miserable in many ways. When these agents are fed up and decided to resign, their family members urged them to stay no matter what for fear of loss of status and

resources to take care of them. The truth is when these agents quit their positions their communities will suffer from it terribly. This is the social aspect of the matter. A participant who has suffered this practice gave his testimony:

“It is true that people are not the same. There are some who would say ‘I don’t care, I do my job. If I am not treated properly, I will resign’. But most of the time, your parents and relatives themselves will tell you ‘Hey, you better lean on God. Stay there nothing will last forever’. Indeed they do not want you to resign from your position; they depend on you. So, when you quit your position, the whole community will suffer from that. So in fact, they prefer that you suffer there, that you curve your spine while waiting for those people to leave.”

Finally there are those who do not want to get involved in politics but who fear party leaders for eventually causing them trouble. These cadres will try their best to please and compromise with party leaders and avoid clashes with them. This behavior may be prejudicial to the functioning of the agency.

5.3 POLITICIZATION AS A THREAT TO THE BUILDING OF A PROFESSIONAL CIVIL SERVICE

Participants felt that a civil service ought to be professional by definition. And they defined a professional civil service as a civil service which agents are qualified and comply with the rules of deontology of the civil service, namely impartiality, equal treatment for all the users, a civil service which is characterized by its moral integrity, a civil service which tries to take into account its users the needs, as well as the realities of society which it serves. In other words, if

servants are accountable for being fair, just and equitable in their decision and actions in order to help citizen enjoy liberty, justice, freedom, equality and equity, this implies that they are upholding a significant number of moral and ethical values.

The result of data analysis suggested seven (7) indicators that showed that politicization is a threat to the building of a professional civil service capable of supporting democracy and development. They are: 1) civil servants and decision and policy making, 2) degree of openness of policy and decision making, 3) public service delivery and users' satisfaction, 4) transparency and accountability in the civil service, 5) independence, autonomy and neutrality in the civil service, 6) honesty and integrity in the civil service and 7) civil service values and state officials' moral values.

5.3.1 Civil Servants, Policy and Decision Making

Ruling party leaders needed reliable and qualified civil servants to implement their policies. But their preference went to those who are willing to pledge allegiance to them. They believed that the advantage of such preference was that loyal agents are more likely to support their political choices with devotion and loyalty and to facilitate the attainment of their goals and objectives.

More often, cadres took positions generally favorable to the ruling power with no worry for either the rule of law or for citizens' interests. Their conduct was mainly dictated by political motives which have nothing to do with the objectivity that must characterize administrative decisions.

The disadvantage was that obviously a cadre who supported a given party's political choices was not tempted to tell certain truths to party officials for fear of losing their positions. They would prefer not to draw party officials' attention to certain risks of certain actions.

Consensus politics has complicated the situation. Since there was no opposition, everybody supported the regime. As a result, anything the highest authorities did was said to be good even if it was not.

In 2007, a few days before the general elections, no party had been able to meet the requirements to qualify for public financing. But it was decided to break the law and to grant public financing to political parties. This exposed their weaknesses and inconsistencies, the non respect of the rule of laws duly enacted and the lack of discipline of state authorities. This action appeared like the highest authorities way of linking political parties' financial dependence to their kindness. The action also appeared as a large scale political corruption legalized by the ruling power with political actors' tacit consent. If political parties' goal is to defend the people's interests, it is morally wrong for them to live on taxpayers' money without any contribution to their well-being.

This is beginning to change, at least in the National Assembly. Opposition parties have challenged state officials' law breaking habit in the SOTELMA-BIM privatization case. The case involved 180 billion CFA francs (about \$395,604,935.6 at an exchange rate of \$1=455 CFA francs) the state collected from the privatization of a state bank BIM sa. and a state telephone company SOTELMA. In the National Assembly's October session, SADI-PARENA coalition members realized that the 180 billion CFA francs has not been included in the 2010 budget document while an expected revenue from the upcoming privatization of some other state enterprises was included. They held a press conference to denounce the executive branch's less orthodox financial management practices and to publicly require that the amount be included in the 2010 budget proposal as state revenue.

On Friday November 6, 2009, the executive branch held a press conference in Koulouba Palais Banquet room to inform public opinion and Mali development partners about how the money will be spend. The public believed it was out of embarrassment and upon the insistence of the parliamentary opposition coalition SADI-PARENA that the executive branch held such a press conference on the

matter. Many officials were invited including the Prime minister, the ministers, members of the National Assembly, chairpersons of state institutions, Ambassadors, representatives of development agencies and members of civil society organizations.

In their introductory remarks, the highest authorities of the state chief said: “we owe our nation, our institutions and our elected officials this exercise”. Then they argued that: “since this money is an ‘exceptional revenue’ for the state, it must therefore be used to fund state actions which support economic growth” and tried to give a detailed explanation of how they intended to spend the money. Then they tried to convince people that there will be transparency in the use of the money to achieve the targeted objectives in these terms: “the allocation of the money to various identified actions will be done through the budgetary process”. Then the Prime minister was instructed to appoint and chair an inter-ministerial committee to manage the funds. It was obvious that the press conference was improvised.

After these introductory remarks, the Undersecretary in charge of state budget took over and has tried hard to give the details of the announced plan with a table. However, he was not successful in his attempt because of the poor quality of his table. It did not take too long for people to realize that the table had many incoherence and omissions; the figures in the table did not match the initial announcements. This led the public to believe that the Undersecretary’s table was hastily drawn under intense political pressure in his rescue efforts of the announced plan. This was likely to be the reason why emphasis was placed on the upcoming committee needs to give itself ample time to better design and develop the financial policy pertaining to the spending of the “exceptional state revenue”.

Out of dissatisfaction from the executive officials’ press conference and the poor performance of the Undersecretary in charge of state budget, Honorable Sidibé, an opposition representative in the National Assembly, requested that the Minister of Economy and Finance come to the National Assembly and submit to the questioning of members of the National Assembly with regard to the non inclusion of the money in question in the 2010 budget proposal. The Minister of Economy and Finance sent his undersecretary to the National Assembly to submit to deputies’ questions. In his answers, the

Undersecretary insisted that the law allows the executive branch to invest such “exceptional revenues” in development initiatives.

Honorable, Sidibé who is also an expert in public finance said that the process was tainted with serious suspicions. He asked about the motives behind the executive branch’s decision to use these funds without the National Assembly’s input and added that both the decision and decision making process violated the principle of public expenditure orthodoxy. Honorable Sidibé expressed his concerns in these terms: “What concerns us is how things should be done”. He denounced the double standards for the inclusion of expected revenue from an upcoming privatization of some other state enterprise while withholding the money that was readily available.

He was outraged by the submission of the 2010 budget proposal to the National Assembly with a deficit of 94 billion CFA francs to be financed by a heavy debt and by the fact that the interests the 180 billion will generate from its placement in a bank will not even be enough to cover the interest of the debt. He called the executive branch’s decision “a deliberate practice of poor financial management and accounting” of state resources and said that this decision will adversely affect the economic as well as the social and living conditions of the Malian people.

Obviously, cadres in the Ministry of Economy and Finance knew this way of doing thing was not consistent with the laws and regulations pertaining to state resources, the budgetary process and public accounting. Rather, it was a deliberate violation of Act N° 96-061 of June 28 1996 determining the fundamental principles of public accounting which requires that public resources, state assets be managed in such an orthodox way, that financial and accounting operations be recorded in an accounting consistent with general norms and submitted to the control of competent authorities.

In this endeavor, cadres knew that the executive branch was discarding the law on public financial management, public budgeting and public accounting. But nobody dared to denounce it or at least to call attention on this as a gross decision, even the Undersecretary who is a well respected technocrat. This is to say that civil servants do not weigh heavy in decision and policy making in Mali. They have a very limited influence on decision and policy-making. Only the highest officials in the

executive branch decided on everything without even consulting with cadres on the feasibility of their decisions. More often, on their trips to the countryside, people take advantage of their populist behavior to directly submit various requests to them. Instead of saying that delegation members will make a note of the requests and upon their return, they will be examined for their feasibility, promises are made on the spot to satisfy the requests. This decision-making pattern seriously affects the operation of the civil service. It is very important to mention that M. Sidibé is from the private sector. He runs his own auditing firm Koni-Expertise. No civil servant elected in the National Assembly would dare to challenge the executive branch higher officials' way of doing things even if they break the law.

