



Madagascar Still Finding Its Way Out

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Madagascar experienced the most severe political crisis in its history after coup leader Andry Rajoelina toppled the regime of Ravalomanana in 2009. Ravalomanana was forced into exile in South Africa and is not yet allowed to enter the country. This coup which is driven by massive demonstration received strong support from the army. This act, which goes against the rule of democracy, is severely condemned by the international community including USA, European Union, African Union, SADC as well as the United Nations. Consequently, the transition regime, known as the High Authority of Transition (HAT), headed by Rajoelina and composed with politicians issued from his faction and army officers, was not recognized internationally while economic sanctions, as exemplified by the suspension of foreign aid, entered in force gradually¹. Several actions of mediations by the international community had failed as Rajoelina had firm stance about the legitimacy of his power and his unwillingness to share it with Ravalomanana². But strong international pressure led to the final agreement in Antananarivo on September 2011 when all stakeholders agreed and signed the roadmap³. All agreed that the elections are the unique and sole option left to get out of the crisis and it must be held. So, the Presidential and parliamentary elections in December 2013 have freed Madagascar from five years of deep political crisis whose damaging economic and social effects are severely felt as exemplified by persistent low growth (below 3% per year during the last five years) and high poverty rate reaching 92% in 2010 (World Bank, 2014). But the great hope of real change and

¹ Diplomatic and economic sanctions were done by SADC and the International Organization of Francophone (April 2009), AU (March 2010), EU (June 2010), World Bank and UNDP (2010), USA (2010).

² Important dates of failed mediation include Maputo 1 on August 9th 2009, Maputo 2 on 28th 2009, Addis Ababa in November 2009, Pretoria in April 2010, Windhoek in May 2011, and Gaborone in June 2011.

³ Stakeholders include Rajoelina and its allies, Ravalomanana's faction and the international community represented by the SADC and AU. The roadmap indicated among others the setting up of new transitional government and the process toward the Presidential election.

economic prosperity on the election eve is gradually vanishing because real political stability is not yet achieved while new type political conflict emerged. This paper will describe election process and its outcome before talking about this new type of political conflict which moves from Rajoelina vs. Ravalomanana to that of Rajaonarimampianina vs. Rajoelina. Then it will conclude on the reasons why the position of the newly elected President is precarious.

1. Elections: before and after

For the sake of real and durable political stability, the international community and crisis mediators wanted the two persons at the heart of the crisis, coup leader Rajoelina and deposed President Ravalomanana, to be sidelined from political scene. But given the strong population support they enjoyed, total sidelining is a risky and dangerous option. So, reasonable option is to prevent them from running in the election, but at the same time to allow them to choose someone else to run at their place⁴. Rajoelina handpicked Hery Rajaonarimampianina, his Minister of Finances, while Marc Ravalomanana chose to support Jean Louis Robinson, a former heavy weight of his political party Tiako I Madagasikara (TIM)⁵. In the meantime, both Ravalomanana and Rajoelina have deployed substantial efforts in order to secure as many seats as possible in the future parliament. While the former relied on his coalition party called “*Mouvance Ravalomanana*”, the latter created also his own political coalition party called MAPAR (Miaraka Amin’ny Prezida Andry Rajoelina), which means “together with President Rajoelina”. The use of own name is considered as an efficient communication tool to win the elections because of the strong popularity attached to the two politicians⁶.

Rajoelina as well as Ravalomanana were thus actively involved in both presidential and legislative election campaigns. Their photos appeared, along with their candidates’, on posters, tee shirts and video clips. In many occasions, they were seen with their candidates during the campaign. So, political observers had expected a run-off between the two proxy candidates and the domination of the above mentioned two coalition parties in the future parliament. Election outcomes confirmed the victory of Rajoelina’s camp as his proxy, Hery Rajaonarimampianina, won the Presidential election with 53.3% of ballots, and as MAPAR won a plurality in legislative election, with 49 MPs among a total of 147⁷. With this victory, Rajoelina is more likely to retake power in the hope that the newly elected president (his proxy) will appoint him as Prime minister, as stipulated by the article 54 of the constitution. According to the constitution, a party or a

⁴ Primarily, the special electoral court (CES) decided that Lalao Ravalomanana, the spouse of the former President, and Rajoelina fulfilled all legal requirements to run in the presidential election, and they were in the official list of candidates published by the CES. According to the law, the decision of CES is irrevocable (no possibility of appeal) and had to be executed. However, it was contested by the international community, which strongly criticized the CES and threatened to withdraw itself from the electoral process. This pressure was so strong that the government had to dissolve the CES and to set up a new CES with new members. Naturally, this new version of CES disqualified Lalao Ravalomanana and Rajoelina and allowed them to handpick their candidates. And this CES’s decision was irrevocable.

