The Disappearing of Algeria's Hirak

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The Disappearing of Algeria's Hirak

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A peaceful demonstration on a Friday in Oran, Algeria, 2019. Photo by Ali Mehouadi for Shutterstock.

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LIST OF ABBREVIATIONS

ADS: Agence de Développement Social - Social Development Agency

ANDI: Agence Nationale de Développement et d'Investissement - National Development and

Investment Agency

ANIE: Autorité Nationale Indépendante des Élections - National Independent Electoral Authority

APN: Assemblée Populaire Nationale - National People's Assembly

ALN: National Liberation Army

ANE: Agence Nationale de l'Emploi - National Employment Agency

ANP: Armée Nationale Populaire - National People's Army

ANGEM: Agence Nationale de Gestion du Microcrédit - National Microcredit Management

Agency

ANSEJ: Agence Nationale de Soutien à l'Emploi des Jeunes - National Youth Employment Support Agency

CNAC: Caisse Nationale d'Assurance Chômage - National Unemployment Insurance Fund

CSS: Coordination des Services de Sécurité - Security Services Coordination. The CSS has three directorates (Internal Security, External Security and Technical Intelligence)

CNLTD: Coordination Nationale pour les Libertés et une Transition Démocratique - National

coordination for freedoms and a democratic transition

CNDC: Coordination nationale pour le Changement et la Démocratie - National Coordination

for Change and Democracy

CNES: Conseil National Économique, Social et Environnemental - National Economic, Social and Environmental Council

CNES: Conseil National des Enseignants du Supérieur - National Council of Higher Education Teachers

DAIP: Dispositif d'Aide à l'Insertion Professionnelle - Professional Integration Assistance

Mechanism

DCSA: Direction Centrale de la Sécurité de l'Armée - Central Directorate of Army Security

(external security)

DFM: Direction des Fabrications Militaires - Military Manufacturing Department

DGPS: Délégation générale à la prévention et à la sécurité - General Delegation for prevention and security (internal security)

DGSN: Direction générale de la sûreté nationale - General Directorate of National Security

DIPJ: Dispositif d'Insertion Professionnelle des Jeunes - Professional integration scheme for young people

DRS: Département du renseignement et de la sécurité - Department of Intelligence and Security

DSI: Direction de la sécurité intérieure - Directorate of Internal Security

EPAL: Entreprise Portuaire d'Alger - Algiers Port Company

FCE: Forum des Chefs d'Entreprises - Forum of Business Leaders

FFS: Front des forces socialistes - Front of Socialist Forces

FIS: Front Islamique du Salut - Islamic Salvation Front

FJD: Front de la justice et du développement - Justice and Development Front

FLN: Front de Libération Nationale - National Liberation Front

GIS: Groupe d'Intervention Spéciale - Special Intervention Group

GOSP: Groupement Opérationnel Spécial de la Police - Special Operational Group of the Police

GPIM: Groupement pour la Promotion de l'Industrie Mécanique - Machine Industry Promotion Group

GRPA: Provisional Government of the Algerian Republic

HCE: Haut Comité d'État - High State Committee

HCM: Haut Commandement Militaire - Military High Command

HMS Arabic: Harakat Mujtama; as-Silm - Movement for a Peaceful Society

MDN: Direction des industries militaires du MDN - Directorate of Military Industries

MPA: Mouvement Populaire Algérien - Algerian People's Movement

MSP: Mouvement de la Société pour la Paix - Movement of the Society for Peace

MTESS: Ministère du Travail, de l'Emploi et de la Sécurité Sociale - Ministry of Labour,

Employment and Social Security

NABNI: Notre Algérie Bâtie sur de Nouvelles Idées - Our Algeria Built on New Ideas

PEJ: Programme Emploi Jeunes - Youth Employment Programme

PNEC - Politique Nationale de l'Emploi et de lutte contre le Chômage - National Employment Policy & Fight against Unemployment

PT: Parti des Travailleurs - Workers Party

RAJ: Rassemblement Actions Jeunesse (association) - Youth Action Rally

RCD: Rassemblement pour la culture et la démocratie - Ralley for Culture and Democracy

RND: Rassemblement National Démocratique - National Democratic Rally

SM: Sécurité Militaire - Military Security

SNAPAP: Syndicat National Autonome des Personnels de l'Administration Publique – National Autonomous Union of Public Administration Employees

SNVI: Société nationale des véhicules industriels - National Company of Industrial Vehicles

TAJ: Tajammu; Aml Al-Jaza'ir - Rally for Hope in Algeria

UGTA: Union Générale des Travailleurs Algériens - General Union of Algerian Workers

UMA: Union du Maghreb Arabe - Arab Maghreb Union

The Disappearing of Algeria's Hirak

Luis Martinez & Rasmus Alenius Boserup

Ten years after the "Arab Uprisings", a peaceful mass protest movement abruptly emerged in Algeria.[1] In an astonishing show of force, the so-called *Hirak* exponentially grew from a few thousand protesters in the capital in early February 2019 to hundreds of thousands of protesters in all major Algerian cities. Inspired by the peaceful regime changes in Tunisia in 2011[2] and in Sudan after the dismissal of Omar el-Bashir in 2019, the protestors called for a regime change and for an establishment of a democratic system based on the rule of law.

The emergence of the *Hirak* movement is well-known today: The mobilisation was initially triggered by the announcement on 10 February 2019, that Algeria's incumbent president Abdelaziz Bouteflika would run for a fifth term in office.[3] Since the end of the "civil war" in the late 1990s, Bouteflika, who was elected for the first time in 1999, had used the revenue generated from exporting natural gas to buy social peace and to co-opt state actors, civil society organisations, as well as popular movements. In parallel, Bouteflika had relied on the military,

[2] Masri, Safwan, *Tunisia. An Arab Anomaly*, New York, Columbia University Press, 2017.

[3] Mellah, Salima (ed.), *Hirak en Algérie. L'invention d'un soulèvement*, Paris, ed. La fabrique, 2020; Filiu, Jean-Pierre, *Algérie, la nouvelle indépendance*, Paris, Seuil, 2019; Mebtoul, Mohammed, *Libertés, dignités, algérianité avant et pendant le hirak,* Paris, Karthala, 2019; Boumedine, Rachid Sidi, *Aux Sources du hirak*, Alger, Chihab éditions, 2019; Grim, Nordine, *L'An I du Hirak : Autopsie d'une révolution inédite*, Algers, Casbah Editions, 2020; Revue Mouvements, *Hirak, Algérie en mouvements*, Paris, La Découverte, 2020; Mesloub, Khider, *Secouée par le hirak : l'Algérie à la croisée des chemins*, Paris, l'Harmattan, 2020.

whose combat and intelligence units had accumulated power and experience during the civil war, to coerce or repress political and social challengers. Bouteflika had met little resistance to his rule from the political elite, which had been deeply internally divided since the outbreak of the civil war in the early 1990s. While popular unrest increased during Bouteflika's presidency, calls for fundamental political change had rarely been heard—except for the voices that since the 1980s had called for greater autonomy for the Kabyle region. During his first term in office, Bouteflika had mobilised considerable popular support, but his decision to run in the presidential elections of 2014 had elicited a wave of criticism mainly focusing on his challenged physical state after a stroke had left him severely weakened the year before. Confined to a wheelchair, incapable of speaking, and rarely appearing in public, Bouteflika defied the criticism and won a presidential election that critics considered fraudulent. When the president's office in early 2019 announced that the ageing president would run for a fifth term in office, the public response was far harder than five years earlier. Social media brimmed with Algerians expressing feelings of humiliation, shame, and anger against a system that seemed incapable of providing acceptable outcomes for large segments of the population. It was this context that the *Hirak* movement mobilised hundreds of thousands of Algerians from all social, economic, and cultural backgrounds to unite in rejecting Bouteflika's candidacy. Where the mobilisation in 2014 had failed, the *Hirak* of 2019 seemed successful: Within days, several of the president's most ardent supporters withdrew or put distance to Bouteflika. A few weeks later, the Bouteflika himself announced that he would not run for a fifth term. The story did not end there, however. Over the following months, ongoing street protests triggered purges of previously untouchable political, financial, and military personalities. In the summer 2019, the power of the *Hirak* movement seemed almost unlimited.