5.3.2 Degree of openness of policy and decision making: civil society involvement

Civil society involvement in policy-making has started with election monitoring but is far more extensive and includes regular control of policies, priority setting, implementation, equity, budget allocation and the effectiveness of service delivery. Civil society has a limited record of playing a rigorous role of watchdog. The record that exists is much more noticeable at the national level than at the local level. The main actions at the national level to date have been taken by the media. For example, the “Réseau Malien des Journalistes contre la Corruption et la Pauvreté” has publicly complained about the government slow pace in the investigation and prosecution of exposed corrupt activities, inaction against busted public officials in corruption cases and private newspapers have made accusations of rudeness of government officials. The Bamako-based press “Les Echos” and “Info-Matin” regularly exposed, reported and complained about government inefficiencies, inconsistencies and bad behavior. But the media related checks on government are not always well researched, non partisan or consistent.

More often, many civil society organizations are limited in their actions because of their economic dependence on international development partners and their partisan political stance. This could influence their actions. With regard to the press, newspapers can accept payment in exchange for publishing an article. Members of civil society organization have also the tendency to be active in the hope to be noticed and to gain access to government positions. In fact, civil society leaders have always struggled to get appointments in government as Ministers or to occupy other administrative or political positions in the state apparatus. For example, since the Secretariat for Women Affairs has been transformed into a full ministry, most of the ministers appointed there have come from the Umbrella organization of “Collectif des Associations et ONGs Feminines (CAFO)”. Also, at each cabinet reshuffling, few members of civil society organizations get appointed at Ministerial positions. Therefore, this ambiguous position of civil society organizations seriously weakens their role as watchdogs.

5.3.3 Public Service Delivery and Users' Satisfaction

A reference to the general opinion about the civil service, the public is dissatisfied with the service for several reasons. Some people think that civil servants are slow and not qualified for their jobs. Others think civil servants lack integrity, meaning they are prone to corruption and favoritism. People have a bad image of civil servants. They think that civil servants are people who are not competent, who are not impartial and who put their personal interest before the interests of the citizens and the state. But it is well known that there are civil servants whose behavior is condemnable because they do not care about users. But there are also civil servants who are as conscientious as they can be, who are respectful of the deontology of the profession and who carry out correctly their duties and obligations toward users of public service.

Civil servants were found to have a bad behavior toward users. First of all, absenteeism is believed to be one of the contributing factors to the poor quality of public services. However, among all the problems identified, absenteeism appears to be the easiest problem to solve because it is the consequence of the lack of discipline, disorder and the lack of control. The sad spectacle of deserted offices by employees who stepped out to take care of daily businesses showed how deep the problem was.

Citizens complained first and foremost about the fact that civil servants do not accommodate them well, that services are not delivered in reasonable times and that users are at the mercy of civil servants. They argued that civil servants take too long to deliver services to the public. In public agencies such as the police or communal administrations, simple services take the form of a journey of a combatant. To get an identity card or a passport from the police administration, citizens have to start queuing very early in the morning just to get their personal information recorded. It takes the front desk police officers two to three days to deliver the signed identity card to the individual who has requested it and paid for it. For the passport, it takes five to seven days. As of the communal administration it takes front desk agents five to ten days to deliver a marriage or a birth certificate.

Besides, no one was able to tell citizens exactly when their documents will be ready. The processes for delivery of these official documents were so slow and so complicated, that people could never be satisfied because of the time and energy they spend to get them. Unfortunately, this was the reality of those who need services from the state administration. Thus services were badly rendered to citizens and civil servants felt so powerful that the idea of serving the citizen was the least of their concerns.

Public service users felt also that the coming and going they were submitted more often appeared like an invitation to bribe for satisfaction. Sometimes, users will find that the agency director has traveled to his/her village to lead a rally or to campaign for a public office position. So they will be told to come back the following week because the boss has not had a chance to sign the documents submitted to his/her signature before he/she leaves. This caused frustrations and discouragement.

Public service users also complained about the lack of respect and courtesy. Most public agencies did not have a system of welcoming and guiding users. When users entered a public agency, nobody cared about them. They had to struggle on their own to find the persons in charge of the services they came to seek. This was why people always tried to find out if they have friend, relatives or acquaintance in a particular agency or they ask their friends if they know someone in that particular agency.

When users found the right case agents, very often they are being ignored because those front line agents were more likely to be on the telephone. Users have to restrain themselves and wait stoically until whoever they are talking with finishes to tell the latest gossips and trivial occurrences. When frontline employees hang up the telephone, users are not served on the first come first serves basis, meaning that fairness and equity have become problematic in the civil service. The most practiced system was the system of affinity. If they had an affinity in the agency, they go straight to that person and ask for help. If they know nobody in that particular agency, it will take them time, energy and temperance to get the service they came to seek.

Participants portrayed Malian civil servants as not effective in terms of service delivery to the public. They found civil servants very effective toward their supervisors, men and political authorities. When political authorities instruct them to do something, they do it

correctly and promptly. But when it comes to users, they take their time since the law does not set time limits for the processing of public demands. Some other participants pointed out that ethics and public service mission are no longer the structuring goals of public action. One participant gave striking examples to illustrate this situation:

“From the moment we do not have a clear perception of our role in the State, in the civil service; it is difficult to provide quality service, efficient and effective service to the user. Let us consider the case of healthcare. You go to the emergency room, you will find that the stretcher-bearer is drinking tea. It is the person who has taken the sick person there who will be forced to carry him/her on the stretcher. This is not understandable because there are people for that job. You come to the door of a ministerial department you realize that the gatekeeper in charge of raising and lowering the barrier is absent. He gets his paycheck; nobody can withhold a dime from it. You want to enter an agency, chances are you will find the front desk agent on the telephone; he/she does not even bother to tell you ‘have a seat’. We frankly cannot feel that we are satisfied”.

Another perspective that participants brought in was the public’s lacks of objectivity. They argued that the public often deplores something from which it would have liked benefit. A user may deplore that another user’s requests has been promptly handled and that the principle of first come first served was violated. But if by chance, this kind of rule-bending promptitude had been applied to his/her case, he/she would not see any problem with that. Criticisms are made for cases which do not benefit them. But once the denounced misconduct is in their favor, there is no criticism. This is nevertheless the other side of the issue. If the public can complain about a certain number of things, civil servants also can complain about the public’s behavior of always wanting to benefit from advantages, always wanting to be served first to the contempt of the principles that often the accused civil servants impose on them.

When a user comes in the morning to request a service; if the civil servant tells him/her “come back tomorrow” he/she does not take that for an answer; he/she wants to get what he/she wants immediately. It really is a muddle; it always should be treated in ambivalence. Perhaps if it is good to criticize civil servants, it is also necessary to criticize a little the behavior of the public and to develop measures so that this public too can display a good behavior toward public service providers.

5.3.4 Transparency and Accountability in the Civil Service

Participants strongly believed that one of the Malian civil service’s weaknesses is that management and control functions in public agencies are not upheld. It is very important that management and control functions be emphasized. This leads to the accountability issue. Mali had a civil service which is not accountable at all because there are no clear rules of accountability. Therefore, when individuals are not accountable, this is the door open to arbitrary decisions; the door open to what they want; the door open to all sorts of misconducts. One of the key features of the Malian civil service is the absence of a functional system of accountability.

Ministers who are parties members were selected on the basis of their importance or their allegiance to the party. Allegiance was prolonged in ministries, in the choice of people with little respect for criteria of professionalism. Allegiance continued in the directorate of administrative and financial affairs because of the inadequacy of the rules; and with the non-observance of the rules in the way they have been enacted, human and financial resources management lack transparency.

The massive arrival of politicized executives and politicians in the civil service was not likely to improve the quality of public service because authorities of control, be it administrative control, legislative control or judicial control, did not play their roles lawfully. Therefore, the functioning of the civil service was completely tampered. In fact there was no neutral control on the functioning of public agencies.

With the advent of democracy, the distribution of power between the legislative, the executive and the judiciary was intended to allow the power to stop the power. The corollary was that the legal system be based on competence and ethics to better serve citizens. Unfortunately, the principles of checks and balances found themselves erected in a *clientèle* system. The three branches of government have the same *clientèle*. In such a situation, there is a little chance for citizens to have their rights protected.

