

Algeria's road towards democracy: local lessons



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I. Introduction

In Algeria, where a rigid authoritarian order has been in control of state and society longer than anywhere else in the Arab world, the army and state have created a type of political organisation and indoctrination that continues to support the old guard. The approach to questions concerning the prospects of democratisation must be answered at the society level, which Larbi Sadiki has rightly termed 'democratic knowledge' in the Arab world. His *Journal of North African Studies* (JNAS) special issue is a worthy attempt at changing the field of transitology, calling for a refocus of research from issues of how countries become democratic to the question of democratic knowledge.¹ He argues in practical terms for an urgent shift, which in his view is more suited to Arabo-Islamic political transformation, aiming to dig deep into what he calls new and localised 'democratic learning' Arab and Muslim societies. This is the main focus of the eight chapters he edited for the JNAS special issue, which coincided with this leading journal's 20th anniversary. Sadiki's rationale is as follows: firstly, by investigating 'democratic learning' his belief is that one can reconsider varying ways of political change in Arab and Muslim countries. In this respect, Sadiki notes admiration for the work done by Robert Putnam et al.,² namely, the study of the democratic values that eventually helped explain Italian democratisation. Sadiki's 'democratic learning' within and across cases in the Arab and Muslim world can be explored and researched, he says, through two conceptual devices, which he terms the Arab *makhzun* (repertoire of local knowledge) and *mikhyaal* (the Arab social imaginary).³ Islamic tradition, practice and group solidarity are defining features of Arabo-Islamic 'local' knowledge. For Sadiki, the said social imaginary, "whether colored by secularity or religiosity, [is] subject to revision due to encounters with competing imaginaries, including millennial processes of cross-fertilization,"⁴ Sadiki defines 'democratic knowledge' as a multi-dimensional analytic concept that mirrors both contingency and constructivism. Thus for him:

"Democratic knowledge refers to the intellectual and practical capacities, skills, ethics whose primary cognitive weight lends itself to democratic learning, and civic habituation and socialization via an open-ended, constructivist, interactive, cross-cultural but also reflexive process, across time and space, cumulatively and collaboratively. Democratic knowledge is relative to the local context in which good government is formed, grounding it within the inherited repertoire of ideas, morals, including faith-based, and within institutions, significations, and experiences, but without excluding global adaptations."⁵

Therefore, by refocusing research on "local" knowledge and experiences, Sadiki stresses that the study of democratisation can help liberate Arab-Muslim governance from policy-oriented discussion of how countries become democratic.

In Algeria, this process – we argue here – has drawn inspiration from local tradition and know-how. The quest for indigenisation is nowhere more visible than in the process of democratisation that began with the first municipal elections in 1990. This article attempts to fill this gap. Although the field research is ongoing, it draws specifically on research conducted in the summer of 2013, exploring four specific areas where forms of 'democratic learning' have been noticeable: local traditional councils, which are referenced here to show how there exist local forms of democracy in the form of village-based assemblies called *Tajmaat*; military-civil relations, whereby the generals have learnt that 'civilianisation' of politics is inevitable and democratic institutions, representation, accountability and power-sharing are irreversible; the de-radicalisation of former Islamist terrorists, whose reintegration into civilian life has played a crucial role in social peace and the stability of the system, a prerequisite for long-term democratisation; and finally the integration of Islamists in Algerian politics and the reciprocal

¹ Sadiki, *Towards a 'Democratic Knowledge' Turn? Knowledge Production in the age of the Arab Spring*, 2015.

² Putnam et al., *Making Democracy Work: Civic Traditions in Modern Italy*, 1994.

³ Sadiki, *Towards a 'Democratic Knowledge' Turn? Knowledge Production in the age of the Arab Spring*, 2015, 704.

⁴ Ibid.

⁵ Ibid. 706.

effort by Islamists to co-exist with both the military and the secular system. We find that the four areas discussed below are sufficiently remarkable, producing examples of how ordinary Algerians have had opportunities for developing democratic know-how.

II. *Tajmaat*: Algeria's local democratic know-how

The absence of a democratic tradition, the argument goes, hampers a country's transition to democracy. However, those who ascribe to this argument usually look for democracy in the wrong places. Perceptively, Sadiki argues that they "always search for democracy in the Arab region where they do not find it – mostly at the level of state."⁶

If one looks at the local level, one realises that there is a tradition of local democratic know-how. In villages in Algeria, there has been a practice that goes back centuries which bears the characteristics of democracy and indeed suggests the existence of a tradition of democratic experience. The tradition is based on this system – depending on where you are in Algeria called – *Tajmaat* (mainly in Kabilya), *Djemaa* (in the north east) or *Azzaba* (in the Ghardaia region of southern Algeria). These units are responsible for the day-to-day running of different aspects of the communal life of the communities. With slight variations across regions, representation and consultation are the bedrock of this system. Mahfoud Bennoune recognised the role that *Djemaa* played in pre-colonial Algeria. He argued that it was tasked with running all the affairs of the whole village (*dachra*) and concluded that this was the most important political organisation in rural pre-colonial Algeria.⁷ In what follows, we will look more closely at *Tajmaat* in Kabilya.