⁵ Ravalomanana is the founder of the TIM and is still has a strong influence within the party.

⁶ Political observers think both Ravalomanana and Rajoelina have strong population support.

⁷ The Mouvance Ravalomanana is ranked second with 19 MPs with the remaining seats filled by small parties and independents (not affiliated to any political party). It is worthy to note that independents account in total 43 seats and they are labelled as “free electrons” who have no firm stand and may easily change from one camp to another.



group of party having the majority in the parliament nominates a Prime minister candidate who will be officially appointed by the President. The constitution does not specify whether it is absolute or relative majority whereas the President has the full power to appoint or not the nominated candidate.

However, Rajaonarimampianina wanted to be a new person who wants to stand out of the bad practices and experiences of the previous regime. He also wanted to bring about real change in the country by targeting first national reconciliation, the rule of law and good governance. Through his inaugural speech on 25th January 2014 and several declarations, the President made it clear that he is not anymore under Rajoelina's shadow; and distances himself from the latter's tainted images⁸. It was a very promising and courageous speech that seduced the population, intellectuals, businessmen and the international community. He also indirectly let it know that he is not going to appoint neither Rajoelina nor the latter's handpicked nominee as Prime minister. In addition, Rajaonarimampianina invited the "Mouvance Ravalomanana" and Ravalomanana himself to join him in building the nation and to end political rivalry. His call has received positive response as Ravalomanana and his camp made an official declaration in support of the newly elected President.

2. Emergence of new political conflict: Rajoelina vs. Rajaonarimampianina

Such move is of course perceived by Rajoelina and his camp as a betrayal and demeritorious act, and has given way to a new political conflict, that is the one which henceforth opposes Rajoelina to Rajaonarimampianina. The President has anticipated this conflict and was looking for a strong political support within the parliament by setting up the "*Plateforme pour la Majorité Présidentielle*" (PMP), which is a coalition of MPs in support of the President⁹. It is formed by MPs issued from the *Mouvance Ravalomanana*, small parties and independents. The PMP pretended to have gathered 92 MPs out of a total of 147, a figure which is much more than it needs to secure overall majority at the Parliament. To show that he is still in command and betrayal act is not acceptable, Rajoelina increased pressure on the President and indirectly said, through a press conference, that it may cost him his seat¹⁰.

So, Rajoelina's first move was to have full control of the parliament as MAPAR formed also political alliance with several independent MPs. During the first general assembly of the parliament, the election of the members of its permanent bureau opposed MAPAR to PMP¹¹. MAPAR and its allies won all seats (President, Vice-Presidents and head of commissions) and entirely controlled it; Christine Razanamahasoa being the new President of the National Assembly. It means that part of MPs allied to PMP defected and

⁸ Rajoelina's image is not good in the eyes of international community due to the escalation of bad governance practices, rosewood traffic, political repression and poor economic performance during the transition regime. However, he still has strong internal political support as his faction (MAPAR) won the largest number of seats in the parliamentary election.

⁹ According to the law the President is not allowed to be part of any political party. But he sought support from various political organization and used these politicians to set up this platform in order to secure a large majority at the assembly. PMP is thus the direct opponent of MAPAR.

¹⁰ In his press conference on February 21st 2014 at Hotel Carlton, Rajoelina denounced the betrayal act of Rajaonarimampianina and hinted that his regime may be shorter than expected because MAPAR is going to control the Assembly.