5.3.5 Independence, Autonomy and Neutrality in the Civil Service

For some participants, there were only few civil servants who manage to respect the obligation of neutrality and impartiality the law imposed on them. The vast majority have abandoned their moral and ethical obligations for fear of losing their positions. They have always taken positions generally favorable to the power holders with little or no concern either for the rule of law or for public needs and demands. Their conduct was mainly dictated by political considerations which have nothing to do with the objectivity that must characterize administrative decisions. The civil service in its role of association with political parties and supplying them with public money cannot be said to be either independent or autonomous. This was the reason why a segment of the public generally makes a bad judgment on civil servants given many do not have the conduct expected from them.

Malian civil servants were no longer in the position of neutrality, independence or autonomy which the statutes and the missions of public service required. To get a promotion and to ensure their subsistence, more and more civil servants were tempted to make allegiances to political parties and political groups who were likely to appoint and promote them to some positions which can allow them to leave their dream life. As a result, political conviction and militancy were being abandoned. They have been replaced with the conviction about the pursuit of personal interests or clientele group interests. Thus civil servants seemed to have lost any claim of personal conviction on political issues. Ministers who were party members were more at the service of their parties and their partisans rather than at the service of the general interest. A civil service which has associated itself with the political establishment in the looting of the State can be neither independent, nor autonomous, nor neutral.

5.3.6 Public Service Delivery, Honesty and Integrity

With regard to integrity and honesty in the civil service, participants deplored the fact that the Malian society has given up on ancestral education and people thought that modern teaching could replace the traditional manner of acquisition of moral values which encourage the individual not to steal not to lie among others. Therefore, people have stopped teaching children these values. People know that stealing public money has no consequences. This is the sign of a serious moral education deficit. We hold for truth that dishonestly acquired goods have consequences on the individual in his life or on his offspring. This is the cultural teaching which was really important in Mali and which has almost disappeared today.

Embezzling public money, forging financial management documents, using state resources for private use and illicit enrichment from public money are practices that many civil

servants are proud of. These practices have been transformed in a governance style endorsed by the Malian highest authorities. So concepts such as honesty and integrity are disappearing from the vocabulary of the Malian political and administrative communities.

5.3.7 Civil Service Values and State Officials' Moral Values

Participants affirmed that State officials engagement in grand corruption was a significant contributing factor to the decay of moral values in the civil service. That was why despite rhetoric and the establishment of institutions to fight against corruption, Mali has scored no significant results so far. One participant told a very shocking story about state officials' grand political corruption and financial delinquency in the course of his interview. He said that the chairman of a very large state company gave large sums to the ruling party ADEMA. Unfortunately for the ruling party, this man has made records of all the transactions and has kept them in a safe place. The company audit revealed an enormous deficit in the financial management. Despite all the attempts to indict him, he said that he acknowledged that what he did was wrong. But he did it because he was forced to do it. But he informed ADEMA leaders that the documents are kept in a safe place and that he will give them to the judge in court at the trial. State officials decided to arrest him, then quickly released him and the case was dismissed on the ground that the man has some serious medical issues to take care off at that moment. There was never a trial. This case and many more similar cases are known to have happened.

Thus in Mali as grand corruption became rampant, impunity became the keyword. These are not corruption, because people hide to engage in corrupt practices. But these are cases known to everybody, including inspectors and auditors in the state financial and control systems. People diverted public money without fear of sanction. This was the major challenge the Malian

democracy faced. In Western democracies, the systems are based on the fight over ideas, issues and militants involvement. Democracy in Mali has turned to a struggle to get a slice of the national cake. People entered politics to line their pockets rather than to help the country develop. In any case, financial delinquency could not be punished because those who had the power to sanction were themselves heavily involved in the practice, were sponsoring the practice.

Table 4. Core category 1: Degree of politicization of the civil service

| Open codes | Axial codes | Selective codes |
|---|---|--|
| <ul style="list-style-type: none"> ➤ Ordinance N° 77-71/CMLN; ➤ Ordinance N°79-09; Act N°94-09; ➤ Insufficient criteria. | <ul style="list-style-type: none"> • Existence of legislation. | <ul style="list-style-type: none"> • Political appointments and promotions. |
| <ul style="list-style-type: none"> ➤ No defined criteria; ➤ Friendship, family and clientelism ties; ➤ Subordination to the political <i>élite</i>; ➤ Merit not important; ➤ Party membership. | <ul style="list-style-type: none"> • <i>De facto</i> criteria applied. | |
| <ul style="list-style-type: none"> ➤ Exclusion of UDPM collaborators; ➤ Priority given to ADEMA members; ➤ Exclusion of opposition party members. ➤ Affiliation to ADEMA for political blanket | <ul style="list-style-type: none"> • Politics of exclusion with politicization outcome. | |
| <ul style="list-style-type: none"> ➤ Political loyalty; ➤ Moral satisfaction for helping the family; ➤ More peaceful society; ➤ Incompetence; ➤ Lack of experience; ➤ Mediocrity; ➤ Frustration and de-motivation of competent agents. | <ul style="list-style-type: none"> • Advantage and disadvantages. | |
| <ul style="list-style-type: none"> ➤ Preference for incumbents replacement; ➤ Preference for retaining certain incumbents; ➤ Necessity of loyalty to the state. | <ul style="list-style-type: none"> • Absence of loyalty to the state; | |
| <ul style="list-style-type: none"> ➤ Party allegiance as a must; ➤ Sabotaging work for loyalty to parties; ➤ Non observance of management rules | <ul style="list-style-type: none"> • Existence of loyalty to theirs parties. | <ul style="list-style-type: none"> • Civil servants involvement in partisan politics. |
| <ul style="list-style-type: none"> ➤ Buildings tearing and reconstructions; ➤ Replacement of the equipment. ➤ 10% of bid as a bribe. | <ul style="list-style-type: none"> • Fundraising for parties through state contracts. | <ul style="list-style-type: none"> • Party interests vs. public interests. |
| <ul style="list-style-type: none"> ➤ Appointees' contributions; ➤ Rewards for supporters; ➤ Forged financial documents; ➤ Party officials' trips paid; ➤ Private sector's contribution | <ul style="list-style-type: none"> ✓ Parties financing through cash money, goods and services. | |
| <ul style="list-style-type: none"> ➤ Civil servants securing votes; ➤ Civil servants' complicity of fraud. | <ul style="list-style-type: none"> ✓ Securing election victory to parties. | |

Table 5. Core category 2: Nature of civil servants-political leaders' relations

| Open codes | Axial codes | Selective codes |
|---|---|---|
| <ul style="list-style-type: none"> ➤ Weak private sector; ➤ Civil servants capable of agenda setting; ➤ Civil servants capable of bringing new ideas; ➤ Civil servants capable of thinking; Possible partisan. | <ul style="list-style-type: none"> ✓ Party leaders are also civil servants; ✓ Few private sector party officials; ✓ Parties presence in the civil service | <ul style="list-style-type: none"> • Civil servants as political party leaders. |
| <ul style="list-style-type: none"> ➤ Imbalance of the Civil service; ➤ Contractual hiring; ➤ Showing off; ➤ Volunteering to help parties; ➤ Suggestions for betterment. ➤ Political “nomadism” | <ul style="list-style-type: none"> ✓ “juicy” positions hunters; ✓ Courting parties; ✓ Seducing party leaders. | <ul style="list-style-type: none"> • Civil servants as “pragmatic” self-interests seekers. |
| <ul style="list-style-type: none"> ➤ Appointment of cadres obligated to the party; ➤ Chargé de mission hiring; ➤ Chef de cabinet hiring; ➤ Partisan hiring. | <ul style="list-style-type: none"> ✓ Clientele formation exercise; ✓ Non civil servants hiring. | <ul style="list-style-type: none"> • Party leaders as <i>clientele</i> seekers. |
| <ul style="list-style-type: none"> ➤ Shortage of non militant qualified cadres; ➤ Expectations of non militant qualified cadre to join; ➤ Pressure from party ➤ Work relations deterioration; ➤ Release of non militant cadre | <ul style="list-style-type: none"> ✓ competent cadres; ✓ Moral obligation to join the minister’s party | <ul style="list-style-type: none"> • Party officials alluring behavior |
| <ul style="list-style-type: none"> ➤ Parties attempt to court; ➤ Resistance; ➤ Use of threat of replacement; ➤ Moved to a lesser position; ➤ Left on the sidelines ➤ Social pressure to force to stay; ➤ Fear for politicians. | <ul style="list-style-type: none"> ➤ Professionalism opposed to the party; ➤ Left on the sidelines; ➤ Punishment for disobedience; ➤ Decision of clerks to leave; | <ul style="list-style-type: none"> • State clerks resistance to political involvement. |