Five years after its emergence, the *Hirak* movement has all but disappeared. Many of its protagonists are in prison or have fled into exile. And its core political aspirations have been blocked or rolled back. A new president, Abdelmajid

Tebboune, largely considered an establishment-loyalist has been elected against the explicit wish of the *Hirak*. In short, the seasoned authoritarian regime seems for now to have endured.

How did this happen? In contract to the broad documentation and analysis of the emergence and early successes of the *Hirak* movement, scholars and experts have tended to ignore its later disappearance and political failure. This collection aims to remedy this situation by providing a series of analyses and documentations of how and why the Algerian *Hirak* movement disappeared. Through six essays based on recent fieldwork and fresh desk studies, the publication gives a first take on how a multitude of authoritarian institution and actors—including the media, the judiciary, the political parties, the financial institutions, and above all the army orchestrated the disappearance of *Hirak* and the survival and consolidation of the authoritarian regime.

In her opening article, Giulia Fabbiano demonstrates how supporters of the *Hirak* quickly moved from their initial call for Bouteflika to step back, to an increasingly revolutionary call for a total systemic overhaul. Drawing actively on collective memory and symbols, the *Hirak* movement represented a synthesis of the narratives of previous protest movements—from the 'Berber Spring' of the 1980s, to the Islamist movement of the 1990s. Like these previous movements, the *Hirak* established, however, a revolutionary agenda that clashes with the army's interests and political agenda. These stood in such sharp contrast with the *Hirak's* revolutionary orientation that the army high command and Algeria's political elites were the target of much criticism throughout 2019. The *Hirak* movement seemed unstoppable, categorically rejecting initiatives for public dialogue, which it regarded as attempts to appease it by sacrificing individual political dignitaries.

The Algerian government, on its side, would adroitly use the fight against Covid-19, to project itself as a guardian of the nation and its citizens. Henceforth, the police and the gendarmerie no longer presented themselves as law enforcement officers policing *Hirak* demonstrations. Instead, they framed their presence during the *Hirak* protests as attempts to safeguard public health by enforcing

compliance with the partial lockdown rules and curfew requirements. In parallel with this change in the role of law enforcement officers, the military highlighted how successfully it had imported the necessary equipment for healthcare workers via a widely publicised air bridge between Algeria and China. Such events were broadcast on national television and plastered in regime-loyal media.

As Rasmus Alenius Boserup demonstrates in his article, the Algerian authorities would also take advantage of the pause in *Hirak* protests during the lockdowns to further intensify the crackdown on new online media, which, since the mid-2000s, had partially escaped state control. The intensified crackdown on media freedoms was, however, only part of a broader suppression of freedoms under the new constitution, as Mouloud Boumghrar demonstrates in his article.

As time passed and the pandemic put an end to *Hirak's* mass mobilisation, the movement itself seems to have come to the bitter realisation that Algeria's military regime is, indeed, nothing like Ben Ali's police state. Algeria is comperes better with the Maduro regime in Venezuela across the Atlantic, than it does with its Tunisian neighbour.[4] Underpinned by the military, financed through revenue from oil exports, the Maduro regime has successfully fended off demands for democracy, human rights, and freedoms raised in his country's protest movement. Such trajectories have, however, also been seen in several other authoritarian regimes in Algeria's broader regional neighbourhood—including in countries like Egypt[5] and Syria.

The recent failed attempts at triggering democratisation through domestic uprisings coincide with a series of failures of international democratisation efforts—notably in Afghanistan, Iraq, Libya, Mali. Niger Together they have considerably diminished the international political will to impose democracy by force. Consequently, bolstering democracy and human rights depends increasingly on the national movements' ability to transform themselves into a

[4] Lezama, Paula Vasquez, *Venezuela : Pays hors service. De l'utopie au chaos*, Paris, Buchet Chastel, 2019.
[5] Long, Baudouin, *L'Egypte de Moubarak à Sissi*, Karthala, Cedej, 2018.

reformist political actor, and strike deals to reform the systems together with their key stakeholders.

In Algeria, a crucial factor in such a negotiated reform process would be the military. As Abdennour Benantar demonstrates in his chapter of the present volume, the army high command considers itself as the backbone of the Algerian state, and is committed to ensuring the country's security and to protecting its republican form of government.[6] Despite its many internal factions, the military establishment has historically been able to overcome its internal differences and stand united when confronting political crises that have marked the history of Algeria since independence. The role of the military in the country's political life may be defined as that of a central regulator determining the place and function of all political parties, and movements on the political scene.[7] The Algerian people's attitude toward the military is inherently ambivalent, regarding it both with pride and frustration.

When protests broke out in 2019, the military high command cleverly used the demands expressed by the *Hirak* movement like 'Remove them all' or 'They are all thieves', to dismantle the political, administrative, financial and security networks associated with President Bouteflika. The military high command did so primarily because they considered that these circles of power were both incapable of solving the crisis at hand, and because they believed that these actors had gained too much autonomy from the military. The purges led by the military affected ministers, business leaders, and high-ranking security officers, most of whom were handed jail terms on charged of corruption or high treason. Initially, this attack on close associates of the former president satisfied many Algerians as it was presented as a response to the *Hirak* movement's calls for the removal of corrupt state elites. Initial support gradually gave way, however, to a general sense of concern about the military's motives and plans. This would

[6] Cook, Steven A, *Ruling But Not Governing:* The Military and Political Development in Egypt, Algeria, and Turkey, Baltimore, The John Hopkins University Press, 2007.

[7] Nemar, Radidja, "Au-delà des casernes. Le rôle de l'armée en Algérie", *Les Cahiers de l'Orient*, n° 100, pp. 19-32, 2010, available at https://doi.org/10.3917/lcdlo.100.0019

increase when, early in the transition, the military announced that contrary to the *Hirak* movement's demands presidential elections would be organised quickly and within the deadline prescribed by the constitution. Despite their historically low voter turnout and despite taking place in the midst of an accelerating economic crisis—as Luis Martinez's chapter in this book shows—the election of Abdelmadjid Tebboune as president on 19 December 2019, was a success for the military, and it was a clear indication of the pivotal role the military continued to play in regulating Algeria's political life.

It was also the military establishment that in 1999 organised the election of Abdelaziz Bouteflika to the presidency. Widely criticised for its mass human rights violations during the civil war (1991-1999), the military was aware that for the Algerian government to regain international recognition, the military would have to withdraw from its visible role in running the country. Accordingly, the top brass picked Abdelaziz Bouteflika as a civilian candidate to become the country's new head of state as the military gradually consolidated its victory over the Islamist militias. In 1999, rigged elections were held to formally instate Bouteflika as president, and a referendum for amnestying all parties in the civil war was organised to help build a presidential image based on national reconciliation.