It should be pointed out from the beginning that *Tajmaat* does not necessarily have a formal position within the administrative structure of the Algerian political system. It is a system and a practice that has evolved and been practiced over the centuries and has served the needs of the people who have been using it. In an interview with one of the authors, a member of *Tajmaat* in the region of Bejaia argued that *Tajmaat* predates the modern notion of participatory democracy. He stated that his ancestors

had put in place structures to ensure the smooth-running of the community's daily public affairs.⁸ Gabriel Camps describes the Kabyle village as a "kind of village republic."⁹ Each village forms *Tajmaat* (the village's assembly), the size of which depends on the size of the village itself. It is composed of men (women were excluded) of a certain age – similar to the modern day voting age – regardless of their socioeconomic status or background, who can participate and express their ideas and take a position on every proposal put forward for debate. In this sense, this assembly is a debating forum – a quasi-parliament – where members can speak. *Tajmaat* is responsible for the running of the daily life of the community. It deals with local business in every detail, for example road repairs, an extension of the local cemetery or the extraction of water sources. Moreover, *Tajmaat* acts as a court where conflicts are resolved, usually meeting once a month and holding extraordinary sessions as and when required. Elections constitute the heart of this system. Unlike the modern notion of democracy with the emphasis on the separation of power, all powers are concentrated in the hands of this institution. However, it does not automatically follow that the practices are authoritarian and the *Tajmaat* abuses its power. On the contrary, many of the democratic practices that exist in modern democracy have been practiced under this system. *Tajmaat* does not only represent the embodiment of *el-hiba* (authority/legitimacy), but it is also the guarantor of the material and moral integrity *el-herma* (honour) of the village. All activities of the village and *Tajmaat* are regulated by *elqanoun tadart* (the village's law), which is based on *Shari'a* law as well as local traditions.

In *Tajmaat* at the village level, each *thakhar-rubth* (family) is represented by a *Tamane* (guarantor). However, as Hugh Roberts correctly observes, "the conception of representation involved is significantly different from that of other democratic traditions in Europe."¹⁰ Nonetheless, this is a practice that is compatible with the modern notion of democracy. The *Tamane* takes part in the debate, puts forward grievances, if any, and generally expresses the views of the family he 'represents'. Most importantly, the *Tamane* vouches for his group, 'by giving his word on its behalf that it accepts and will abide by the decision of

⁶ Sadiki, *The Arab Spring and the coming fall of Orientalism's Tower of Babel*, 2012, 25.

⁷ Bennoune, *El Akbia: un siècle d'histoire Algérienne (1857-1975)*, 1986, 27-123.

⁸ First author's interviews, Algiers, 8 August 2013.

⁹ Camps, *Les Berberes. Memoires et Identite*, 2007, 297.

¹⁰ Roberts, *The Battlefield Algeria, 1988-2002: Studies in a Broken Polity*, 2003, 43-44.

the *Jema'a* as a whole.¹¹ This is the equivalent of modern-day voting in favour of a resolution in a parliament. Final decisions are based on the consensus of those present, after groups have had their views heard and taken into consideration. These decisions are binding only on the families whose *Tamane* was present in the deliberation and committed their family to respecting the decision.

This practice has two characteristics that largely define the essence of democratic practice, and suggests once more that local democratic know-how has existed in this part of the world for centuries. The first is that any member has the right to object to any proposal by the *Tajmaat* and the proposal will not be binding on the group if its *Tamane* has not sanctioned it. Secondly, and perhaps more importantly, if a *Tamane* has not been invited to a meeting, or has missed the meeting for a reason other than dereliction of duty, it is the group's right to 'reject and contest the decision regardless of the content,' as Roberts notes.¹² Accepting decisions which resulted from deliberations that one was not a party to would be tantamount to self-disfranchisement, which is an anathema not only to democracy but also to the principle upon which the system of *Tajmaat* is built.

Thus, villages are analogous to republics that are managed by *Tajmaat*, and form part of an *arch* (the tribe), which is composed of several villages linked by familial, cultural or political ties. The *arch* functions like a federal state. Whilst the local business of each village is run through the council of the village, *Tajmaat*, the *arch* is responsible for external affairs, such as defence against external aggression. The *arch's* affairs are run by the assembly. It is composed of *amins* from each village, who elect the *arch's* *amin* from amongst themselves. The *amin* at the level of *arch* defends the interests of the *arch* as a whole and ensures that a spirit of trust, brotherhood and mutual support exists among different villages. Given the nature of the system, the likelihood of disagreement and division is higher. The *arch's* *amin* plays

the role of the arbiter in case of a conflict between villages within the *arch*.¹³

These structures suggest that democratic practices are not alien to Algerian traditions and culture. They have been in existence for centuries and are how the affairs of the local communities have been carried out. However, these practices have always been implemented outside official channels. After independence from France in 1962, rather than build upon these structures to foster a more democratic culture, the Algerian authorities co-opted these informal structures and the local leaders to entrench the status quo and serve the regime's interests.