Table 6. Politicization as a threat to the building of a professional civil service

| Open codes | Axial codes | Selective codes |
|--|--|---|
| <ul style="list-style-type: none"> ➤ Support for ruling party' policy choices; ➤ Avoidance to give sound policy advices; ➤ No worry about the rule of law; ➤ Neglect of citizens' interests. | <ul style="list-style-type: none"> ✓ Policy making and implementation; ✓ Blind support for party policy choices; | <ul style="list-style-type: none"> • Civil servants and policy and decision making. |
| <ul style="list-style-type: none"> ➤ Media denunciation of state misbehavior and bad policies; ➤ Media lack of professionalism; ➤ Civil society organizations seeking public sector jobs; ➤ Civil society organizations' financial dependency. | <ul style="list-style-type: none"> ✓ Less involvement of civil society organizations; ✓ Civil society organizations' ambiguous position. | <ul style="list-style-type: none"> • Degree of openness of policy and decision-making. |
| <ul style="list-style-type: none"> ➤ Slow services; ➤ Incompetent agents; ➤ Lack of impartiality; ➤ Corrupt practices; ➤ Absenteeism; ➤ Lack of respect for and lack of courtesy toward users ➤ Few conscious - professionals; ➤ Self-interested civil servants; ➤ No users complaint for misconduct in their favor; ➤ Complaints about users' behavior. | <ul style="list-style-type: none"> ✓ Users' dissatisfaction; ✓ Bad image of civil servants; ✓ Bad behavior toward users; ✓ Few exceptions; ✓ Lack of objectivity of users | <ul style="list-style-type: none"> • Public service delivery and users' satisfaction |
| <ul style="list-style-type: none"> ➤ No management control; ➤ Arbitrary and misconduct; ➤ Impunity; ➤ Dysfunctional checks and balances principles; ➤ Failure to protect citizens' rights. | <ul style="list-style-type: none"> ✓ Lack of transparency; ✓ Absence of accountability; ✓ Widespread clientelism. | <ul style="list-style-type: none"> • Transparency and accountability |
| <ul style="list-style-type: none"> ✓ Allegiance to parties and political groups; ✓ Lack of political conviction; ✓ Lack of militancy; ✓ Securing jobs. | <ul style="list-style-type: none"> ✓ Bad judgment on civil servants; ✓ Lack of neutrality; ✓ Lack of independence; ✓ Lack of autonomy. | <ul style="list-style-type: none"> • Independence, autonomy and neutrality |
| <ul style="list-style-type: none"> ➤ Lack of moral education; ➤ forging financial documents; ➤ Illicit enrichment; ➤ Highest authorities' involvement | <ul style="list-style-type: none"> ✓ Lack of honesty; ✓ Lack of integrity | <ul style="list-style-type: none"> • Honesty and integrity. |
| <ul style="list-style-type: none"> ➤ Failure of the fight against corruption; ➤ No sanction for financial delinquency; ➤ Impunity assured for misconduct. | <ul style="list-style-type: none"> ✓ State officials involvement in grand corruption; ✓ Struggle to get a slice of the national cake | <ul style="list-style-type: none"> • Civil service values and state officials' moral values. |

6.0 CHAPTER SIX: POLITICIZATION OF THE MALIAN CIVIL SERVICE: EXPLAINING THE PHENOMENON

6.1 INTRODUCTION

The objective in this chapter is to explain the politicization process of the civil service in Mali on the basis of the analysis of the empirical data. The researcher argues that Peters and Pierre's (2004) concepts, causes and consequences of politicization of the civil service failed to explain the twists and turns of the politicization of the Malian civil service. Three key variables have been identified. The first key variable is the degree of politicization of the civil service, determined by political appointments and promotion and civil servants involvement in partisan politics and parties' interests versus public interest.

The second key variable is the characterization of politics-administrative relations to be determined by civil servants as party leaders, civil servants as "pragmatic" self-interest seekers, political party leaders as clientele seekers, party officials alluring behavior, state clerks' resistance to political involvement. The last key variable is politicization as a threat to the building of a professional civil service determined by civil servants and policy and decision-making, degree of openness of decision and policy making, public service delivery and users' satisfaction, transparency and accountability, independence, autonomy and neutrality, public service delivery, honesty and integrity, and civil service values and state officials' moral values.

From the analysis of the data a number of explanations to the politicization of the civil service in Mali is offered in this chapter.

6.2 HISTORICAL EXPLANATIONS

From independence to March 1991 Mali's political context has been characterized by the reign of a hegemonic party which was *de facto* or *de jure* party-state. In *Union Soudanaise RDA* era under President Keïta, the relationship politics-administration was known. It was the subordination of administration to politics; the civil service was subordinated to politics. This means the principle of neutrality, objectivity and restraint imposed on civil servants was not respected. It means the political system in place and the legal organization of basic assumptions on which it rested did not allow for the upholding of basic principles guaranteeing the performance of public administration. This situation did not allow for the creation of conditions of the efficiency of the civil service although these principles were about issues of neutrality and restraint vis-à-vis the people.

After the *coup d'état* in November 1968, Mali fell under a military regime. The *de facto* single-party was been replaced by a sort of monarchy which was in fact the extension of problems that originated from the defunct system with regard to the civil service. Overall, from 1968 until the creation of the single party, *Union Democratique du Peuple Malien* (UDPM), the Malian civil service continued to be at the devotion of the military regime like it was the case under *Union Soudanaise RDA* regime. What has changed was the regime; but the relationship between the civil service and the ruling power has not.

With the *de jure* single-party system, it was the same thing and it even worsened to become pernicious. Civil servants were devalued in the early years of the second republic. When the military came to power, they devalued the civil service because they felt looked down upon and persecuted by intellectuals and civil servants. Since they had no idea of the role of the civil service, they played the game of nepotism. Army chiefs became governors, national agency directors and ministers. These military chiefs did not even graduate from high school; they got their promotions through routine. So intellectuals were persecuted and the civil service devalued throughout the military regime. It was in this period that civil servants have developed their opportunistic behavior because nobody could express or defend any idea; it was a dictatorship. Courageous and honest civil servants suffered under the military rule. The beating, mistreatment and humiliation of some civil servants have contributed to the softening of the vast majority of them.

People were required to have the party membership card. Therefore Mali has a culture, a political history that has at all time created and maintained a relationship of subordination of the civil service to politics, subordination that implied that the degree of militancy was a criterion, the best guarantee for appointment in senior civil service or ministerial positions. During the period of transition, things have somewhat changed.

Between March 1991 and June 2002, Mali attempted to build a civil service which recognized the big clerks of the State, an administrative apparatus which marked the logical rupture, between politics and administration through its new principles of appointment to senior civil service positions, such as the principle of competition through written examination to name a few. Thus, the Malian government attempted to redefine the nature of the relations between the civil service and politics. Unfortunately, this attempt was short lived. In the third republic,

ADEMA leaders clearly and publicly stated that whoever was not an ADEMA member was against ADEMA.

Once elections were over and ADEMA gained power, a hegemonic, an ultra dominant party and its leaders excluded non ADEMA members from both the political and administration processes and took the civil service hostage. Indeed, politicians' behavior led civil servants to believe that the state is a cake that is shared once elections are over. So, the majority of civil servants, no matter what senior or executive position they held, attempted to find protectors, mandarins within big political parties presumed to certainly give them one day, the benefits of their allegiance, of their membership.

Ever since we have been and still are in a situation of rent; we have state rent-seekers. The Malian culture works in a way that, civil servants considered the state as a cake that election winners share. Therefore, it is better to associate with the winners, and the winners are those involved in politics. Whoever is not among the winners has no chance of getting anything. Thus, the civil service ended up being politicized. Since the state is a cake that is shared after elections and that politicians are election actors, it will be sliced between politicians, their parties and their militants. The civil service as an element of the social body also politicized itself hoping to be able to get a slice of the cake, what is calls today "democratic pondering". The civil service appeared like the natural extension, the outgrowth of the ruling party. Therefore, is at the service of all the people who come into power, rather than to be at the service of citizens.

6.3 CULTURAL EXPLANATION

The Malian public agencies have developed the basic culture of Malian societies, a basic culture, an original culture which is grounded in Malians society's initial conception of the individual, of the man and power. This initial conception is that the holder of power by definition is not the servant; he/she is in principle the one who is served. But our civil service in principle should be at the service of citizens, at the service of society. But a societal conception, a certain dominant conception anyway of the Malian culture requires that it be the opposite, inverts somewhat the logic of this vision, the perception is the opposite, the holder of power is the one who is served he/she is not the servant.