¹¹ Permanent bureau is the board which manages and leads the assembly. In its current structure, it is composed with 7 Vice-Presidents, several Heads of Commission, and other departments.



joined MAPAR¹². Total control of the parliament by Rajoelina's camp implies limited actions and low freedom of maneuver for the future government. It has to cooperate with Rajoelina but that is more unlikely given the extent of the conflict between the two parties. As a solution, Rajaonarimampianina might opt for the dissolution of the parliament and call for a new legislative election, but this could be very risky and might create more severe crisis¹³.

Powered by such victory, Rajoelina moved on to press the President to appoint himself or his nominee as the new Prime minister. In order to settle the issue about the meaning of "majority" in the article 54 of the constitution, the High Constitutional Court (HCC) was asked by the acting Prime minister Omer Beriziky to interpret it¹⁴. The HCC, whose members were appointed during Rajoelina's term, and probably espoused his causes, made a decision stating that it is a relative majority¹⁵. Consequently, the President must officially appoint a Prime minister's candidate nominated by MAPAR. If he tries to appoint another person at this place he will be accused of violating the constitution and the HCC will judge his act as anti-constitutional, thereby leading to his possible impeachment¹⁶.

Conscious of the real threat to his power, Rajaonarimampianina's first action is to delay the appointment of Prime minister because the constitution does not specify any deadline for that. Thus, he can play with the time but he cannot do so indefinitely. New strategy is thus needed and his camp focused on the possibility of changing the members of the HCC. So, members who were appointed on President's quota were replaced because Rajaonarimampianina is the new President and it is in his right to replace them and to appoint new ones. Some members had their term of office being largely expired and the President repealed their nomination. At the end, the President is faced with a HCC which is more favorable to him. That was the first action to weaken Rajoelina's force.

In the meantime, MPs affiliated to PMP called into question the legitimacy of the election of the members of the permanent bureau. They argued that their election violated the constitutional law as it was done without a legal basis, which should be the *Règlement Intérieur* (RI). The RI is a set of general rules to run and manage the internal affairs of the parliament. Indeed, the RI must be voted first before holding the election because the RI set up the rule and procedure of such election. This was not the case during the election of the current members of the permanent bureau; and the PMP asked for a new election¹⁷. Of course, Rajoelina's camp contested such claim, which it qualified as political maneuver aiming to dissolve the permanent bureau. Indeed, PMP once accepted to participate in that election and the claim was just made days after. The HCC was asked again to settle this dispute. It did not say whether the election is valid

¹² Local press hinted that huge moneys were used by both sides to buy independent MPs' votes (L'Express de Madagascar 2014a).

¹³ The constitution gives to President this power.

¹⁴ According to the constitution, only heads of institutions or group of MPs having the majority at the parliament can make this request to the HCC.

¹⁵ In juridical terms there is difference between 'decision' and 'judgment'. Here the HCC was asked to give its opinion not to make a judgment. The opinion of the HCC is given through a decision. The interest of distinction is that judgment has to be executed while decision has not.

¹⁶ There is a room to accuse him even though he is not tied by HCC's decision according to the constitution.

¹⁷ Since the new parliament did not have yet its own RI it used an extract (just those articles related with election of permanent bureau only) from the previous parliament's RI.



or not but stated that (1) an extract of RI is not a RI, (2) MPs need to vote a RI, (3) the current members of permanent bureau will stay in place until new elections will be held¹⁸. HCC's decision was predictable since Rajaonarimampianina had restructured it in the way to favor him. So, an extraordinary general assembly was called up and MPs voted their RI on April 23rd, 2014. This was immediately followed by the election of the new members of permanent bureau on May 4th, 2014. Without surprise, MAPAR lost ground, PMP won all seats and gained full control of parliament. Again, the “free electrons” changed camp while the ballots received by the newly elected President of the National Assembly, Jean Max Rakotomamonjy (PMP's candidate) amounted to 112, indicating that some MPs affiliated to MAPAR voted for the PMP's candidate. The reason behind of this sudden power balance in favor of PMP and defection within a month is not clear¹⁹.