II.1 Civil-military relations

The examination of relations between civilians and the military goes back to Plato more than 2,500 years ago but it has received unprecedented attention in the second half of the twentieth century. Civil-military relations (CMR) "involve issues of the attitude of the military towards civilian society, the civilian society's perception of, and attitudes of the military, and the role of the armed forces in relations to the state."¹⁴

In general, research on CMR focuses on two main points: what brings the military to intervene in politics, and why the military would terminate its rule and return to barracks.¹⁵ Finer, for instance, distinguishes between four types of CMR: when the military, like any other pressure group, exercises its legitimate and constitutional influence to attain its objectives; when officers resort to blackmail and the threat of sanctions in order to achieve the same objective that could not be realised in the first type; when a civilian government is displaced by a military coup; and finally, when the officers simply do away with the civilian government and exercise powers themselves.¹⁶ Luckham, on the other hand, bases his typology of CMR on three factors: (a) the strength of the civilian institutions, (b) the strengths of the military institution (c) and the boundaries between the military institution and its environment.¹⁷

¹¹ Ibid. 43.

¹² Ibid. 44.

¹³ First author's interviews, Algiers, 8 August 2013.

¹⁴ Ebo, *Towards a code of conduct of armed security forces in Africa: opportunities and challenges*, 2005, 2.

¹⁵ Finer, *The man on Horseback*, 1962; Clapham and Philips, *The Political Dilemmas of Military Regimes*, 1985; Huntington, *Patterns of violence in world politics*, 1962; Luckham, *A Comparative Typology of Civil Military Relations*, 1961; Nordingler, *Soldiers in Politics: Military Coups and Governments*, 1977.

¹⁶ Finer, *The man on Horseback*, 1962, 3.

¹⁷ Luckham, *A Comparative Typology of Civil Military Relations*, 1961, 9-20.

Clapham and Philips are more interested in how military officers use power as opposed to how they obtain it. On this basis, they classify four types of CMR: veto, moderator, factional and breakthrough. It should be stressed that the unity of the command structure, the differentiation of the army from civil society, the perceived threat from the latter and the level of autonomous political organisation are the determinant factors in their classifications.¹⁸ These relationships determine the extent to which the military is likely to intervene in the political process. Invariably, the generals justify their actions in exceptional terms by claiming that they were left with no other option but to act in the best interest of the 'nation.' More importantly, they almost always stress that their tenure is temporary and that they would return power to a civilian government once the time is right to do so. Finer argues that the military's return to barracks occurs as a result of a combination of three conditions: "The disintegration of the original conspiratorial group, the growing divergence of interests between the junta of rulers and those military who remain as active heads of the fighting services, and the political difficulties of the regime."¹⁹ Whilst he identifies civilian pressure and military coups as rare but possible paths to withdrawal, he stresses that voluntary disengagement is the most common and identifies the military's corporate interests as the driving force behind this withdrawal.²⁰ This theoretical framework represents the basis upon which an evaluation of CMR relations in Algeria is undertaken. It assesses the extent, if any, to which there has been a process of democratic learning whereby the military has realised that the process of democratisation is irreversible and that their gradual disengagement from politics is the natural path of this process.

Following the tragic events of October 1988, an attempt to professionalise the army began. Indeed, Article 25 of the February 1989 constitution stipulates that "[T]he permanent task of the National People's Army is to safeguard the national independence and to defend the national sovereignty." The military announced its retreat from politics and forbade its personnel from joining any politi-

cal party. The security service, *Direction Générale de Prévention et de Sécurité* (DGPS), was restructured and stripped of its ideological/economic intelligence mission, while the new security agency, *Délégation Générale à la Sécurité et à la Documentation* (DGDS), had its role officially confined to counter-intelligence missions with no involvement in political matters. President Chadli Bendjedid (1979-1992) and his entourage had hoped that the new political players could be co-opted in a 'refurbished' political system controlled by the president. Confident in their political strategy, they went as far as authorising the legalisation of the Islamist party Front Islamic du Salut (FIS) despite the informal opposition of the majority of the military commanding officers. However, Bendjedid and his reformist ally and Prime Minister Mouloud Hamrouche were able to convince their military counterparts that the Islamic party could be contained through the development of a strong democratic front and the improvement of the country's socio-economic conditions. The military, aware of the potential pitfalls of such a strategy, still went ahead with the president's plans.²¹

Within a few months the FIS made its official entry into local and national politics, winning the majority of seats in the country's first free municipal elections.²² The results dealt a serious blow to the government. However, with the presidency far from under threat, the military did not openly oppose the president's strategy. Nonetheless, General Betchine, then head of the DGDS, resigned partly because of his opposition to the government's approach to dealing with the Islamists. His resignation was symptomatic of a growing unease within the military towards the president and his then Prime Minister Hamrouche. They accused the government of keeping them deliberately in the dark when it came to major political decisions affecting the country.²³ Betchine's resignation triggered another restructuring of the intelligence agency. The DGDS was dissolved and replaced by the *Direction des Renseignement et de Sécurité* (DRS) with the appointment of General Mediène, a protégée of Bendjedid's and a close friend of his loyalist General Belkheir. Hamrouche reshuffled his government

¹⁸ Clapham and Philips, *The Political Dilemmas of Military Regimes*, 1985, 8-10.