Since politicians have been in this role, the secular arm politicians' armed hand can only be in this role and have this status. Therefore there was like a transposition of the political and social status of power, the holder of the political authority, toward those who have the responsibility to promote the well-being of the people but on the basis of political visions. So, there was a transposition of this status in the civil service, in public agencies, who became not servants, but also those that must be served because they hold a portion of the power.

Thus, overall, the Malian civil servants' behavior which is dictated by this conception of their social status, of their role, naturally did not encourage relations of conviviality with citizens. But much beyond that, Malian civil servants' behavior did not encourage the expression, the formulation and the satisfaction of citizens' desires, opinions, interests because the civil service was not designed to listen to citizens. It functions like at its own service rather than at the service of citizens. In the Malian society in general, the researcher's perception of the service orders of the civil service in different categories: with regard to men, women, to children to name a few is variable. The higher a person is in the social hierarchy, the better the service

the civil service offers this person. The closer to the lower level an individual is in the social hierarchy it has been observed that the behavior, the attitude toward this individual is a negative attitude of disrespect.

When considering men and women, the researcher's perception is not homogeneous. The civil service's relations with men as opposed to its relations with women are quite different. As much as civil servants endeavor to have correct relations, relations aiming at a certain satisfaction to a certain degree of men's interests. With regard to the interests of women, they are less listening, less availability to integrate women's desires, preoccupations and interests.

With regard to children, it is similar to women's case because this is a society in which social roles have been defined for every category of individuals. In the public sphere, there is like a transposition of the domestic subordination of women and the civil service integrated that because in the public imaginary, the representation society has of women, the image society has of women, is that of submission to men. And since the civil service is a civil service which culture and organization is strongly masculine, there is a very little chance, there is a very little room for giving attention to women's desires and opinions, therefore to an expression, to a behavior that would encourage the satisfaction of women's needs. What is true for women is also true for children. Thus, from these details it is fair to say that in general, the Malian civil service operates mainly for the benefit of men but even having said that, operates mainly for its own benefit and the benefit of politicians, not for the benefit of citizens.

6.4 POWER STRUCTURE EXPLANATION

With regard to ADEMA regime, even though political clientelism determined some appointments or most appointments, the choice of men and women was a choice that could rest on more serious criteria, credibility and seriousness. There is no doubt that political clientelism occurred in the sense that only DEMA militants, only people close to state officials who benefited appointment in senior positions in the civil service. But at least during this period, it was most often ensured that capable and competent people were chosen to successfully carry out their missions. And when the appointees failed to do so, actions were taken to replace them.

This was not the case under the “consensus” governance. A person’s seriousness and credibility were no reference. The success or failure of a mission in a period of time had no relevance. What mattered was that the person is a close friend or a family member. In the researcher’s opinion this was what made the sharp difference between what happened under ADEMA rule and what happened under the “consensus” governance.

It should be noted that in the first five years of ADEMA rule, the leadership style has often involved a certain number of political parties in the management of the state apparatus, notably cadres from other political parties. Therefore this kind of political emulation was the best shared criterion, as far as appointments were concerned. The state highest authorities were very autonomous, very independent from ADEMA. They appointed people they wanted. Inside ADEMA, they appointed people they chose to appoint. This explained somewhat the rupture with the late Mamadou Lamine Traoré. Yes, they did not let themselves to be locked up in the party. They put the party forward when party decisions were in agreement with their decisions and were satisfying their interests. But it must be said that state highest authorities, as rulers have their interests; defining the state apparatus confers them a certain authority.

After analyzing the situation, Mali suffered a situation the political class has wanted. No one wanted to go in the opposition; everybody wanted to be in power, as if party leaders have agreed to make this period a second transition with a president who has no party affiliation, independent from political parties, equidistant from political parties with his leadership style. Through the concept of “consensus” leadership style could be used to redefine some basic principles, some necessary corrections to the democratic system.

Unfortunately, there were only a resolved will to participate in power, which yield benefits, which has defined, has determined political actors’ behavior. They will put consensus, peace and security forward. But this is not true; it was an argument of façade. It was the fear of the opposition, the fear to not participate in the exercise of power and the benefits it yields because Mali does not have either a culture or a practice of political opposition. But, this is understandable. When senior civil servants who are party militants are waiting to be among decision makers, therefore to hold higher civil service positions, it becomes difficult for a political party, not to participate in the management of the state apparatus, not to participate in government since the context allows it, since this particular party was invited to join in. If its leaders take the risk to refuse to join in, its militants cadres will leave to either become independents or join the political parties that are in the power sharing agreement with the ruling power. Therefore, there is a key issue here: it is the involvement in the exercise of power; it is the participation in sharing the benefits of power.

The fact that there is a collusion between the civil service and politicians, the fact that hierarchies exist, because administrative hierarchy makes the civil service look like political parties, does not allow political forces themselves to have an attitude based on a strategic political analysis. That was why there was no strategies, no tactics. Therefore, the situation can

be explained as the consequences of the collusion phenomenon between the civil service in its hierarchy and the political class. The fact that most of those persons who hold senior or executives positions in the civil service have been appointed in their political leaders capacity or as political friends or as members of an importance political family even if they may not be political leaders, defines the nature of the relationships between political parties and the ruling power, with the person who is in power. We need to keep that in mind because it is extremely important.

In other words, the phenomenon of collusion political power-administrative hierarchy determines to a large extent, the nature of relations between political parties and the power in place, mainly determines the behavior, the attitude and the political party positioning with regard to the power in place. Because most of those who are political parties presidents, general secretaries or members of their executive offices, most of them hold these leadership positions in their parties not because they adhere to an ideology, or they want to defend a political program, a political agenda, but to make a name for themselves, to be visible, holding on to the hope that one day they will be among those in power. Therefore people joined political parties waiting to be asked to join power holders. When this access becomes possible, they will not accept that their parties turn the offer down.

We are experiencing a situation that has sufficiently proven this behavior of party members within political parties. It was party representatives in the President's cabinet, who have tried hard to convince their parties not to produce a candidate rather to support the incumbent president's candidacy. This might be hard to understand. But the goal of their requests was to protect their relationships with the ruling power. If they do not support the incumbent president, they will be replaced in their positions. Those who have not entered yet in the power

system have also been very vocal in requesting their parties' support for the incumbent president's candidacy. They hope to join in once they were able to secure a victory for the incumbent president. If a party leader who is not interested in doing that, tells his party members: "no, we are not going to support any candidacy for such or such scientific, ideological or political reasons", they will think that he/she is out of his/her mind and they will decide to leave the party.

Another typical example was, when the incumbent president announced his first term candidacy, ten (10) members of ADEMA's executive office decided to support him against their party's candidate. Three prominent leaders among these ten ADEMA officials were awarded appointments. Two were appointed as ministers and the third one as the director of a very important public agency. They have decided to support the candidate with no party affiliation against the candidate of their own party ADEMA to be able to access power.

Despite ADEMA's refusal to go into political opposition, they were among ADEMA ministers who have been chosen among the ten. Therefore, people need to keep in mind this important rule that gives insight in the analysis on the issue of Malian political parties' relations with the ruling power. They are not political parties, they are chapels, shops, composed of people, of merchandise, ready to be sold, ready to sell themselves. People create political parties to wait for the opportunity to place some of their leaders in the President's cabinet one day and to appoint their friends at certain positions in the civil service.

These hopes and expectations define Malian politicians' behavior and determine political parties' margin of maneuver with regard to the power in place. Therefore this determines the positioning, the behavior and the political party attitude toward the power in place, not toward each other, but toward the power in place. The problem is that parties' political leadership is the

administrative elite within the civil service and within state enterprises. There are very few business people in the Malian parties, few people from liberal professions. The, bulk of Malian party officials are civil servants. But nobody expects a civil servant who is waiting for an appointment to a ministerial or general director position, to decline the offer of appointment as a member of the President's staff or as a minister, to oppose his/her party's decision to support the power in place.

Moreover, Malian political parties did not have resources because of the nature of their membership, because of the high number of civil servants in their membership and within their leadership. Therefore, they could not have an attitude of independence and lack of interest with regard to the power and to its influence.