3. Victorious Rajaonarimampianina in precarious position

Now, the road is cleared from threats and Rajaonarimampianina could go along with the appointment of his Prime Minister. Since he is not tied by HCC's decision (only judgment matters), he decided to appoint Roger Kolo, a candidate nominated by the PMP, on April 11th. He argued that Kolo represented the real majority because 92 MPs solicited his candidacy as Prime minister²⁰. Few days later the new government was set up and political organizations as well as groups of independent MPs affiliated to PMP were rewarded with one to three Ministries, depending on the weight of group, within the government. MAPAR is also represented in the Government with two Ministries as its 23 MPs led by national coordinator, Jean de Dieu Maharanty, made it official their alliance with Rajaonarimampianina. The latter had thus reacted beyond the simple fact to overcome the threats. He succeeded in dividing MAPAR, thereby weakening further Rajoelina's force.

However, this is not the end of the conflict even though Rajoelina is trying to cool it off. He declared that MAPAR is not divided and it will not be an opposition party. It will support the President despite some difference of views regarding political affairs. This is just a political language and observers think that disagreement between the two persons has grown in importance. Indeed, media espousing Rajoelina's cause have continued to severely criticize the President and the Government. And Rajoelina was not present at the celebration of the Independence Day on June 26th, 2014. So, it is difficult to say that the country is politically stable. More precisely, political stability is precarious and may probably be short-lived.

In development field, more concrete actions takes time to peel off. Indeed, the performance of the new government is disappointing whereas many doubted the efficiency and the capacity of some Ministers.

First, appointment seems to be solely based on political consideration and none of presidential promises

¹⁸ Décision n°05-HCC/D3 du 27 mars 2014 concernant une requête aux fins de contrôle de conformité à la Constitution d'un extrait de règlement intérieur et d'annulation d'élections au sein de l'Assemblée Nationale.

¹⁹ Local press stated that judiciary threats and moneys were used to dissuade MPs to vote for the PMP. See for example, <http://storage.canalblog.com/34/45/448497/96896898.pdf> (accessed in July 2014).

²⁰ Nomination was not made by vote but by collecting signatures of MPs.



were realized. For example, the day he was sworn in as President, he said that he will seriously struggle against the illegal rosewoods traffic. A promise that many think it is difficult for him to keep because he himself benefited from financial and logistical supports of certain persons who are actively involved in such traffic. Six months after his inaugural speech, no serious action is taken and nobody is arrested yet, rosewoods are still going out of the country. In rare cases, it is the countries of destination of these woods which arrested traffickers. So, there is a big gap between talk and action and this affected negatively population support to him.

Second, the problem of safety is growing in importance daily, and the government takes time to react. For example a simple theft of *zebus* (cows) has degenerated into ethnical conflict, leading to the destruction of two villages and to several deaths in the southern part of Madagascar²¹; but the government took about one month to react and to cope with this situation.

Third, land grabbing is a serious issue in Madagascar but the government is powerless when, for example, thousands of persons were expelled from the land where they have lived for decades by the new land owners²². Several similar case happened throughout the country but the government has no solution. The government argued that owners owned the land legally and the rule of law should be followed by everyone. However corruption was widespread in the country and the acquisition of these lands by their new owners may more likely involve high level corruption. The TV image of the miserable persons being expelled by police force from their lands has negative impact among the population, and will not be in favor of the President.

Forth, the government lacks clear strategy about how to sustain inclusive growth and to develop the country. The Prime minister is supposed to present such strategy and related policies to the MPs but when he did it, his presentation was not convincing and was judged unrealistic and groundless by many development experts (L'Express de Madagascar 2014b). For example, he targeted 7% of economic growth this year whereas serious policies and programs geared toward that goal are not explicit. There is no new elements that will allow more growth than the previously estimated 3.4% one. In addition, foreign aids take time to resume and there is no sign that aid inflows will be more than it has always been.

Fifth, the foreign donors are less enthusiastic about aid disbursement than they were before the election and adopt more prudent stance. In fact, it is difficult to provide aid in absence of serious and realistic development program.

All of these are not in favor of the President and he has to take the necessary measures to correct the situation such as cabinet reshuffle and making development plan to be by donors. So, Madagascar is still finding its way out of the crisis.

²¹ <http://www.madagascar-tribune.com/Pres-de-1000-refugies,19928.html> (accessed in July 2014)

²² This is the case of inhabitants of Ankadimbahoaka in May 2014. <http://www.matin.mg/?p=5490> (accessed in July 2014)



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