The military and intelligence services were delighted with Bouteflika's achievements during his first decade in power: his first (1999-2004) and second (2004-2009) terms saw Algeria move on from the civil war and start afresh. Public spending increased, and to some extent the country's improved situation opened new prospects for the Algerian population. From 2003 to 2014, due to rising oil prices, the regime was able to buy social and political peace. Though the military withdrew from politics, the annual defence budget increased fivefold to around 11 billion USD. The military set out to modernise its equipment, professionalise the armed forces, and develop an embryonic military industry. The challenges posed by the 2011 Arab uprisings, the Libyan war, and emerging security threats in the Sahel threw the army's defensive and static military doctrine into disarray, resulting in the decision to redefine the country's territorial defence strategy. In

terms of political developments, the military establishment and the presidency sought to curtail the power of the security services, and hence to marginalise the head of the Department of Intelligence and Security (Département du Renseignement et de la Sécurité - DRS), General Tawfiq, then considered to be the most powerful man in Algeria. Together, Abdelaziz Bouteflika and the Chief of Army Staff, General Gaïd Salah, ultimately removed Tawfiq from office on 13 September 2015. The army chief's attempt to banish the influence of the intelligence service for good was consolidated when on 4 May 2019 Tawfiq was arrested and sentenced to 15 years in prison by a military court.

Despite its political victory over the *Hirak* movement, the military high command continues to this day to view its anti-military slogans like "A civilian state—not a military state" with concern and suspicion. There is little indication that the military will anytime soon push for a genuine transformation of the political system. On the contrary, the military today seems bent on improving the government's efficiency and ability to meet the socio-economic demands that the *Hirak* protestors put forward.

The military's perception of the *Hirak* movement as a threat to its vital interests were further reinforced by the fact that the movement was built in opposition to existing political parties and unions, as Sihem Baddoubia demonstrates in her article of the present collection. In contrast to *Hirak's* revolutionary stance, the military wish to see country's the political parties and the state unions return centre stage and start rebuilding alliances and manage the political institutions.

The animosity that the military high command and key stat actors hold against the *Hirak* movement is rooted in its deeper history with managing popular protest and. Algeria's military establishment, it seems, was quick to conclude that *Hirak* was nothing but a new manifestation of the revolutionary protest movements it the military had crushed several times since taking power in 1965.

The first of these protest movement had emerged shortly after Algeria has won its independence from France in 1962. The protest movement had been led by

one of the founding figures of Algeria's anti-colonial movement, Hocine Ait Ahmed, who had founded the Socialist Forces Front party (FFS - Front des Forces Socialistes) in 1963. From its creation the FFS criticised the new regime and called for a socialist and popular restoration of the Algerian "revolution" with the aim to guarantee social justice and freedom. FFS also pushed forward the message that the victory of the Algerian war against colonial France from 1954 to 1962, had been stolen by "putschists" from the paramilitary group ALN (*Armée de Libération Nationale*), which at independence in 1962 had changed name to ANP (*Armée Nationale Populaire*) and become the official military institution of the new Algerian state. The military government of Houari Boumediene who took power after ousting Algeria's elected president, Ahmed Ben Bella, in a coup in 1965, quickly and violently turned against the FFS: In the months following the coup, 3.000 FFS cadres were arrested. Some were tortured and released. Others were killed.[8] Over the following fifteen years until his sudden death in 1979, President Boumediene headed an authoritarian regime that demanded undivided loyalty to the ruling party and left no room for pluralist or democratic aspirations.

The second revolutionary movement to be crushed by the military had emerged under president Boumediene's successor, Chadli Bendjedid. Having seized power in 1979 and almost immediately repressed a short-lived Kabyle protest movement known as the "Berber spring" in 1980,[9] president Chadli faced a growing wave of anti-regime protests throughout the 1980s. The protests were spearheaded by Algeria's Islamists and further fuelled by the social and economic crisis that materialised in the wake of the collapse of the oil prices in 1986. Following a heavy-handed regime suppression of urban protesters in October 1988, president Chadli initiated an institutional reform process. This put an end to single-party rule that had been in place since independence and established a

[8] Monbeig, Pierre, "Une opposition politique dans l'impasse. Le FFS de Hocine Ait-Ahmed", *Revue des mondes musulmans et de la Méditerranée*, 1992, pp. 125-140.

[9] In April 1980, the authorities refused to let the writer Mouloud Mammeri give a lecture on ancient Berber poetry at the University of Tizi Ouzou. In support of the Tamazirt cause, demonstrations erupt in Algiers and Kabylia. A violent repression came over the region, resulting in an estimated 32 dead and hundreds of arrests.

multiparty political system. Chadli had betted that a multi-party election would ensure a victory of the former single party and historical heir to the anti-colonial revolutionary movement, the FLN (*Front de Libération Nationale*), by splitting the still nascent opposition between socialists, Islamist and Berber currents. When municipal elections were held in 1989, however, a newly formed political coalition party known as the FIS (*Front Islamique du Salut*), which encompassed representatives from most of Algeria's Islamist tendencies, won massively. FIS' proclaimed aim was to put "Islam" at the heart of the State and to change what its leaders saw as "deviations" from the principles behind the anti-colonial revolution that was started in 1954. In this spirit, FIS leaders denounced what they saw as decadence among the members of the state elite—especially secular, French-speaking communists who had gained influence after independence to the detriment of Arabic-speaking figures from the Islamist circles. The FIS party thus aspired to revitalise Algerian society and to restore confidence in the state through a revival of Islam. When FIS in December 1990 won another electoral victory in the first of two rounds of parliamentary elections, the military pulled the brake on Chadli's project. Worried by the revolutionary orientation of the FIS, the Algerian army stopped the electoral process, dissolved the FIS, and arrested and deported thousands of the party's members to harsh internment camps in the Sahara Desert.[10] The military intervention kickstarted the seven years long armed conflict between state agents and Islamist militias that is commonly known as the "Algerian civil war". By the end of the 1990s, the army finally declared that it has succeeded with what it referred to as an "eradication" of the protagonists and supporters of an Islamist takeover of the state. The process was marked by the election of Algeria's first non-military president, Abdelaziz Bouteflika in 1999. The cost of this victory, however, was mass human rights violations, tens of thousands of killed, a fractioned and paralysed political class, and a halt of the institutional democratisation process that had begun in 1989.

[10] Arezki, Saphia, "Les camps d'internement du sud en Algérie (1991-1995)", *Année du Maghreb*, 2019, pp. 225-239. Available at https://doi.org/10.4000/anneemaghreb.4825

As this collection of articles demonstrates, there is no doubt that state-orchestrated repression as well as bureaucratic and administrative manipulation have been major factors in the making the Algerian *Hirak* disappear. The arrests and harassments of protestors, the judicial intimidations of protestors and journalists, the legal bans on protests, and the accusations of treason brought against activists and public intellectuals have all contributed to weakening the movement and stalling the political reform it sought to foster.

Yet, the articles also show that state orchestrated repression and smart regime manoeuvres alone cannot fully explain the failure of a powerful and ambitious popular movement like the *Hirak*. Indeed, two other key factors—one external to Algeria and one internal to *Hirak* itself—seem also to have played important roles in the movement's political failure and eventual disappearance.

