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## What is happening in Mauritania? An analysis of the post-coup transitional period

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Due to the instability that prevailed in Mauritania during the last two years of Ould Tayeh's regime, especially following the failed *coup d'état* of June 2003 and the ensuing arrests and trials, the regime decided to get rid of Ould Tayeh so as to prevent any changes threatening the regime from outside. Despite its unusual nature, the *coup* raised hopes that injustices perpetrated under Ould Tayeh's rule for over twenty years would finally be investigated and addressed. The worst violations committed by the former regime fell into three categories, and many Mauritians would have liked to reach closure with their painful political past during the transitional period once and for all. The three categories are the oppression of the Blacks, the issue of slavery, and economic corruption. But the military authority has until now refused to set a time for engaging in any discussion of these injustices.

After a coup on 3 August 2005, Mauritania entered a transitional period. The military leaders who overthrew Ould Tayeh's regime expressed their intention to relinquish power within a two year period, to propose a reform program, and to appoint a civilian government to supervise the implementation of this program. Although analysts have offered a variety of explanations for the coup, they all agree that a primary catalyst was the chronic tension and instability during the last two years of Ould Tayeh's rule, particularly after the failed coup of June 2003 and the

consequent arrests and trials of the regime's opponents.

Some analysts hypothesize that it was because of this continuing and potentially destabilizing instability that regime members took the decision to get rid of Ould Tayeh in an attempt to deflect any pressures for change emanating from outside the regime.

Without undertaking any further analysis of the actual or hypothetical reasons that made for the army's intervention in Mauritanian political life, it is important to examine instead the major axes that constitute the proposed reform program, and mention the steps that

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had already been taken before enumerating the aspects and issues neglected by the proposed reform program. Through this analysis, the positions of the various political stakeholders, as well as the difficulties obstructing Mauritania's reform process can be better assessed.

### **Major axes of the reform program**

After the August coup, the Military Council for Justice and Democracy, a body composed of the leaders of the coup, announced the establishment of three ministerial committees with authority to oversee the following:

1. Constitutional reform and the democratic process, including the preparation of a constitutional review mechanism aimed at consecrating the principle of alternation of power by limiting the presidential mandate to five years, renewable only once. The constitutional reform committee was to establish a schedule for municipal, legislative and presidential elections to take place before the transitional period.
- 2- Judicial reform to guarantee the independence of the judiciary and the review of legislation.
3. Administrative reform and governance, including economic reform, prevention of corruption, and strengthening laws and practices protecting human and civil rights.

Two months after the establishment of these committees, Mauritania's political parties and the civil society organizations were invited to attend a three-day forum (25 to 27 October 2005) to hear and comment upon the provisional reports presented by the committees. This forum, or "consultative days," was reminiscent of the national congresses held in Africa in the early 1990s. Observers viewed the forum as the military's attempt to nurture sufficient popular legitimacy to cushion them from external criticisms and denunciations.

Although the debate and dialogue during those three days was frank, a number of crucial issues never appeared on the work agenda. The participants were confronted with a *fait accompli* where the selection of dialogue supervisors was concerned. Thus, a historical chance for the Mauritanian people to rebuild their state on democratic bases was lost.

Yet most of the proposals presented by representatives of civil society organizations were taken into consideration during the drafting of the final reports issued following the forum. Today, many months after the forum, it is clear that the action and accomplishments of the three ministerial committees have had different "rhythms."

As far as the axis of constitutional and democratic reform is concerned, an independent electoral committee was created to supervise the elections (beginning with the drafting of electoral lists to the vote count and announcement of results). In spite of flaws in the regulatory text of this committee, as well as reservations expressed by some political actors about committee prerogatives duplicating those of the administration in the organization of elections, thus calling into question the committee's independence, civil society organizations and political parties were nonetheless satisfied with the way committee members were chosen. A list of the names proposed by the Government was announced and submitted to the political parties, trade unions and political organizations, so that any objections to proposed names could be registered publicly and formally, and new names proposed. Two weeks later, those names receiving the least number of objections were selected.

The schedule of elections is to begin in June 2006 with a national referendum on the amendment of the Constitution, then municipal and legislative elections are to be held, and finally the presidential elections will take place in March 2007.

In terms of administrative reform and governance, concrete measures were taken, such as wage increases of 50 percent for

employees of the public sector and the signing of the international convention against bribery and embezzlement of public funds.

However, the rhythm of action on the third axis of reform – judicial reform -- remains the slowest. Measures taken have now been limited to the formation of a committee for the revision of texts, including those related to the judicial system and judiciary rules.