6.5 STATE WEAKNESS AND POLITICIANS' CONSPIRACY AS AN EXPLANATION

The Malian people have not yet develop a clear conscience on the necessity of building a strong civil service, on the importance of the irreplaceable contribution of a strong civil service in the development process of the country. People talk about the problematic of governance, but governance is first a context, the context of public action. But it is a context which rests on principles, rules that define its functioning. The context of Mali's public action is a context which rules are not known because the minimal rules that exist, which are insufficient, which do not make a complete system are not enforced. Because every civil servant who worries about getting ahead, who worries about promotion, who has the ambition to rise in the hierarchy of

his/her profession is obliged *de facto*, with the tolerance of the law, to be at the devotion of a political force notably the one in power at that particular moment.

The researcher did not think Mali was doomed to remain this way. But the situation appeared like it benefited everybody. Those who must denounce it and work to change it thought that tomorrow they will be in power and today change will not help them. There was like a consensus, a conspiracy of silence about the issue so that it would not sufficiently, completely and seriously be resolved. Of course, there was like a strategic alliance between politicians, to appease their ambitions which are not necessarily development ambitions for the country, a conspiracy, an alliance to the detriment of citizens who are the majority, who are their militants. But, things needed to be put in perspective. There were no militants in Mali; the crisis of militancy was evident. There are people who vote, but these voters were not true militants. The citizens militant who could have initiated the debate inside strong political parties to solve the crisis of the civil service were not interested in doing so because they were not militants, because they had no political commitment in the political parties.

Politicians had the responsibility to reject this way of doing things and to see things, if they wanted to put an end to the rupture between the state which they represent and society. This was a context of rupture of confidence between citizens and the State. This is why the African state, precisely Mali, is undergoing an incredible crisis, including a crisis of authority and a crisis of legitimacy. With regard to the crisis of authority, forty years ago people feared and respected authority. Today, People have no consideration for the authority. In both urban and rural areas, the crisis of legitimacy of the ruling power was apparent.

The proof was neither the state nor the political community was able to mobilize. Apart from election periods, no power was capable of mobilizing the people, to put people in a

situation of commitment to achieve development objectives simply because the people knew that it was not about achieving development objectives; rather, the quest for the satisfaction of the interests of the ruling class. In this context it was not possible to build a viable public administration, a strong civil service. Besides, it is well known that the civil service is a key and irreplaceable instrument which can be used to advance the democratization agenda and move the state toward development because it is the necessary passage for policy implementation, for the sophistication, for the operational realization of politicians' visions.

But, if the civil service is subordinated to politicians whose interests are not necessarily either democratic or developmental, this subordination might force the institution to align itself, to do maneuvers, to offer services that do not integrate citizens needs, but only to cater to the satisfaction of the ambitions, to the interests of the ruling *élite* to the detriment of the implementation of policies that satisfy the needs of citizens.

If Mali is to remain in this situation, this means it will disappear as a state. For this situation to change, the civil service itself will need to do its *mea culpa*. If it wants to continue to benefit from the tolerance of citizens, it would be necessary to do its *mea culpa*. Otherwise the state will find itself in a situation in which citizens will consider the civil service, the state administration to be the same as politicians. This means the margin of differentiation between the civil service and politician will be very small.

The consequence would be that the state will not have any more instruments capable of nurturing its social contract with the people, because policies would have failed, because the civil service would have shown the proof of its association with politicians. There will be a vacuum which will need to be filled. The vacuum situation will create the objective conditions of a very dangerous revolution because the elite have missed the opportunity of making a new contract

with the people through reforms that satisfy everybody. In a nutshell, the extension of the civil service actions, its ultra developed association with politicians, will create the conditions of a mass movement leading to sweeping changes; and mass movements always involved violence.

This might give the opportunity for the Malian people to lay the new foundations of a state with a clear dissociation between politicians' missions and civil service's missions. Then, this dissociation will allow for the building of a civil service system with clear criteria for hiring, functioning, accountability, and sanctions that will restrain civil servants from any kind of mandatory situation of conspiracy or association with the political power.

6.6 RELIGIOUS EXPLANATION

Under the military regime, Islam played a negative role in trying to convince people to agree with decisions or policy and be subservient to the ruling power. In fact Islamic leaders preached that those who opposed military decisions deserved whatever they got and if they die, they are considered to have committed suicide and will never go to heaven. This aspect of Islam with regard to the ruling power was very reactionary. Hence, civil servants softened.

Islamic leaders and the people who possessed fetishes, the "*féticheurs*" of the Republic played a key role in the connection ruling power-administration-society because they knew many people's secrets in the three components of the state. They detain information from state officials, civil servants and society. Through their influence, they take care of many issues that are not even mystical simply because of the large amount of information at their disposal. It is common to see a religious leader ask a state official including the highest authorities to put an individual civil servant under his/her wings. This official will do exactly what the religious

leader has told him to do as if he/she were his student. Therefore, it can be inferred that no official is in full control of the decisions to be made because as soon as they received instructions from the most important religious leader or from an important “*féticheur*”, they felt compelled to carry it out.

Thus these are some issues that need not to be neglected with regard to civil servants because sometimes, their behavior is also dictated by this power, the religious power. And also a chunk of the embezzled resources goes to the religious leaders because they are also seen as the protectors. When somebody is threatened and that the religious leader instructs to leave that person alone, the case is closed. There are some religious leaders in Bamako whose vehicles have no papers, no insurance, no custom clearance, and nobody dares to ask to see the papers of their vehicle. These vehicles are known to everybody as well as their owners.

The Family code is a case in point. The highest authorities instructed the Minister of Women, Family and Children Affairs to draft a bill of Family Code as the implementation of the regional and international instruments that Mali has adhered to including the United Nations’ Covenant on the Elimination of all Forms of Discrimination against Women, ratified in 1985, the Protocol of the African Charter on Human, the People’s and Women’s Rights, ratified in 2005 and the United Nations’ Covenant of the Rights of the Child, ratified in 1990.

A committee which included representatives from all segments and strata of the Malian society was appointed to tackle this difficult and delicate task. All religious faiths were represented and a representative of the Muslim faith was voted chairman of the committee. After twelve years of consultations and hard work, the draft was approved by in the Council of Ministers. The bill was voted in the National Assembly with 117 YES, 5 NO and 4 abstentions on August 3, 2009. Many people applauded the event. Among its detractors were many men

including members of the High Islamic Council like its Secretary General Mohamed Kimbiri, Director of Radio Dambé who expressed his outrage in this statement: “We are very disappointed because of at least two provisions. The first is that children born out of wedlock are recognized in the succession. The second provision is that girls and boys receive an equal share in their fathers’ inheritance. This contradicts the Islamic law”. M. Kimbiri also said that “This Code is a disgrace, a betrayal [to Muslims] ... We are not against the spirit of the Code, but we want a proper Code for Mali, which is adapted to its social values. We will do everything in our power to stop this Code from being signed into law”.

The key feature of the new Code was that it addressed the issue of inheritance previously governed by the customary or Islamic law. But the Code had offered options people will have to choose from. Whatever law a person chooses to apply in his will or before witnesses to resolve his/her inheritance matter should apply. Also gender equality is asserted several times although the superiority of men remains. The man remains the “head of the family” and has the choice of the family residence. The concept of “paternal authority” has been replaced with “parental authority”. The “due obedience” of women has been deleted. The minimum age for marriage was set to 18.

Since the adoption of the Code, protests have become more serious. Over fifty thousand Malians had “cursed” the Act in a meeting called by the High Islamic Council on August 22 at the March 26 Stadium in Bamako. Islamic leaders then engaged in blackmailing high authorities and elected officials. They threatened to “boycott weddings, child naming and funeral ceremonies of members of the National Assembly who voted the Code”. Hundreds of religious leaders and village leaders spoke “against the enactment of a law deemed wicked and satanic”.

Under pressure and after consultations initiated with the parties represented in the National Assembly, the highest authorities announced that the new Family Code will not be promulgated. It was resubmitted to the National Assembly for re-examination. In a speech broadcasted on national radio in the evening of August 26, 2009, state officials explained that a re-examination of the Code was intended to ensure “the peace and social cohesion” and that further considerations should allow to obtain Malians’ “support and understanding” .

To express his concern, the International Federation of Human Rights wrote a letter to the Malian authorities on September 24, 2009, about their decision to return the Code to the National Assembly for a second examination. This example clearly shows the impact of Islamic leaders on decision and public policy-making in Mali.