Externally, the Covid-19 pandemic played a key role in halting the mobilisation of the *Hirak* and in providing renewed legitimacy for the state institutions. In early March 2020, amid fears of the spread of Covid-19 across Europe, North Africa, and the Middle East, *Hirak* protestors initially refused to suspend the Friday demonstrations. Hence, on 13 March 2020, protesters took to the streets for the fifty-sixth consecutive Friday, chanting, 'Neither Covid nor arrests will stop us'. But just a week later, on 20 March 2020, the streets of the capital and other major cities were empty. The *Hirak* had decided to temporarily halt demonstrations and encouraged protestors to fight the pandemic by cleaning and sanitising the streets. The Algerian authorities were quick to take advantage of the break in street protests to intensify its repression of the *Hirak* movement. In parallel, the Algerian army drew intensely on its ties with China to import the supplies needed by the health sector to combat the pandemic establishing a heavily mediatised "air bridge" between Algeria and China. In April 2020, for example, *El Djeich*, a military journal, wrote that 'the Algerian state's determination has averted a genuine catastrophe in the country'.[11] The same attitude was found in high-quality mainstream media like *El Watan*, which

[11] *El Djeich*, April, n° 681, 2020.

published an editorial on 15 April 2020 entitled: 'The state has risen to the challenge'.[12]

Internally, the activists' continued insistence on a revolutionary political agenda prevented *Hirak* from transforming itself into a pragmatic political actor capable of making deals with key stakeholders in the regime that could have ensured its long-term political success. This desire for wholesale regime change rather than a reform from within would eventually turn against the *Hirak* movement. Confident in its own legitimacy and convinced of its own strength, the movement had little trust in Algeria's established political parties. While it is correct that the political class in Algeria performed disappointingly both before, during, and after the emergence of *Hirak*, the movement's own mistake was to put opposition parties and regime protagonists in the same basket. Instead of building structural links to allies in the opposition that could have helped the movement to prevail, *Hirak* denounced all parties and public figures regardless of where they stood, simply on the ground that they had participated in elections under Bouteflika's presidency. Rejecting these actors meant that *Hirak* failed to capitalise on their intimate knowledge of the inner workings of the regime, of the army, and of its clientelist networks—knowledge that could otherwise have helped the *Hirak* to formulate a long-term strategy for challenging the regime's roadmap for rebuilding itself through presidential elections, a referendum, legislative elections, and local elections.

Hirak's choice to remain a force emerging uniquely from civil society and professing an authentic call for purity and revolution, would also indirectly contribute to weaken the established opposition forces in the country. Hence, in 2022, the State Council suspended the Socialist Workers' Party and threatened to close the Union for Change and Advancement. In parallel, the Interior Ministry ran a process harassing both the leaders of the Democratic and Social Movement and the leaders of the Rally for Culture and Democracy. Opposition parties that had called for a boycott of the elections and been rejected by

[12] Bahmane, Ali, "Ce qui nous attend demain!", *El Watan*, 15 April 2020.

protagonists from the *Hirak* thus became easy targets for regime intimidation and repression. Additionally, *Hirak's* refusal to participate in formal politics denied it representation within the political institutions that reemerged under and after the Covid-19 pandemic. Much like its socialist, Amazigh, and Islamist predecessors, the *Hirak* movement thus adopted a horizontal internal hierarchy structure that prevented its leaders from effectively representing it in formal politics.

This systematic refusal by the *Hirak* to invest in formal politics and in political institution-building further facilitated the regime's crackdown. By rejecting the election of president Abdelmadjid Tebboune and maintaining that all political institutions were illegitimate, an actor like the Forces of the Democratic Alternative (FDA)—a structure consisting of civil society organisations, opposition parties, trade unionists, intellectuals, and lawyers—contributed to tipping the political balance of power further to its own disadvantage. Instead of challenging the regime politically, building a platform, staking candidates, and presenting a political alternative in the elections, the FDA spearheaded a rejected elections in boycott campaign that would eventually contribute to undermine the movement itself. In 2019, the authorities arrested members of the FDA and some of the affiliated key civil society organisation like RAJ (*Rassemblement Action Jeunesse*) were dissolved on 13 October 2021.

With the *Hirak*, Algeria's civil society demonstrated remarkable energy and creativity, both online and in the streets. Actors from civil society including judges, feminists, artists, journalists, independent trade unionists, and academics worked together to create a powerful political dynamic. This dynamic was not matched by capable politicians, however. And as the movement failed to transform itself into a formal political actor, the existing state elites—and in particular the military establishment—came to dominate the political scene.

CHAPTER ONE

The Revolutionary Moment of 2019: A Plethora of Possibilities

Lalia Chenoufi

Abstract

This article analyses the emergence and evolution of the Algerian *Hirak* movement as a revolutionary moment. To avoid the pitfalls of transitology, as well as etiological and teleological analysis, the article accounts for the progression of the uprising and isolates its main sequences, scenes, and tensions. On this basis, the article avoids engaging with binary questions about success and failure and instead proposes that the Hirak should be understood as a revolutionary moment and as a "sum of possibilities".

With a national Algerian flag draped around her shoulders, a woman proudly waves a poster reading: "The revolution is not a sprint. It is a race of endurance, unity, patience, perseverance".[13] This was in Algiers on 10 May 2019, two and a half months after the start of the *Hirak* uprising, that was triggered by the announcement in February 2019 of President Abdelaziz Bouteflika's fifth consecutive candidacy for the position as head of state. At this moment, the question of the duration, effectiveness and nature of the revolution brought about by the *Hirak* movement had already discussed. The protesters would

respond these impatient observers who worried about a potential "constitutional vacuum" and wondered about the outcome of the movement recalling that the Tunisian revolution had only taken 29 days, that the *Hirak* should not be evaluated by its temporal longevity. What mattered, the protestors claimed, was that it remained peaceful. Although the initial reason that the protest had emerged no longer existed—Abdelaziz Bouteflika had resigned in April 2019—, popular determination to call for an end to a sclerotic and corrupt political regime persisted. "A revolution does not discuss, it sweeps", one could read in Algiers on 7 June 2019.

For more than two years, including a year without marches or rallies due to the COVID-19 pandemic[14]—exploited by the authorities to "restore confidence in state institutions"—the question of the duration, effectiveness, and nature of the revolt continued to stir debate. What social experience should this be compared to: Revolution? Mobilisation? Movement? Insurrection? Whatever it is called, we must ask if it has "completed its life cycle", journalist Abed Charef wrote in October 2020. Or, an activist suggested same month on national radio, one could simply kill "the revolution to create others [...] to hope to march again, together", [15] As the marches resumed in February 2021 and protesters began chanting: "We did not come to celebrate [the second anniversary], we are here for you to clear out", these questions remained unanswered. Some insisted on the continuity of the protests by describing this protest on 26 February 2021 as "Friday 106", or "57th Friday of mobilisation". Others called it "season 2 of the *Hirak*" suggesting that the resumption of the protests would be generate by new intrigues.

Beyond the specificity of the Algerian case, the analysis of the *Hirak* movement forms part of a broader reflection on popular uprisings that the recent literature on the "Arab Spring" has enriched: What constitutes a revolution or revolutionary

[14] Despite the yearlong suspension of bi-weekly marches, some collective gatherings did take place, corresponding with key dates in Algerian history, such as 20 August to celebrate the Soummam congress and 5 October in memory of the 1988 uprising that was choked in blood.
[15] Heard at *Radio Corona Internationale* on 10 October 2020.

situation, and what does not? Are “revolutionary situations” and “revolutions” equivalent? Or do these terms reflect different realities? How can we determine what is “before” and what comes “after” what is being observed? Or to put it differently: How can we frame, chronologically, the phenomenon in question?[16] Ten years after the fall of Mubarak, the reflection of the Egyptian journalist Lina Attalah is enlightening for this discussing:

> “I am asked identical questions by different journalists on assignment to produce content on the occasion of the 10-year anniversary. I don’t feel my answers matter. The story is somewhat pre-written; the revolution is over, and I should somehow confirm it in my answers. But my answers about the end and the defeat do not arrive, not out of blind hope or political naivety, but out of a certain conceptual blindness cast upon the entire conversation. (…) I am sitting on the other side of the call waiting for the inevitable question for this interview to end: Has the revolution ended? I could just say yes and be done. And I fear of uttering a no and sounding naive. But there is a certain intellectual exactitude, but also an intellectual liberation in withdrawing from a version of history that’s complete and closed. I try to find words to describe the continuation of the past through this act of capturing its fragments in the present, in the apogee of crisis, in the utmost sentiment of blockage. I try to say that the political sits somewhere here in that act. I don’t know if she will use my words in the end. After all, it’s the one-decade anniversary and a decade feels like a monument, and a monument indexes something dead. Maybe we need to surpass this anniversary and all other anniversaries”.