¹⁹ Finer, *The man on Horseback*, 1962, 191.

²⁰ Ibid. 145-147.

²¹ Second author's interview with senior officers, Algiers, 16 September 1989.

²² Iratni and Tahi, *The aftermath of Algeria's first free local elections*, 1992.

²³ Second author's interview with a former high ranking officer close to Betchine, Algiers, 20 October 1990.

and General Nezzar, the military chief of staff, was appointed minister of defence.²⁴

The apparent weakness of the government encouraged the FIS leadership to push for more concessions. Bendjedid reluctantly gave in to demands for parliamentary elections to be held in July 1991. The government, determined to avoid a repeat of the municipal elections, introduced a new electoral law and boundaries which clearly favoured the FLN.²⁵ The FIS rejected the new law, and called for an indefinite strike and the occupation of public squares, as a result of which the military concluded that the FIS was staging an Iranian-style revolution and cleared the public squares.²⁶ This move signalled the end of the “wait-and-see” approach. The president, under pressure from his generals, fired Hamrouche, appointed Ghazali as prime minister and postponed parliamentary elections. The military were in no hurry to return to their barracks. On the contrary, they intensified their crackdown on the FIS and, on 30th June 1991, arrested its leaders, Abbassi Madani and Ali Belhadj. The crisis was an opportunity for the commanding officers to reassert their authority. By January 1992, the military’s return to politics was more visible after it cancelled the first round of the legislative elections, which was won by FIS.²⁷ Military officers felt betrayed by their commander-in-chief, Bendjedid, who was secretly seeking a political coalition with the FIS, for which he was forced to resign by the generals. This plunged the country into an unprecedented level of violence. In January 1994, the military called upon one of its own, retired General Liamine Zeroual, and appointed him head of state. In 1995, he was elected president, yet he did not complete his term in office.

He was unable to fulfil his presidential functions because of interference by an influential coterie of generals who disagreed with his vision for national reconciliation and a return to the democratic process.

In April 1999, the military brought Abd al-Aziz Bouteflika to the presidency. Before he accepted the position, he asked to be given a *carte blanche* in the running of the political affairs of the country.²⁸ During his first term in office, he ceaselessly exploited every public appearance to stress that he was the supreme chief of the military and pointed to his own military background as a commanding officer of the ALN.²⁹ It was quite evident that both parties had an interest in reshaping the formal conduct of political affairs in the country. Indeed, after a long period of direct involvement in politics and a reasonably successful battle against Islamist armed groups, the commanding officers found in Bouteflika an ideal candidate who could guarantee a steady return to political stability.³⁰ They had clearly (and deliberately) initiated a ‘fresh’ political atmosphere with a new political leader capable of rallying national opinion and restoring the international credibility of Algeria, which had become increasingly tarnished since 1992.³¹ Nonetheless, despite the apparent control of power by Bouteflika, the extent to which the military has genuinely retreated from politics remains uncertain. One can argue that the presence of the intelligence service within most of the state’s civilian administration lends credence to the view that the military has an enduring political role. However, well aware of the informal functioning of the system and the capacity of the military to undermine the presidency at any time it felt threatened, Bouteflika

²⁴ It should be pointed out that apart from the first three years following independence (1962-65), this has always been the position held by the president.

²⁵ Following the FIS’s success in the local and regional elections of June 1990, the Algerian authorities fearful of another triumph for the Islamists moved to redraw the electoral boundaries and changed the electoral law to prevent another FIS victory. For more details, see Bouandel *Reforming the Algerian Electoral System*, 2005, 404-406.

²⁶ In its assessment of the security situation, the DRS warned that the FIS’s intention was to replicate the Iranian revolution when its leader started to threaten to take the protest to the presidency.

²⁷ It should be pointed out that a survey was conducted by the military in October 1991 which showed that the FIS would at best win a third of the popular vote. As a result, the military gave its blessing to the holding of the legislative election.

²⁸ It should be pointed out that Bouteflika was offered the presidency in 1994 but turned it down.

²⁹ In an interview to France3 TV, January 2000 Bouteflika stated. “Oui, c’est moi qui nomme les chefs de l’armée. Et c’est moi qui les dégomme” [Yes. I am the one who decides the appointment and the dismissal of the military’s commanders].

³⁰ Despite the reticence of some officers, such as the late Lamari and Nezzar – retired but still influential – Generals Mediène and the late Belkheir were able to convince their peers.