Those overseeing reforms in this sector relate that slow progress stems from the sensitivity of the task and the need to be patient and cautious in dealing with the judiciary in order to avoid infringing its independence. But many observers find this argument unconvincing, since what is required is support for the independence of the judiciary and a purge of those who are acting contrary to reforms. This will require urgent and radical interventions, not patience and caution.

## Limits of Reform

The coup raised hopes in the hearts of many Mauritians that the injustices of Ould Tayeh's regime, which spanned over twenty years and was marred by serious human rights and ethical violations, would at long last be reviewed and addressed. The most serious violations requiring acknowledgement and redress center on three issues that many Mauritians would have wanted to have the chance to discuss and close at this provisional stage, but the Military Authority has refused until now to engage in them. These three key issues are:

**1- Blacks' Oppression:** in the late eighties and early nineties Mauritanian Black people were subjected to draconian purges. According to Black activists, approximately 300 Blacks were sentenced to death without trial, those who formerly worked in the army were accused of coup attempts. A large number of black soldiers and officers were purged. The victims' relatives are still demanding investigations into these events, and pursuing legal action against high-ranked army officers for torture and killing.

In spite of an amnesty for the perpetrators of these crimes, which the dissolved parliament ratified in 1993, the victims' relatives and human rights organizations have always rejected claims of amnesty and insisted on a full and legal investigation of these events. Moreover, almost 120,000 displaced Black Mauritanians are still demanding, from their camps on the other side of the Senegal river, an organized return that would guarantee their rights, including a public acknowledgement of their Mauritanian citizenship, which was taken away from them after a 1989 border conflict between Mauritania and Senegal led to the exclusion by each State of the nationals of the other.

These two points constitute what is called "Blacks' Oppression" which are at the core of the Black national claims represented by the FLAM (the African Mauritanians Liberation Front), most of whose leaders live in exile in Europe, North America and African states, with internal currents, all of which were mitigated by the repressive Ould Tayeh's regime.

Cautious reservation was the immediate reaction from this FLAM and affiliated currents after the third coup in August, since the officers who led the coup had enjoyed the protection of the regime and occupied high positions while the oppression and purging of Mauritania's blacks were taking place. Hence, the coup leaders were viewed by many as more or less responsible for those incidents, although none of the coup leaders' names was mentioned on the lists published by the Movement of persons directly responsible for the killings and tortures.

The Military Council has been frank from the beginning about its intention not to open the Blacks' oppression file, stating that they file lacked legitimacy. Council members repeated this view in their statements. The Government emerges from the elections will have the mandate to examine the file more fully.

Despite multiple claims by political parties and rights organizations to seize the opportunity of the current transitional stage to open this file and settle it decisively, the military has not ceased its obsession with preservation of security and national unity, saying that opening the file would harm Mauritania's national interests.

**2- Slavery:** The second issue sidelined and ignored in the context of current reform efforts is that of slavery. Despite legislation outlawing and banning slavery in Mauritania in the early 1980s, it still exists. Mauritania has signed many international covenants prohibiting this practice. The country, however, is situated between the Arab and African worlds and subject to age-old institutions and frames of reference that are strongly affected by contemporary underdevelopment and economic duress. It has been very difficult to root out the institution of slavery and associated practices in Mauritania.

Adding complexity to the issue of slavery continuation was the policy of systematic disinformation deployed by the former regimes restricting the issue to its economic dimension, focusing on the effects of the phenomenon, which they asserted had finally disappeared, in spite of human rights organizations' disclosures of cases of slavery in different areas throughout Mauritania. Further exacerbating the problem of slavery is the fact that it centers largely on the population known as "Al Harateen," estimated by some to constitute 30 percent of the country's population. This group includes the children and grandchildren of slaves who were emancipated, or who escaped slavery by moving to the cities and to major urban centers. This segment of Mauritania's population suffers from low standards of living, poverty, illiteracy, and disease. The parties opposing Ould Tayeh's regime advanced economic policies designed to confront poverty and improve the living standards of Al-Harateen, but the continuing lack of resolution of this problem threatens the regime and civil security. Although a number

of political actors proposed addressing slavery in a comprehensive and decisive manner, the final reports of the above-mentioned forum did not include any solutions to or concrete measures for confronting the scourge of Mauritania's slavery problem.

**3- Economic corruption:** The 1980s and 1990s witnessed the beginning of economic liberalization, serious infringements in the use of public funds, leading to the bankruptcy of many public enterprises, and the looting of many funds intended to finance development projects. Rampant embezzlement and bribery gave rise to a new social elite composed of those who had exploited public funds. Corruption scandals continued to appear in an unprecedented manner. Such practices were encouraged by the lack of punishment and accountability, and the leniency of authorities towards the officials involved in these scandals. Corruption reached a crisis point when the International Monetary Fund (IMF) discovered, at the end of Ould Tayeh's mandate, that the figures submitted to the Fund by the Mauritanian Government were false. As a consequence, the IMF temporarily removed Mauritania from the list of the eight poorest and indebted countries slated to benefit from debt cancellation.