[16] While it is easier to determine when the revolution begins, although the event-date may be contested or revised by renewed historiographies and that, as Youssef El-Chazli suggests, “the retrospective construction of an event-based unity smoothes the rough edges of the ‘temporal rhythms’ specific to the crisis”, sounding the alarm is on the other hand a less obvious exercise. When can we say that a revolution is over? Is it when the processes of political fervour succeed—totally, partially—or when these processes are foreclosed and the restoration wins? Or should we rather follow Trotsky and defend its permanence?

Following Lina Attalah's suggestion this article leaves in aside the question of milestones defined by time and the question of political outcomes. This amounts to keeping a distance both from the transitological paradigm of democratic advances and authoritarian backlash,[17] and from an etiological and teleological reading of events. Instead, the article adopts a process-oriented perspective grounded in experience. As such, this contribution, based on ethnography fieldwork, proposes to look at the Algerian popular movement of February 2019 as an ongoing revolutionary moment because we face a "historical sequence of events during which the behaviour of actors is guided by the conviction that they are participating in (or, in the case of leaders, facing) an authentic revolution" as Amin Allal and Thomas Pierret puts it.[18] As such the chapter avoids proposing an assessment of the uprising through a pre-established normative framework that would weigh its success(es) or failure(s).[19] Instead, after tracing the revolutionary trajectory, and isolating the main sequences and scenes, the chapter considers its current possibilities, and seeks to identify its critical nodes.

From Local Demonstrations to a Destabilising Mobilisation

On 9 February 2019, the FLN organised a meeting in Algiers to present its candidate for the next presidential election, scheduled for 18 April. It was none other than the outgoing president, Abdelaziz Bouteflika, who had rarely been seen in public since suffering a debilitating stroke in 2013—a year before his re-election to a fourth term. As the head of state could not be present physically, a portrait of a much younger Bouteflika was showcased to his supporters. This was

[17] Allal, Amin and Marie Vannetzel (eds), "Restaurations autoritaires ?", *Politique africaine*, n° 146, 2017.
[18] Allal, Amin and Thierry Pierret, *Devenir révolutionnaires. Au cœur des révoltes arabes*, Armand Colin, Paris, 2014.
[19] Bennani-Chraïbi, Mounia and Olivier Fillieule, "Pour une sociologie des situations révolutionnaires. Retour sur les révoltes arabes", *Revue française de science politique*, vol. 62, n° 5, 2012, pp. 767-796.

not the first time that the president had been represented in an official ceremony[20] by a framed painting or *cadre*, in French—a practice that had earned the president the mocking nickname Abd-el-*cadre* with reference to the most famous leaders of Algerian resistance to French colonialism Abd el-Kader. But this was, indeed, the moment that transformed the discontent and indignation that had marked the relations of a large section of the population with the political world into protest.[21] "A dull anger pervades the country. The staging and the announcement of Bouteflika's candidacy has triggered something unexpected. We have a feeling that the volcano is about to erupt", political journalist Abed Charef tweeted the following day. The staged scene inspired little but contempt from those who had been denied their rights as citizens by a predatory and clientelist regime.[22] The cup was indeed poised to brim over, judging from the mobilisation that quickly got under way. Local demonstrations erupted in cities east of Algiers: on 15 February in Bordj Bou Arreridj, on 16 February in Kherrata (wilaya of Béjaïa) where a march brought together several hundred people. On 19 February, the protest reached Khenchela where a gigantic portrait of the president was torn down from the facade of the Town Hall. On 21 February, the same scene occurred in Annaba. The next day, on 22 February, a crowd, initially made up mostly of young men from working-class backgrounds, took to the streets of the capital and several of the major cities in response to anonymous calls posted on social media networks. On 24 February, about two thousand people gathered again in Algiers following the appeal of the

[20] During the FLN meeting in the wilaya of Djelfa in April 2018, a purebred horse was paraded with his portrait printed on a laminated banner, as well as during the commemorations of the fifty-sixth anniversary of independence on 5 July 2018, in Algiers, the photo of the head of state had replaced his presence.

[21] Belakhdar, Naoual, "'L'Indépendance, c'est maintenant !' Réflexion sur le soulèvement populaire en Algérie", *L'Année du Maghreb*, n° 21, 2019, pp. 105-116.

[22] Hachemaoui, Mohammed, "Changement institutionnel *vs* durabilité autoritaire. La trajectoire algérienne en perspective comparée", *Cahiers d'études africaines*, vol. 220, n° 4, 2015, pp. 649-686; Mebtoul, Mohamed, *Libertés, dignité, Algérianité avant et pendant le Hirak,* Paris, Karthala, 2019; Serres Thomas, *L'Algérie face à la catastrophe suspendue. Gérer la crise et blâmer le peuple sous Bouteflika (1999-2014)*, Karthala, Paris, 2019.

Mouwatana movement,[23] a political opposition front created 2018, which until then "had failed to mobilise more than fifty people"[24]. On Monday 25 February, lawyers demonstrated in Algiers. On Tuesday 26 February, students took to the streets and journalists protested in front of the headquarters of the national radio station. On Wednesday, 27 February, public television journalists demanded their right to work freely. On Thursday 28 February, former prime minister Ahmed Ouyahia, told the APN (Assemblée Populaire Nationale) that "in Syria, everything started out with a rose and ended in a bloodbath". At the same time, a large mobilisation of journalists took place in front of the Maison de la Presse, after the Algerian authorities refused to grant accreditation to more than twenty foreign media outlets that had requested to cover the ongoing demonstrations. On Friday 1 March, hundreds of thousands of individuals, from all age groups and social classes, took to the streets together with citizens from the Algerian diaspora - particularly from France. It swept across the country's main cities: Oran, Bejaïa, Tizi Ouzou, Annaba, Constantine, Touggourt, Adrar, Tiaret, Relizane, Bouira, Sétif, Tlemcen, Skikda, Bordj Bou Arreridj, Ghardaia—including places with close ties to the regime, and even more spectacularly, the capital, Algiers. On Sunday 3 March, the deadline to submit presidential candidacies, students expressed their anger at the former law school on the heights of Algiers. Demonstrators protested in front of the Constitutional Council, while a crowd gathered in the evening in the city centre. On Monday 4 March, artists convened to debate on the steps of the National Theatre in Algiers. On Tuesday 5 March, the students once again occupied the urban space in the capital and most of the other cities. On Thursday 7 March, around a thousand lawyers marched towards the Constitutional Council, while journalists met in front of the Maison de la Presse. On Friday, 8 March, millions of citizens flooded the streets of cities across the entire country. In the morning, the city centre of Algiers was packed with

[23] The *Mouwatana* movement (citizenship-democracy) has been created in 2018 by a group of intellectuals, opposition political leaders, lawyers and journalists to foster renewed political momentum and oppose President Bouteflika's fifth term.

[24] Haidar Sarah, "La protesta en Algérie : le chant des a-partisans !", *Middle East Eye*, 28 February 2019. Available at https://www.middleeasteye.net/fr/opinion-fr/la-protesta-en-algerie-le-chant-des-partisans

demonstrators from the suburbs, perhaps also from further away. The main artery of the city centre was already brimming with protesters, even though processions from the working-class districts were yet to arrive. From that moment, the protest settled into a near-daily rhythm throughout the month of March, then bi-weekly (Fridays and Tuesdays), alternating between periods of very strong mobilisation (March-April; June; July; November-December) and quieter periods.