³¹ It should also be pointed, however, that the military’s relentless fight against so-called “terrorists” resulted in allegations of their involvement in some of the massacres. This period coincided with the adoption of the Statue of Rome, which created the International Criminal Court in July 1998 and its authority to prosecute those involved in gross violations of human rights, which made high ranking officers reconsider their future conduct.

refrained from alienating his military backers. On the contrary, he preferred to govern with the support of the intelligence service. While his public rhetoric about the subservience of the military may have helped him portray an image of a president in full control of the military and able to neutralise some of the reluctant generals, such as former chief of staff Lt. Gen. Mohammed Lamari, who opposed his vision, he continued to rely on the DRS to undermine any form of social or political mobilisation against his authoritarian ambitions. Indeed, it was the DRS that enabled him to change the constitution in November 2008 to allow him to run for a third term in office. However, when he felt that the support of the DRS was weakening after many of his entourage and close associates were named in corruption cases, he initiated a subtle game of 'divide and rule,' in which he used his presidential prerogatives to undertake institutional reforms of the DRS, limiting the investigative powers of the security service and empowering Lieutenant General Gaid Salah, military chief of staff, with some of the responsibilities of the DRS. The continuous interference within the DRS resulted in the dismissal of its head, General Mediène, in September 2015. The DRS was eventually abolished and replaced by the Department of Surveillance and Security (DSS), with Bachir Tartag, a close ally of Bouteflika, as its head. The newly created department is independent from the Ministry of Defence and under the direct authority of the presidency.

It should be stressed that over the last decade, and especially after the events of the Arab Spring, the role of the military in the politics of Algeria is no longer a taboo subject in public discussions. On many occasions, influential generals – whether serving or retired – have found themselves publicly involved in debates about the role of the army, such as Generals Nezzar and Benyelles. Nevertheless, on every occasion the officers have reiterated their official position that the military is no longer involved in politics. Moreover, in February 2014 – in an unprecedented move – the FLN's leader, Amar Saadani, criticised the DRS and its chief for the institution's continuous presence in politics and for failing to prevent terrorist attacks. Ironically, Saadani's outburst sparked a massive outpouring of support for the security service from many former and active political leaders and the private press. This episode also illustrated the

continual reliance of the Algerian civilian elites on the military to drive political reforms, thus reflecting the incapacity as well as the un-readiness of civil society to push or encourage the military to extract itself fully from politics. Paradoxically, Hamrouche, the man who led the political reforms in the late 1980s and early 1990s, recently called upon the military to lead the transition to democracy. He went on to say that without the military's approval there is no chance of establishing democracy.³²

Furthermore, past experience shows that it may take years before the military elite's attitudes towards any process of demilitarisation changes in countries where the military is strong and well entrenched in politics. This process may require the civilian elite to accept, among other things, some forms of military involvement in politics for a period of time in order to build trust, and bridge the gap in civil-military relations. Though experiences are different, in Latin America the civilian elite had to cooperate with the military and concede some "prerogatives" or "reserved domains" in order to ensure a smooth transition.³³ In many respects, at the bottom of the crisis in the Algerian political transition was the lack of political experience of the nascent civil society in exploiting the opportunity of liberalisation offered by what seemed to be a "civilianised military leader".³⁴

Nonetheless, with the passage of time the old generation of military officers, especially the protagonists in the January 1992 *coup d'état*, is becoming an extinct species. Most of them have either died or retired, and their influence on the political scene is not as strong as it was. Indeed, a new generation of high-ranking officers has emerged. These professional and well-educated officers have been promoted to some of the most important positions within the military hierarchy. This new generation of officers perceives its role to be that of a professionalised army whose sole function is to protect the country, and they would be much more inclined to approve the military's return to barracks.

II.2 De-radicalisation of former terrorists: a prerequisite for sustainable democratisation

Amnesties are important mechanisms in establishing regime legitimacy. They offer incentives for those who have taken up arms to put an end

³² Algerian TV, 27 February 2014.

³³ Linz and Stepan, *Problems of Democratic Transitions and Consolidation: Southern Europe, South America and Post-communist Europe*, 1996.

³⁴ Stepan, *Paths toward Re-democratization: Theoretical and comparative Considerations*, 1986.

to their activities and allow a safe return to their communities. In theory, they encourage the possibility of forming alliances with the regimes they formerly fought against. Furthermore, these amnesties help build a renewed consensus regarding the concept of citizenship after a radical rupture in the social and political fabric of the country, such as a civil war or rebellion. Those who take advantage of such amnesties can return to their normal lives, while those who do not are considered terrorists or outlaws. Therefore, the continued efforts of the government to eradicate these groups by whatever means available become, at least in the eyes of the state, a legitimate exercise. In this section, through an analysis of the legislative procedures relating to amnesties in post-conflict Algeria as well as of their administrative oversight and eventual impact, we hope to generate a new understanding of how elites in Algeria have attempted to construct the post-conflict political order.

The violence that followed the military's intervention in January 1992 deepened the polarisation of Algerian society. The army, the government and the Algerian public were divided into two main opposing groups. The *reconciliateurs*, those who were convinced that national reconciliation and dialogue were the only way forward, included President Zeroual, some secular and moderate Islamists and younger military officers. On the other hand, there were the *eradicateurs*, those who ascribed to the notion of 'take no prisoners,' who called for total suppression of the FIS and its supporters. They included many of the senior military officers, such as the then chief of staff Lamari, and the civilian elite, such as Redha Malek, former prime minister, and Saïd Saadi, former leader of the secularist party Rally for Culture and Democracy (RCD). Zeroual reached out to the Islamists for dialogue. He visited the FIS leadership in military prison, but discussions failed because they could not agree on how to proceed. The conditions that the FIS leadership put forward were not acceptable to the authorities in Algiers.³⁵