Although the new, post-coup rulers belong to the class that benefited from Ould Tayeh's regime, it is hoped that they will open an investigation into issues of corruption. However, the measures taken so far were limited to public supervision of State properties and the prosecution of the former minister of oil, who was accused of using public subsidies to offer facilities to Australian energy companies. The new authorities asserted, at the highest levels, their disinclination to open past corruption files, an assertion aimed – according to observers – at reassuring businessmen and investors.

### **Obstacles to reform**

The primary obstacle to reforms in Mauritania has been the structure of society. Mauritania is

both a multiethnic community and a society characterized by entrenched traditional and conservative institutions. Illiteracy, underdevelopment, closed mentalities, and a weak central administration all constitute obstacles to reform.

Prior to gaining its independence from France in 1960, Mauritanian society had never experienced any centralized rule. As is the case with many other countries in the Middle East and North Africa, Mauritania's borders bear no relation to any historical reality prior to independence. Since achieving independence, the lack of ethnic homogeneity in Mauritania has constituted a constant source of problems. The wisdom and skill of the successive governments were measured by their ability to deal with these problems. To understand the sensitivity of the issue, it is sufficient to know that there are no statistics available that could provide a solid basis for determining the ethnic composition of the Mauritanian population. Weak national homogeneity is exploited by both Arab and Black nationalists to reject the hegemony of one over the other. For the Arabs, claiming arabization of the education system and of the administration and identifying Mauritania as part of the Arab world were the themes of nationalist movements such as the Nasserites and the Ba'athists, while the Black nationalists view arabization as an attempt to impose the hegemony of the Arab segment over the affairs of the country and to exclude the Blacks and any meaningful African heritage. The exploitation of these differences led unsurprisingly to humanitarian disasters, such as the aforementioned purging and oppression of the Blacks.

If an ideology of unity implicit in Islam mitigates the conflict between the Mauritanian Blacks and Arabs, the problem remains an obstacle to reform and prevents any regime from engaging in essential issues such as educational or agricultural reform or integration into one of the two neighbouring regional groups (the Arab Maghreb Union and the Economic Group of Western Africa).

According to knowledgeable observers, the biggest mistake of Ould Tayeh's regime was that he challenged two taboos when he restored the French language to the curricula of scientific subjects and announced his country's withdrawal from the West African Economic Union.

When examining the conventional structure of society, one finds that the population of Mauritania was composed originally of tribes and classes that sustain and maintain, even while residing in cities, their traditional and primordial social, cultural and political ties. Successive governments dealt with these entities in a manner that affected the central authority's position and prestige. In nominations to public positions, most of the tribes are represented in order to get their support, thus rendering identity a primary criterion for serving in the administration, and merit and ability a secondary issue. Officials appointed on this basis consider themselves representatives of particular social entities first and only secondly representatives of the nation.

Illiteracy is another acute problem posing special challenges to reform processes, and is especially present among Al Harateen. Lack of education is a major obstacle to enhancing and expanding citizens' consciousness and positive response to and participation in reform efforts. Thus far, literacy campaigns have been limited to collecting money, which often must be spent on other urgent matters.

Mauritania's foreign debt load (US\$850 million from the international financial institutions, in addition to debts to regional organizations and neighbouring countries), coupled with the weak performance of the national currency, constitute additional major obstacles to effective reform.

In conclusion, the reform measures promised to the Mauritanian people by the Military Council and their external partners – assuming that they are honoured and realized – may offer Mauritania a new chance to escape from

the vicious cycle of political violence and economic underdevelopment. In fact, for the first time, the rulers have announced that they have no intention to participate in the elections that they claim they will organize. However, the political class has received the announcement of the law prohibiting the participation of the members of the Military Council and of the Government in the elections during the transitory period in a cool and jaundiced manner. Most of the political parties were constituted initially for the purpose of supporting or opposing the regime and the fact that its power was to be preserved or not constituted the basis of those parties'

political programs. They could never imagine themselves without a power that would support them or oppose to them.

As for the chiefs of tribes, of clans, and other notables, their influence and the extent of their political involvement is largely dependent on the presence of a president or a government that can offer them benefits in return for their support. Their power is not grounded at the local level. The real challenge for political actors is their capacity to formulate a project or a vision for a future society that a majority of Mauritians can adopt and support without relying on coercion or enticements by a ruling power on the one hand, or riding a wave of popular protest against the current government on the other.

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