6.7 CONCLUSION

A number of explanations of the politicization of the Malian civil service have been offered in this chapter. Under the *de facto* single party regime of the first republic and *de jure* single party regime of the second republic, the civil service was completely subordinated to the party. With the primacy of the single party in the context of the command economic planning, the state was believed to be the engine of economic and social development. So the post-independent State’s civil servants were considered to be the servants of the people. They were expecting to help political officials develop and implement policies, programs and projects aiming at improving people’s well-being.

Under the first republic, the subordination of the civil service to the single party “*Union Soudanaise – Rassemblement du Démocratique Africain: US-RDA*” made civil servants appear

like power holders, an outgrowth of the political power. So a Malian cultural value that holds that a power holder does not serve; rather, it is the one who is served caused the civil service to associate itself with the political power and fail to play its role of delivering development. Instead of using their skills and expertise to bring citizens in the state development process, the civil service operated solely on the single party rules and principles given the party was seen as expressing people's needs and aspirations.

Under the second republic, the single party effect was exacerbated by the military devaluation of the civil service. Military officers with no academic training and no idea about politics were placed at senior and executive positions of the civil service to instruct career civil servants how to run the business of government. Those civil servants who tried to resist them were severely repressed, jailed and even tortured to death. Faced with their helplessness, civil servants softened and gradually lost their professional and ethical values to the detriment of the less orthodox values of the military. When military bosses sought to enrich themselves they used civil servants to supply them with public money with little concern for the people's well-being. In the course of this action, Malian civil servants who were among the less paid in the African continent, thought to serve themselves while serving their military bosses.

The military has also called upon civil service to craft all the antidemocratic changes sometimes to the detriment of citizens. Finally, they have turned the civil service into a machine of humiliation and repression. Thus, the military regime is believed to have caused civil servants to lose their moral and civic values and a starting point of their opportunistic and corrupt behavior. Civil servants curved their spines and endured the military arbitrary until March 26 1991 when the military rule came to an end with a *coup d'état* following a mass protest.

In the transition period, Mali has attempted to build a civil service which marked the logical rupture, between politics and administration through its new principles of appointment to senior civil service positions, principle of competition through written examination for hiring and other sound personnel policies. This was the Malian government's attempt to redefine the nature of the relations between the civil service and politics. Unfortunately, this attempt was short lived. Once elections were over and ADEMA gained power, it moved quickly to dominate the political and administrative life, took the civil service hostage and turned it into the instrument of its domination. As non ADEMA members were being removed and replaced with ADEMA members to secure the party's control over the state and its resources, politicians' behavior led civil servants to believe that the State was a cake that is shared once elections are over. So, civil servants, no matter what senior or executive position they held, the majority attempted to find protectors, within the big political parties presumed to reward them one day, for their allegiance.

The third republic, with ADEMA leaders' hegemonic behavior, became a "single party regime" with all the features hidden under the cover of democracy. The politicization of the civil service in the sense of placing both civil servants and non civil servant party members at strategic administrative positions to monopolize state resources to benefit only ADEMA and its members while excluding the rest of political parties from state process occurred. So the politicization of the civil service took the form of the sharing of the cake between ADEMA, its leaders and its members within the civil service. Other parties leaders' reactions to this selfish behavior were met with repression, humiliation and jailing.

What made the presence of politics much felt in the civil service was and continues to be the fact that the Malian political leaders are also senior civil servants who operate in both arenas. They are parties' executive officers and senior civil servants at the same time. In addition, they

recruit most of their memberships in the civil service to form their cadre bases and wait for their turn to access power.

Under the “consensus” governance, the politicization of the civil service ADEMA style remained but the base of sharing the cake was expanded. Parties and political associations which claimed to support government agenda were awarded a piece of the national cake, stretching state resources very thin. Both politico-administrative and strictly administrative positions were distributed among these parties and political organizations according to their political weight. Each of these organizations deployed their cadres into their awarded positions to extract as much state resources as they can to serve the organizations and their leaders while keeping some to themselves.

This practice was used to manipulate the political community in a number of ways. With regard to those who are members of the conspiracy network, it was aimed at keeping them hostage of their greed and to subject them to blackmailing and threats of being cut off their means of survival both politically by removing and replacing themselves and their cadres in their administrative position and cutting their parties off state resources. The consequence was obviously their silence and tacit acceptance of any decisions he makes. It was also intended to destroy the political opposition in a pacific way by alluring its leaders in the network.

Islam has played and will continue to play a key role in the definition of the relations between politics and administration. Under the military rule, whether for fear or complicity, the Islamic leadership took the military’s agenda and behavior to the level of religious teachings. They preached that power has a divine source and that the Holy Koran prescribes that every human being respect and submit to it. Whoever challenges power will be responsible for whatever will happen to him/her and in case of resistance resulting in death, this death is

consider as suicide and the deceased person will go straight to hell. These teachings forced civil servants to submit and endure the military arbitrary.

With the advent of democratization, they became an important part of the state power especially the decision and policy-making power. They have also contributed to a large extent to the failure of the fight against corruption and encouraged impunity in Mali. Both the administrative and the political community seek Muslim leaders' advice and mystical protection to secure their positions in the power system and to escape sanctions for their misdeeds. Because Muslim leaders detain secrets from both political officials and civil servants and receive their fair share of the public money embezzled from the state. In this position, they were able to take advantage of the vulnerability of both groups to influence decision and policy-making directly. No matter the misconduct might be, if they request that charges or sanctions be dropped against *their protégés*, nobody including the highest political authorities will challenge or discard their requests. Hence, the politicization of the civil service in Mali goes beyond definitions and explanations developed in Western societies. It has become the new name for the predatory behavior of the Malian *élite* against the state, a state looting conspiracy of state officials.

7.0 CHAPTER SEVEN: CONCLUSION AND CONTRIBUTION TO THE UNDERSTANDING OF THE PHENOMENON

7.1 ARGUMENT REVIEWED

This study has argued that the phenomenon of the politicization of the civil service in the context of democratization has been a hindrance for the civil service development into the institution needed to support and deliver democracy to citizens, has destroyed all state institutions and has endangered the democratization and development processes. The analysis of participants' perspective along with the explanations of the phenomenon have revealed how and why state officials have capture the civil service and turned it into an instrument of widespread corruption, embezzlement, manipulations, blackmailing to secure their strong hold on power.

Civil service is an apparatus whose role is to help shape public policies and implement them. Civil servants in a democratic society are accountable for their actions to both democratically elected politicians and citizens. Unfortunately in Mali accountability does not allow for scrutiny, given its vague, unclear and minimalistic nature.

The Malian civil service is undergoing a serious crisis which showed itself in the form of crisis in both state authority and state legitimacy. The association between civil servants and politicians has translated into the capture of the civil service by politicians causing a distortion of its functioning leading to its rupture with society. Politics has taken a centre stage in the Malian

civil service. Party members are placed at positions where they can access public money and divert it to finance parties and serve themselves in absolute impunity. Professional competence has been replaced with political loyalty. Party interests have been given primacy over public interest. Policy and decision-making have been biased because of political and religious interference.

Moreover, state leadership has engaged in grand corruption and clientelist practices to reinforce their power. Individuals who have no administrative training have invaded the civil service. Political opportunism became the rule of the game and the survival mechanism for experienced and competent civil servants to maintain themselves in their positions. Individuals who do not work in the civil service enjoy budgets allocated to public agencies to cover their operating costs. Forged financial documents are established to justify the spending of public money. Inspectors who have the responsibility of reporting these practices are heavily bribed to buy their silence.

The politicization of the civil service has contributed to the trivialization of the technical expertise aspect of the civil service to the detriment of its political aspects. Distribution of positions to political friends or to members of an ethnic group became more important than the “*raison d’être*” of public administration. Political and cultural logics have taken prominence over the ideals of public service and democracy to satisfy individual interests. This situation has left civil servants very little time and very little room to care about the management of public affairs, the promotion of citizens’ participation to government and to help them enjoy their rights and freedoms. As a result, partisan politics complicated by moral and ethical decay have translated into an inability to assist in sound decision and policies making as well as the neglect of quality service delivery to citizens.

Politicization has fueled a conflict between these values and the interest of civil servants, causing an ethical deficit. And above all, the politicization of the civil service has turned the democratization impetus into a dangerous confusion of roles which consequences are hard to imagine. This poses a tremendous challenge to the democratization process while threatening the building of a professional civil service as well as other democratic institutions in Mali. Everybody knows about it but nobody either complains or worries about it. What is more troubling is that the civil service itself is yet unaware of the danger simply because the senior cadres wear both the hat of politics and the hat of administration. As they navigate between the political and the administrative worlds, they chose to ignore the situation and remain cynical about it. This crisis is a big challenge to the credibility of the civil service and the state.