The failure of the proposed negotiations led the military to assume a leadership role. It sensed that Madani Mezrag, leader of the FIS's military wing, the Islamic Salvation Army (AIS), was willing to cooperate with the regime to end the cycle of violence. Years later, in an interview with an Algerian satellite TV station, he stated that his conviction that the political leadership

of the FIS was divided and unable to find a solution to the crisis drove him to negotiate directly with the military.³⁶ While the two parties claimed to have reached an agreement that would end the bloodshed, the terms of the agreement were never made public. According to former Algerian finance minister, Ghazi Hidouci,

"in October 1997, an agreement, that was kept secret for a long time and whose specific content and terms are still unknown, was signed between the military command and the largest and most well-known armed factions (such as the Islamic Salvation Army, AIS). When president Bouteflika took office this agreement became the 'law related to the restoration of the civil concord.'³⁷

Moreover, this law granted amnesties, lenient treatment and a place in society to those who willingly laid down their arms. It is important to note that Bouteflika's attempts to introduce an amnesty also encompassed issues of political system design as well as establishing some means to legitimise his rule. The civil concord law excluded the death penalty and stipulated that the maximum punishment would be 20 years imprisonment for those who had been involved in massacres. Those implicated in acts of "terrorism and subversion" which had not involved deaths were exempt from prosecution. Except for those cases involving massacres or the use of explosives in public places, the law provided for a probationary period of three to ten years, depending on the nature of the crime committed. This seemingly lenient treatment was to be conditional upon the behaviour of the amnestied fighter. Specifically, applicants had to give up arms and voluntarily surrender to the authorities within six months of the passage of the law by the National Assembly, i.e., by 13th January 2000. One major problem with the law was that the state was not in a position to provide leniency unless the victims and their families gave the government the right to do so. The drafters of the law felt it necessary to include this stipulation respecting the age old custom of Diya, or blood money, practiced in many Middle Eastern cultures, because it would acknowledge the pain and harm done to the victims. Hence, the amnesty programme would not only 'rehabilitate' the perpetrators but also instil a sense of justice being done in the victims and their relatives.

³⁵ First author's interview with Abbassi Madani, Doha, 8 March 2012.

³⁶ Al Chourouk TV (Algiers), 26 September 2013.

³⁷ Hidouci, *Charter for Peace and Reconciliation in Algeria: Threatening Contradictions*, 2005.

President Bouteflika had always made it clear that the law on civil concord was the first step in a long and difficult road to peace. Peace, he argued, would be achieved through national reconciliation, as “we do not have another alternative to bring an end to insecurity and to achieve a reconciliation that the majority of the Algerians would like to see come true.”³⁸ On the surface, the national reconciliation project would be able to convince the last remaining radical fighters to give up their arms. Thus, during Bouteflika's quest for a second term in office in April 2004, national reconciliation was the dominant theme of his election campaign. The landslide victory for Bouteflika with 84.99% of the votes in favour was a public endorsement of his proposed national reconciliation.³⁹

In August 2005 the Charter for Peace and National Reconciliation was made public. The proposed charter was overwhelmingly approved by a national referendum on 29th September 2005 and came into force in March 2006. The text also provided financial compensation for the families of the ‘disappeared’ and granted former members of the banned FIS the right to take part in political activity. Yet despite this provision, FIS co-leader Ali Belhadj, for instance, was not allowed to take part in politics. The most obvious winners in this process were the security services. Indeed, according to the charter itself, the “Algerian people pay a vibrant tribute to the People's National Army, to the security services as well as to all the patriots and anonymous citizens who have helped them, for their patriotic commitments and their sacrifices which permitted to save Algeria and to preserve the knowledge and institutions of the Republic.” Furthermore, the charter points out that “in numerous cases [these] disappearances are consequences of criminal activities of blood-thirsty terrorists who have assumed the right of life or death of everybody.” Many critics believe that sweeping everything under the carpet and not knowing who is responsible for what is hardly the basis for a lasting peace. Understandably, the victims' families were not satisfied with these findings.

However, in order to end a conflict, amnesty should be looked at as a starting point in a long, comprehensive and inclusive national reconciliation process. Treating amnesty as an end in itself, as was the case in Algeria, can in fact negate the essence of the reconciliation process.

By doing so, it reduced the process to a mere presidential decision to strike a deal with insurgents, exchanging amnesty for disarmament. Amnesty, it must be stressed, is a process that must address the needs of and offer treatment to both victims and perpetrators. For the victims of violence in Algeria, there is a need first to know what happened in the past before they can come to terms with it and move on. One major shortcoming of the Algerian amnesty has been that it failed to transform relationships between victims and perpetrators, continuing a narrative of security forces versus protesters, and insurgents versus victims of violence. Finally, the granting of amnesty by President Bouteflika raises questions about the relationship between the state and its citizens. In particular, to what extent can the president, or the government, represent the victims and their families to forgive perpetrators for their wrongdoing? The state can certainly negotiate with fighters – in groups or individually – and cut deals, but only with respect to the allegation of disrupting public life. For cases of individual harm suffered, only the victims or their survivors may grant amnesty, not the state, and it must be done under terms that address the issues at stake. The general public has a stake in restoring stability but not necessarily in addressing the victims' need for justice.