Without claiming to be exhaustive, this chronological rundown of the month following the announcement of Abdelaziz Bouteflika's candidacy allows us to better frame the revolutionary momentum, from when it emerged to when it took root. It allows us to visualise the chain of events, within which the ordinary demonstrations—like those that dotted the socio-political life of the country during the Bouteflika era[25]—gave way to greater and increasingly destabilising mobilisations that would spread and become self-amplifying. Unlike the protest moment of January 2011, which aroused "excitement and exceptional defiance" through "demonstrations in a city where it is forbidden to gather on public streets", and "mobilisations focused on questioning practices authorised in Algiers",[26] something new started happening in the period, from mid-February to mid-March 2019. This series of nationwide protests triggered the increasingly massive participation of the entire population across gender, social class, age, political orientation, and even ideological divides—a novelty captured by the metaphors used to refer to it: wave, tsunami, human tide, river. Algerians were setting aside their distinct identifiers in favour of common demands[27] brimming

[25] Bennadji Chérif, 2011, "Algérie 2010 : l'année des mille et une émeutes", *L'Année du Maghreb*, vol. VII, pp. 263-269; Parks Robert, "Algeria and the Arab Uprisings", in Henry Clement and Ji-Hyang Jang (eds), *The Arab Spring*, Palgrave Macmillan, New York, 2012, pp. 101-125; Baamara, Layla, "L'écart difficile aux routines contestataires dans les mobilisations algériennes de 2011", *Actes de la recherche en sciences sociales*, vol. 211-212, 2016, pp. 109-125; Selmane Ahmed, "Une insurrection qui n'est pas tombée du ciel", in Omar Benderra et al. (eds), *Hirak en Algérie. L'invention d'un soulèvement*, Paris, La Fabrique, 2020, pp. 79-91.
[26] Baamara, Layla, "L'écart difficile aux routines contestataires dans les mobilisations algériennes de 2011", *Actes de la recherche en sciences sociales*, vol. 211-212, 2016, pp. 109-125.
[27] Hmed Choukri, "'Le peuple veut la chute du régime'. Situations et issues révolutionnaires lors des occupations de la place de la Kasbah à Tunis, 2011", *Actes de la recherche en sciences sociales*, vol. 1, n° 211-212, 2016, pp. 72-91.

with energy, radicalising, and capitalising on a decade of protests. Thanks also to the performative effect of impromptu stories told with enthusiasm and hope in the press and on digital networks,[28] this sequence of events led to a double process of 'de-sectorisation' and a synchronisation of social sensitivities. As such it produced an unprecedented situation where an ethic of possibility replaced an ethic of probability. It is precisely this recasting of that which is conceivable, that makes the sequence of events between 9 February and 8 March a revolutionary sequence,[29] at the heart of which 22 February marks a watershed. Looking closely at the chronology, we can see that after this first Friday, a shift occurred: two days later the demonstration called by *Mouwatana* revealed unprecedented mobilisation potential. From 25 February demonstrations started taking place daily. The rallying call for each demonstration was sectoral, but the ambition was greater, leading up to the following Friday, which was seen as a high-stakes double gamble: On the one hand, it was necessary to maintain the peaceful nature of the processions—the only means to avert a disaster that critics expected and some perhaps hoped for. Pacifism in this situation, was the *sine qua non* of the promise of 'possibility'. On the other hand, it was necessary to display mass support and popular determination. The bet would be won. In the words of journalist and writer Mustapha Benfodil: "We have the feeling that a new national novel is being written".[30] During this period, the cry "It's possible!", that had resonated at the first march in Algiers as an expression of collective surprise because people were speaking out in a context in which they were supposed to stay silent, morphed into a statement of fact.

If 22 February serves as an event, in the sense of an epistemological as well as an experimental rupture,[31] it is due to a convergence of synchronic and diachronic factors. The following days and weeks thus sanctified the extraordinary

[28] Chenoufi, Lalia, "Le *Hirak* algérien ou le temps du possible. Propositions d'ethnographie d'un événement révolutionnaire", *Horizons Maghrébins*, n° 80, 2022, pp. 18-34.
[29] Ibid.
[30] Benfodil, Mustapha, "Un peuple fabuleux !", *El Watan*, 9 March 2019.
[31] Bensa, Alban and Eric Fassin, "Les sciences sociales face à l'événement", *Terrain*, n° 38, 2002, pp. 5-20.

dimension of what would come to be referred to as the first Friday. Having described these events, the writer Salah Badis asks: “What will happen after that? In my opinion the answer does not matter for the time being. What really matters is that the field of possibilities has been extended in Algeria today”. The popular, unorganised, and peaceful nature of what appeared to be a perfectly controlled gathering of people, without major disturbances, allowed subsequent mobilisation to draw in women, children, and older people. The crowds did not necessarily share a common political frame of reference, but what spurred them was a shared desire to put an end to a humiliating mode of governance, and to extend the domain of possibilities. In the space of a few hours, the circumstances created a starting point, a breach toward uncertain futures, multiple potential openings in a country where all expectations had hitherto seemed destined to failure. “To be continued”, concluded journalist Hamdi Baala in his paper, which appeared online in the columns of the *Huffington Post Maghreb*. The sequence of events that followed took matters to a “tipping point”, as anthropologist Awel Haouati wrote at the beginning of April. Even if the date of 16 February is retained and the march of Kherrata celebrated as the herald of the mobilisation, 22 February is re-lived and recounted as an inflection point—as a moment that restructured the order of time.

Revolutionary Texts

Until March 13, 2020, when protesters decided to suspend the demonstrations due to the risk of spreading the COVID-19 virus, a rhythm of protesting on Fridays and Tuesdays was established. For more than a year, the marches were the main locus of politics in defiance of threats issued by the Chief of Staff, Ahmed Gaïd Salah, increasingly heavy-handed repression, arbitrary imprisonments, intimidation of activists, summer heat and Ramadan disruptions as well as a presidential election. The demonstrators kept the marches peaceful. Their

discursive strategies gradually widened and clarified the protest texts through a process of political readjustments. The political scientist Louisa Aït-Hamadouche has identified two phases of the movement: an initial offensive phase, followed by a defensive phase, starting in the early summer of 2019. In the first phase, "the *Hirak* rejected the extension of the fourth term, the appointment of Abdelkader Bensalah as head of State, the holding of the presidential election on July 4, the dialogue led by Karim Younes and, *last but not least*, [rejected] participation in the conference chaired by the Head of State".[32] In the second phase, "the *Hirak* began to demand rights which it considered as social benefits, but which were taken away by the increasing repressive actions carried out by the regime".[33] From another point of view, the journalist Omar Zelig has distinguished between a time of "making a people" and a time of the emergence of "antagonistic groups", during which "we want to be convinced that the spirit of 22/02 still exists, that there are no defections in our ranks and change can still come about as long as the people remain united, but they are downcast".[34] Such analyses suggested that, if the movement had not necessarily been deemed a failure, a new slower stage had undeniably begun. Such observations presented the first sequence as a model, a prism through which to apprehend the second. "A 'zest of melancholy' is mixed in", recognised Omar Zelig, and added: "the current atmosphere is more [conducive] to the settling of scores, the arrest of dozens of [the *Hirak's*] leaders, ideological debates and divisions without grandeur, (...) all the same, we have to go back to the past so as not to despair of [the prospect of attaining] a bright future".[35]

This article adopts another, less teleological and less moralizing perspective. It avoids developing a seismography of the movement to escape the bias of the before/after dichotomy—a perspective that risks undervaluing the present.