7.2 CONTRIBUTION TO THE UNDERSTANDING OF THE PHENOMENON

This dissertation contributes to the African democratization literature on the interplay between politics and administration in African countries by showing the role of the African leadership in destabilizing Malian democratic institutions and disrupting the democratization process and purposefully weakening democratic institutions (Sartori, 1976; Lipset, Linz and Diamond, 1995; Diamond, 1999). It also contributed to the civil service politicization theory by shedding a light on the administrative *élite* and the political leadership's greed and conspiracy against the people with regard to the distribution of state resources as another type of politicization (Peters and Pierre, 2004).

7.2.1 Role of the African Leadership in Purposefully Weakening Democratic Institutions

A key theme in the democratization literature is the destabilization of democratic institutions and disruption of the democratization process which has been pushing Mali toward the democratic category of pseudo-democracies (Sartori, 1976; Lipset, Linz and Diamond, 1995; Diamond, 1999). A “dominant” party system instituted in the first decade of the democratization experiment transformed the Malian democratizing regime into a party-state. In fact the most influential segment of the ruling party leadership was very reluctant to share power with other political organizations.

Because of the confusion between the role of the “dominant” party and the role of state institutions, *the élite* managed to extend the party’s grip on the institutions of the state making them function like in the single-party regime by exercising a domineering influence on both the legislative and the judicial branches (Balogun, 2002). The system went as far as to refuse the existence of the opposition in the party system in the form of severe humiliation, repression and exclusion. The consequences have been perverted institutions and highly fragmented and deeply divided political community.

In the second decade the rules of the games were changed while the goal and outcome remained the same. “Dominant” party rule has been replaced with a diffused party system under the name of “consensus” politics. A president with no party affiliation took advantage of the weak party system and a deeply divided political community to secure victory with the support of a segment of civil society and a party coalition including the main political parties which could not agree on the choice of their presidential candidates.

As this political fragmentation reflected in the configuration of the National Assembly, state officials seized this opportunity to engage in grand political corruption with parties and civil

society organizations. Since no political party can raise sufficient funds to finance its activities, state resources were made available to those which claimed to support the executive agenda, through both formal and informal channels, making each and every political leadership who also constitute the administrative *élite*, dependent on the “generosity” of state higher authorities and feeling obligated to him without returning anything to citizens. The executive branch has succeeded in turning itself into both the “lord and the master” of both the legislative and judicial branches of Government. This showed without a doubt that the high authorities and party leaders have neither a democratic nor a development agenda for Mali.

The current governance style also discouraged and destroyed the opposition. In the first five year, no party was in the opposition; all of them supported the regime. In the second five years, three parties declared themselves to be opposition parties and few individuals from the private sector have begun to challenge both the executive branch’s authority and to try to restore the legislative branch’s control function over the executive branch.

All these actions were taken by the executive branch, tacitly approved by political leaders but without consulting the people. There was a tendency to destroy the opposition through a tacit invitation to join in and the opposition seemed to be hoping for such an invitation to materialize.

7.2.2 Civil Service Politicization Theory and *élite*’s Greed and Conspiracy against the People

The definition of the concept of politicization as a personnel management and administration practice (Peters and Pierre, 2004), the normative definition of politicization as the degree of the public sector autonomy from the political power and an inappropriate political interference

within bureaucracy (Rylander,1969), the regulatory definition as it happens when the public sector grows along with an increase of its regulation of private matters (Derlin, 1985), the functionalistic definition which implies that politicization occurs when the public sector reacts positively to political signals (Koch, 1985), the relational definition which deals more with the relationship between the political and administrative power, the third type of definition considers the relationship between bureaucracy and its environment outside government, the representative definition which argues that politicization refers to the extent that civil servants reflect the composition of population they are hired to serve (Kingsley,1944; Krislov and Rosenbloom, 1983), the behavioral definition which has to do with the attitudes and behavior of bureaucrats favoring pluralism and regard competition between parties as natural (Aberbach et al., 1981; Moulin 1975), and the last definition which sees politicization as being recruitment-related and regarded as patronage, all of these definitions have failed to capture the Malian phenomenon.

In the first decade of democratization, the “dominant” party permeated and used the civil service to control and take advantage of state resources. In addition, the civil service has been also transformed into a private property, funding agency for the “dominant” party as well as coercion and exclusion machinery. Party cadres were appointed at strategic positions in the civil service because of their loyalty to the party to contribute to the financing of the party. Those cadres who are known to be also political leaders were removed and replaced with party cadres, mistreated, humiliated and demonized. It has also tried to exclude cadres who served the defunct military regime. In response to this attempt, cadres decided to adhere to the “dominant” party to secure their positions and avoid violence against them.

Since the advent of “consensus” politics, at first, parties’ who declared their support to the highest authorities got the chance to have their cadres access higher civil service positions.

They have been appointed to these positions to “help” their parties, meaning to divert public money to contribute to the financing of their parties. Learning from past experiences, the opposition disappeared and all the parties declared that they support the ruling power and they were also included in the distribution of higher civil service positions. So the looting of the State continued under a collective form and according to parties’ political weight. In the second five years, three parties identified themselves as opposition parties. However, their cadres remained in their positions and kept “helping” their parties.

Yet the looting of state coffers continued. As civil servants became opportunistic, their survival techniques became “nomadism” meaning moving from one party to the other in search for appointment opportunities to some of the higher civil service positions. When they gain access to these positions, they “help” both their parties and “help” themselves without fear of sanctions. It also revealed that the leadership has not yet been able to abandon the single-party regime practices and that the negative concept of community concept of power is a very feature of the Malian democratic life. It finally showed that the “*élite*” is the true predator of democracy.

By conducting the ethnographic approach, the researcher interrogated participants about the meaning of politicization and the relation politics-administration in the context of democratization. When participants started talking about these issues, the researcher realized that they all knew about what has been going on which nobody dared to denounce. Studying the politicization of the Malian civil service in the context of democratization revealed that Mali is far behind in its search for democratic direction. The Malian case confirmed and reinforced the argument that impoverished nations of Africa have little chance to succeed in building a democratic society. Above all, this type of politicization has been discussed nowhere in the

theories that are out there. This research finds it important that this type of politicization of the civil be known in both democratic and politicization research communities.

The ethnographic method of studying the concept of politicization of the civil service in the context of democratization, has uncovered a new type of politicization, the administrative and political “*élite’s*” association to distribute public money among themselves and disrupt the democratization process in the name of “consensus’ politics through the weakening of state institutions without asking for the consent of the people. In short, it has exposed the predatory behavior of the Malian “*élite*”.

7.3 CONCLUSION

This is the true face of democratization in Mali republic, one of the poorest nations in the World suffering from its *élite’s* lack of vision for their country, the breaking of the promise they has made to the Malian people at the National Conference to democratize Mali and bring social and economic well-being to the people. This has shown the *élite’s* betrayal of the Malian people who had placed very high expectations and a great faith and pledged to mobilize around its *élite’s* in the endeavor of building a democratic society believed to ease social and economic problems the nation faces.

Today, the masses’ hope has turned into a big disappointment and the alienation between the state and its citizens is apparent. The Malian democratization experiment is producing the weapons of its own destruction. Despite poverty alleviation programs, poverty has not receded in Mali. Hunger, malnutrition and maladies are enduring phenomena in Mali. The late musician Bob Marley said it in one of his songs that a hungry man is an angry man. In addition to these

debilitating issues, the powerful have begun to be vocal about the *élite's* arrogant and predatory behavior. In Mali the recent crises and clashes between the state and citizens are forerunning signs of a building social malaise which may erupt some day in a form of a violent revolution.

The rupture of the state along with its civil service from society, the deteriorating economic and social conditions of the Malian people, the joint conspiracy of the administrative and political leaders against the people, and the insidious and organized grand corruption under implementation are likely to trigger another violent confrontation between the state and its citizens in Mali. Malians have become suspicious of democracy, the institutions and their leaders. From the way the Malian *élite's* has been abusing the states and its citizens, nobody knows what the future hold for Mali Republic. In the meantime, this is the true face of democratization experiment in Mali. Democracy has yet to take hold in Mali; as of now, it is a mirage, it is a fake one. But there is poverty, hypocrisy, extortion, arrogance, immorality and manipulation to name a few. All these maladies constitute the challenges of democracy in Mali.

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