II.3 Co-optation and integration of Islamists

Larry Diamond correctly observes that for democratic survival it is imperative that “all significant political actors, at both the elite and mass levels, believe that the democratic regime is the most right and appropriate for their society, better than any realistic alternative.”⁴⁰ This belief can be the result of a process of learning whereby these actors learn from practice. In Algeria, a ‘democratic learning’ is clearly discernable since political reforms were introduced in the late 1980s. The legalisation of Islamist parties was accompanied by doubts about their commitment to democracy. Statements by some of the Islamists and by other self-proclaimed democratic parties raise questions about their democratic credentials. However, with the passage of time the Islamists softened their political rhetoric and insisted that they would embrace democracy and denounce violence. Indeed, some of the Islamists who took up arms against the regime became *interlocuteurs valables* in the design of the proposed constitution that President Bouteflika

³⁸ Al Jazeera, *Inquiry into missing Algerians urged*, 2005.

³⁹ Bouandel, *Algeria's Presidential Elections of April 2004: A backward step in the democratisation process or a forward step towards stability?*, 2004

⁴⁰ Sadiki, *Towards a 'Democratic Knowledge' Turn? Knowledge Production in the age of the Arab Spring*, 2015.

promised after the legislative elections of May 2012. Secularists, on the other hand, who at the beginning of the reforms engaged in a narrative that excluded Islamists and warned of their potential danger to democracy and society, have come to accept them. The analysis in this section takes a historical approach to show how the two opposing views have been reconciled and how this 'democratic learning' has taken place, focussing on two specific parties at opposite poles of the political spectrum: the Islamists, represented by the FIS, and the secularists, represented by the RCD.

Article 40 of the 1989 constitution provided for the creation of political associations – read political parties – that should not be exclusively based on religion or ethnic groups. However, when it came to the legalisation of political parties, Algeria saw the emergence of parties at the extreme ends of the political spectrum: from the conservative Islamist FIS to the more secular and ethnically-based RCD.

The legalisation of the FIS as well as other Islamist parties was viewed with suspicion. The general perception among several political parties, such as the RCD, as we shall see later, and the middle classes was that Islam is not compatible with democracy and that Islamists represent a threat to the principles of the republic, individual freedoms and women's rights. The FIS leadership went to great pains to justify itself and reassure Algerians that it was a democratic party and that it would obey and play by the rules of the game. It should be pointed out, however, that the FIS's discourse was neither consistent nor coherent. On the one hand, Madani Abbassi, a London-educated professor at Algiers University, leader and official spokesperson of the party, was projecting an image of a moderate party that is committed to democracy. Aware of the popular misconception about Islamist parties' stance on democracy and the role played by anti-Islamist agents, Abbassi spared no opportunity to highlight the democratic credentials of his party. In a televised appearance in February 1990, he defined democracy as "the provision of people with the opportunity to choose from the alternatives a leadership that represents it". He went on to argue that, given this definition, his party "would adopt it as way of life". In response to those who warned against the intention of the FIS, accusing it of using democracy to come to power and deny it to others once in power, he issued an emphatic denial,

stating that it "was neither found in the party's political program nor in its official statements." He went further to stress the virtues of pluralism. He argued that "the existence of numerous parties is vital for the management and running of the nation's affairs."⁴¹

On the other hand, his deputy Ali Belhadj, a school teacher, was making uncompromising statements. He expressed the view that democracy was a western notion that was alien to Algerian culture and stressed that Islam was the only salvation for the people, arguing that "if people vote against the Law of God ... this is nothing other than blasphemy. The *ulama* will order the death of the offenders who have substituted their authority for that of God."⁴² Furthermore, the FIS's supporters frequently shouted slogans such as "*La mitak, la destour, kal Allah, kal Errassoul*" (there is no charter and no constitution, only what Allah and the Prophet had said) during public marches in different cities around the country. These statements did not go unnoticed as Algerians from different sections of society – particularly the middle classes, who had a sense of *déjà vu* recalling what happened in Iran just over a decade earlier – saw this as a direct threat to their civil rights. Secular parties cried foul at these statements, seeing them as a direct threat to democracy, while the military followed these developments very closely without making its position known.

The political viability of the FIS was tested in June 1990. It won an overwhelming majority in the first pluralist local and regional elections. With national legislative elections looming, the FIS's perceived threat to democracy became more real as it started to pressurise the government for further concessions. In response to changes in the electoral system and electoral boundaries, as discussed earlier, the FIS not only called for a general strike with the occupation of the main squares of Algiers, but also called for a showdown with the regime. The comparatively moderate Abbassi called for "*jihad*" whereas the radical Belhadj called on "police to turn their guns against their superiors" and urged Algerians "to stock anything that can eventually be used as a weapon."⁴³ Statements of this kind served to strengthen the perception, if not the belief, among Algerians that, at best, this party uses democracy as a means to an end. Fearing the situation getting out of hand, the regime arrested the FIS leader and his deputy in June 1991 and jailed them for 12 years.