[32] Dris-Aït Hamadouche, Louisa, "Algérie 2019 : Hirak algérien. Des ruptures confirmées et des réconciliations inattendues", *L'Année du Maghreb*, vol. 23, 2020, pp. 189-202.
[33] Ibid.
[34] Zelig, Omar, "Une symphonie algérienne inachevée", 15 January 2021. Available at http://assafirarabi.com/fr/35437/2021/01/15/une-symphonie-algerienne-inachevee/
[35] Ibid.

Instead, the chapter focuses on the textual corpus of different forms of slogans[36]—uttered during marches, recorded on signs, noted on post-its, tagged on city walls, or typed on virtual walls. On this basis it identifies three insurrectional moments between February 2019 and 2021[37]. Without following a rigorous chronology, each moment has its specific stake and tension.

The first moment—"*Makach el khamsa*"—spans the period from the announcement of President Abdelaziz Bouteflika's candidacy to his withdrawal from political life on 2 April 2019.[38] Encompassing the revolutionary sequence, this first moment revolved around the rejection of a possible fifth mandate for Bouteflika and the extension of his fourth term. It was centred around the demand that those in power peacefully consider a political alternative based on the reaffirmation of popular will (articles 7 and 8 of the constitution) in a country where the TINA (*There is no alternative*) model has been the only political horizon since the end of the electoral process in 1992. The slogans stressed the rejection of the Bouteflika clan, whose governance was equated with a predatory "monarchy". And they emphasized the need for a non-violent uprising (*hirak silmi* or *thawra silmi*). These confirmations of non-violence would recast the people (*châab*) as political actors, rather than lawbreakers or enemies of the police.

[36] On the practice and poetics of slogans in revolutionary scenes see Carles, Zoé, *Poétique du slogan révolutionnaire*, Presses Sorbonne Nouvelle, Paris, 2019.

[37] The repertoire of slogans and songs makes possible to identify and contextualise popular demands as well as to historicise them. This repertoire is constantly updated in response to statements by decision-makers and to political news. As Awel Haouati notes, "most of them were written collectively, often by groups of young people with the help of neighborhood poets, connoisseurs of châabi (popular music) and *qsidate* (poetic form, often endowed with a moral or a political message). They generally use tunes from stadiums that can date back to the 1990s. (...) These slogans circulate in the form of voice messages and videos throughout the territory", Haouati, Awel "*Hirak* algérien an I. Les chants d'une révolution Populaire", *Ballast*, n° 9, 2020, pp. 156-169.

[38] Since the start of the crisis, President Abdelaziz Bouteflika has addressed the nation four times through letters attributed to him. The first, dated March 11, 2019, officially announces the *sine die* postponement of the vote and the organisation, upstream, of a national conference and comes the day after the statement by the Chief of Staff Ahmed Gaïd Salah, according to which "the army and the people share the same vision of the future"; the second, dated 18 March 2019, specifies his desire to no longer be a candidate for the presidential election; the third, dated 2 April 2020, presents the resignations of the Head of State after March 26 Ahmed Gaïd Salah asked to use article 102 of the Constitution to declare the president unfit for the exercise of his functions; the fourth apologises to the people.

The second moment—"*Yetnahaw ga3*" ("They All Should Go", or literally "Let them all get out")—began in mid-March 2019 and lasted until the suspension of the marches in March 2020. In the evening of 11 March 2019 after the broadcast of the first presidential message announcing the postponement of the vote *sine die* and the organisation of a national conference, a young working-class citizen approached a journalist from an Arabic-language television channel reporting live from the main street of downtown Algiers. The young man told her that, contrary to what she was reporting, the people in the streets were not celebrating a victory. They understood that a "pawn has replaced a pawn", and that a sweeping change and a renewal of the political elite was needed. "*Yetnahaw ga3*", he then uttered several times, accompanying the phrase with a gesture as if to clear his field of vision with his hand.[39] With its different variations, the slogan quickly gained popularity and after the President's exit on 2 April it became the rallying cry of the movement. Instead of running out of steam, the movement thus gathered strength by expanding its demands. It was therefore less a question of targeting individuals in power, than of dismantling the clan mode of wielding power, which had blocked any attempt to start a democratic transition. Unlike the first, this second moment was marked by the numerous public declarations of General Ahmed Gaïd Salah, who had taken charge after Bouteflika stepped down. Presuming to act in response to popular demands and anger, Salah set in motion a series of measures aimed at settling scores with opponents within the system. Hence from April 2019, several political figures and businessmen were arrested. These measures failed, however, to satisfy the protester, who cared little about the "internal readjustment of the ruling elites".[40] Instead, they defied the increasingly harsh repression[41] and continued to demand

[39] The video quickly went viral, as did the formula that we find today iconized in different media: tags, badges, t-shirts, mugs, clips, visual media of all kinds.

[40] Volpi, Frédéric, "Le mouvement protestataire algérien de 2019 à la lumière de la théorie des mouvements sociaux et des Printemps arabes", *L'Année du Maghreb*, vol. 21, 2019, pp. 27-36.

[41] While from February 22, episodes of police violence (water cannon, tear gas, arrests) took place on the sidelines of the marches, the climate of intimidation hardened from mid-April. The repression also included the waves of arrests of long-standing activists as well as lesser-known activists or simple demonstrators. This

a radical transformation of the political system as well as the establishment of the rule of law and an end to the army's interfere in civil affairs.[42]

This became a transition to the third moment—"*Tasqout edawla al askaria*"—("Down with the military state"). Observers initially hailed this phase for its sizeable, though mainly male, protests. Yet criticism quickly emerged for its lacking ability to galvanise people into action and to renew the political strategies of the movement. For some, this moment resembled the previous too much in terms of modalities of action and political (non)proposals. The moment coincided with the resumption of gatherings in February 2021. Protesters would now rebuke the military establishment and its methods more directly and more strongly and new slogans appeared denouncing the violence and torture inflicted on prisoners of conscience.[43] Protesters also denounced the newly elected President Abdelmadjid Tebboune and his "outstretched hand" initiative[44]. Sparking vigorous debate within progressist camps, because of the radicalisation of criticism of the army and of the supposed Islamist presence behind this radicalisation, the third moment was visibly marked by tensions inherited from the 1990s.[45] These tensions had remained underground or sufficiently curtailed[46], until their emergence in the diasporic protest space where the mobilisation was maintained more regularly.

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is how the initial slogans of fraternity with the police disappeared, gradually, as a consequence of the strengthening of the arbitrary and punitive mechanism.

[42] For a stimulating reflection on the challenges and limits of the civil state as well as on the game of possible alliances see Ait Ali Slimane, 2021.

[43] The portrait of Sami Dernouni, who during his trial denounced the torture he had suffered, was brandished during the latest demonstrations.

[44] The new President Abdelmajid Tebboune follows in the footsteps of Gaïd Salah. The "blessed Hirak", formula by which the power reappropriates the "*Hirak chaabi*", weaves the praises for having been at the origin of the "moralisation of public life" and welcomes the advent of a "new Algeria". By establishing on 22 February, a "national day of brotherhood and cohesion between the people and their army", he creates a new commemorative palimpsest, which gives the illusion of an understanding of popular demands, whose real objective is to deactivate its revolutionary or even reformist character.

[45] Boserup, Rasmus Alenius, "Décennies de stabilité avant la rupture (2000-2020)", *Pouvoirs*, n° 176, 2021, pp. 5-15.

[46] Controversy around secular-Islamist opposition is not new, but it gained even greater momentum when the marches were suspended. The slogan "*normalyum*", was launched by the poet Mohammed Tadjadit during the summer 2020 in an attempt to serve as a third way.