⁴¹ Algerian TV, 27 February 1990.

⁴² Horizons (Algiers), 23 February 1989.

⁴³ Jeune Afrique (Paris), 6 July 2003.

However doubtful the democratic credentials of Islamists were, the democratic stances of secular parties such as the RCD were also questionable. In a televised debate between Abbassi and the then leader of the RCD Saadi in October 1990, the latter stunned Algerians when he told Abbassi, “[W]e will not let you pass.” This was interpreted as a direct threat suggesting that the anti-Islamist camp would do anything, including resorting to non-democratic means, to ensure that the FIS would not form a government even if it won the forthcoming legislative election.⁴⁴ Saadi espoused a discourse that was exclusionary at best. He believed that Islamists were not to be trusted and there was no point in even giving them a chance. In statements that can only be described as derogatory and demonising, he stated that “Islamists are like death, you only experience it once.” In other words, once they come to power, they will be there forever, espousing the general wisdom on Islamists’ perception of elections as “one person, one vote, once.”

This atmosphere of uncertainty, fear and mistrust led to the FIS being accused of “possibly changing the constitution or establishing tribunals to try FIS enemies.”⁴⁵ It goes without saying that not only did the FIS deny that accusation, but it went on the offensive to rid itself of this negative image and reassure Algerians. Abdelkader Hachani, a moderate who assumed the temporary leadership of the party after June 1991, stated that the “FIS will guarantee individual rights and collective liberties in the framework of Islamic law and will tolerate the existence of parties other than Islamic ones.”⁴⁶ After it won the first round of the legislative elections in December 1991,⁴⁷ the FIS kept sending incoherent and contradictory messages. On the one hand, Mohammed Said, one of its founding members, warned “Algerians to be ready to change their eating habits and their dress code” in a Friday sermon in Algiers in early January 1992.⁴⁸ Hachani, on the other hand, true to his moderate credentials and aware of the volatility of the situation, informed

President Bendjedid of the FIS’s intention to withdraw its candidate from the second round of the election.⁴⁹ This, Hachani argued, would show that the party is willing to share power with the different political forces in the country.⁵⁰ This proposal never materialised and the army intervened to put an end to the process with the support of several political parties, such as the RCD. The decision to cancel the electoral process, it was argued, was to save democracy. “It is those who accuse us of being a danger to democracy, who dealt a major blow to country’s democratic transition,” an elected member of a local assembly stated.⁵¹

III. Conclusion

There has been a ‘democratic learning’ that is clearly visible, not only in the statements but also in the attitudes of these actors. Abdel Majid Menassra, the leader of the moderate Islamist party *Front du Changement*, has stated that the “Islamists should believe in democracy first. In this democracy, there is no place for either violence or exclusion.”⁵² Furthermore, former fighters of the armed wing of the FIS have given up their arms and Mezrag, the wing’s former leader, has participated in the consultation regarding the constitution that President Bouteflika proposed after his re-election in April 2014. Years of crises have made Saadi more aware of the realities of Algerian society and its attachment to its religious values. He has softened his approach, has become more inclusive and has come to the realisation that Islamists are varied. In 2003, he argued that “he recognized moderate Islamism ... because the solution to the Algerian crisis must involve a convergence of democrats, conservatives and Islamists.” Saadi’s statement represents an important development in how he views the Islamists and suggests the beginning of a new chapter. He has not only recognised Islamists as actors in the country’s politics, but has also acknowledged that they are an integral part for any solution to the Algerian crisis. By 2014, his initial position towards the Islamists had com-

⁴⁴ First author’s interview with an elected member of the FIS, Jijel, Algeria, 10 July 1992.

⁴⁵ Willis, *The Islamist Challenge in Algeria: A Political History*, 1996, 239.

⁴⁶ Ibid. 239-240.

⁴⁷ Bouandel, *Algerian National Popular Assembly Election of December 1991*, 1993/1994.

⁴⁸ The authors are grateful to Nacer Eddine Aliou, former director of the Algerian daily, *El Yawm*, for bringing this point to their attention.

⁴⁹ First author’s interview with Brahimi, London, 2 December 1998.

⁵⁰ By not putting forward candidates in the second round, scheduled for 16th January 1992, the FIS would have ensured that it would not win the required majority, 50 per cent plus 1, to form a government. Accordingly, without FIS candidates in the second round the election would have resulted in a coalition government, and the FIS would have been willing to share power with the different political forces in the country.

⁵¹ First author’s interview, Jijel, 6 July 1992.

⁵² El Khabar, Algiers, 4 September 2013.

pletely changed, when he declared that “[t]he Islamists are now democrats, we convinced them, they are our friends.”

Algeria has been experiencing a process of transition to democracy for the last 25 years. The experience suggests that there has been a slow build-up of ‘democratic knowledge.

‘Democratic practices, such as consultation and elections, are not necessarily alien to Algerian culture, having been embedded at the local level for centuries, such as through *tajmaat*. It is this component of democratic know-how that remains under-researched; and it suggests that the trend towards ‘democratic learning’⁵³ may be aided by local institutions.

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