The Challenge of Reorganising Civil Society

Alongside the unstructured and leaderless space of the protests and marches, which worked without formally designated representatives,[47] a more ordinary and heterogeneous space emerged in support of the *Hirak* movement. Hence, a public course on constitutional law took place twice a week in a private cultural venue between March and April 2019. In the same period, associations and ordinary citizens organised meetings in public parks at their own initiative. From the beginning of March, a forum took place every Monday on the steps of the National Theatre in Algiers, opening a socially mixed and transgenerational debate forum. Existing but long silenced social actors, such as the feminist movement, reunited and remobilised for a national meeting in June 2019.[48] And short-term initiatives in support of the political prisoners emerged[49] alongside more long-term political projects.[50]

In March 2019, some thirty associations and activists created the "Civil Society Collective for a Peaceful and Democratic Transition".[51] In concert with other autonomous and non-partisan bodies (unions, movements, personalities), the Collective participated in organising a national conference on the dynamics of

[47] Volpi Frédéric, "Le mouvement protestataire algérien de 2019 à la lumière de la théorie des mouvements sociaux et des Printemps arabes", *L'Année du Maghreb*, vol. 21, 2019, pp. 27-36.
[48] Djahnine Habiba, "Une poétique féministe de l'Algérie en lutte", *Mouvements*, n° 102, 2020, pp. 177-192; Djelloul Ghaliya, "Femmes et Hirak : pratiques de 'desserrement' collectif et d'occupation citoyenne de l'espace public", *Mouvements*, n° 102, 2020/2, pp. 82-90.
[49] Bringing together opposition political actors, trade workers (including lawyers and journalists), families and ordinary citizens, the "Network against repression" was created on June 1. On August 26 the CNLD (Comité National pour la Libération des Détenus - National Committee for the Liberation of Detainees) which alerted the public via social media networks about arrests of activists and other general information. On December 21, 2020, the constitutive meeting of the CADL (Comité algérien de défense des libertés - Algerian Committee for the Defense of Freedoms) took place.
[50] Many manifestos arose. The CAMAN had been launched on December 05, 2020, calling for a congress for citizenship (Caman and his supporters).
[51] Baamara, Layla, "'Notre seul rôle, c'est celui de militant'. Devenirs contestataires à l'heure du soulèvement" in Allal Amin & al. (eds), *Cheminements révolutionnaires. Un an de mobilisations en Algérie (2019-2020)*, Paris, CNRS Editions, 2021, pp. 69-92.

civil society in Algiers on 15 June and a meeting of the civil society actors on 24 August. While political parties from the opposition were barred from becoming members of the collective, the meeting was open to them.[52] Even though the opposition parties lacked public credibility and strong front figures, they were in the words of the president of the RAJ (*Rassemblement Actions Jeunesse*) allowed to participate to "bring together visions and work on convergences". The ambition to reconcile the various streams and create a common roadmap proved hard, however as differences of opinion, particularly between the progressive and the conservative wings, surfaced. The demand for gender equality was one such example. A section of the progressive camp had been ready to concede on this matter in the interest of preserving the tactical alliance with the conservatives. After tense negotiations in the progressive camp, gender equality was ultimately deleted from the declaration proposed in June 2019. This, however, led feminist activists to quit the process. Alongside mistrust of structured organisations, such internal tensions have weakened civil society initiatives and prevented them from gaining popular legitimacy.[53] Ordinary citizens participating in the *Hirak* movement have most often not know about their existence. This elitist character of the coordination has been a major obstacle in its ability to propose a credible political alternative for the protesters.[54] Despite these obstacles, several groups remained firm in their commitments to prepare an inclusive second national meeting in February 2020. Although the authorities did not allow this meeting to

[52] The "national dialogue conference" initiated by the so-called "forces of change" bringing together the conservative opposition parties. Emulating this one, other initiatives were born. On June 26, a meeting of the forces of the democratic alternative took place, bringing together the democratic parties (FFS, RCD, UPS, PST, PT, MDS, PLD), unions, associations (including RAJ and Thawra) and personalities—including Djamel Zenati, Lakhdar Bouregaa, Nacer Djabi—around the "political pact for a true democratic transition" also known as "PAD (Pacte de l'Alternative Démocratique - Pact of the Democratic Alternative)". On 6 July, the "national dialogue conference" took place about the conservative parties.

[53] Dris-Aït Hamadouche, Louisa and Dris Chérif, "Le face à face hirak-pouvoir : La crise de la représentation", *L'Année du Maghreb*, vol. 21, 2019, pp. 57-68.

[54] Abdelwahab Fersaoui, president of the RAJ returns in a contribution published on TSA on 07 January 2021 on the failures of the elite who "missed the meeting, in particular during the first months to create synergies and the necessary conjunctions between the different dynamics to translate this popular consensus into a common political project around a real process of democratic and peaceful change of the regime which has reached its limits. The elite failed in their mission to breathe new life into the Hirak".

take place, a press conference was held where a text entitled “Manifesto of February 22 for a democratic transition” was read aloud. While the activists who had helped frame the text never resolved the internal tensions, they continued to mobilise at a sustained pace drafting both an appeal (*nida*) and a declaration (*bayen*) which was published on 22 October 2020 under the title “Nida 22”.

Revolutionary Breaches

Among the three space-times of the contestation, “*Makach el khamsa*” is the one that has structured the revolutionary moment and given it substance—desire to peacefully overthrow a state of political domination[55]—and form— modalities of expression and collective rituals. The proposals formulated in the first weeks constitute the base of the protest dynamic which extended the domain of possibilities and ignited the capacity to imagine alternatives. The *Hirak* movement is best understood within this broad vision of politics, which does not reduce revolutionary issues to transformations of governance methods, but instead identifies them at the societal level as “‘becoming’ [a people] and subversions of the ordinary.” If we give attention to these societal shifts, we can identify at least two forms of order. The first is the possibility of “taking the street”.[56] The second, articulated in this process, is the possibility of “making a people”.

“Taking the street” was one of the openings created by the 22 February march at a time when no one had realised what was happening nor foreseen the reaction of the authorities. Yet, as the streets filled up, the conviction took hold that something extraordinary was happening. Cordoned off by police, the capital’s

[55] Regarding the peaceful dimension, as the very possibility of politics including a logic of social distinction, see the Silmiyya notice in Dakhli Leyla (ed), *L’esprit de la révolte. Archives et actualité des révolutions arabes*, Paris, Éditions du Seuil, 2020.
[56] Fabbiano Giulia, “A l’écoute de l’Algérie insurgée”, *La Vie des Idées*, 19 March 2019.

public spaces usually assume a codified discipline of bodies, subject to constraints of gender and generation. Urban space in Algiers is seen more as a place to pass through than one of leisure, even if in recent years café terraces have emerged and women have gained more visibility in the city centre and in working-class districts. Since the 2001 "Black Spring", the street had been a space banned from gatherings and quickly emptied if the authorities deemed it necessary. In February 2019, however, the streets once again became a space of politics. "The beauty is there because the street, once a forbidden zone, discoloured, impersonal, apolitical, has just become a gigantic dance floor again", writer and newspaper columnist Sarah Haidar wrote in February 2019. Widely documented by numerous photo stories highlighting the corporeality of the uprising and its function as a meeting place,[57] the space-time arch of the marches was extraordinary. Marching is experienced as a moment of encounters.[58] Moments where the "Other" temporarily ceases to be threatening[59] and becomes an ally with whom to share common demands, despite sometimes inflexible and contradictory socio-political convictions. In this way marching disrupted people's relationship with public space and its norms. In consequence, the police began confining demonstrators, narrowing the routes, and banning protests from certain emblematic places in Algiers. Moreover, in the capital, the unprecedented use of urban space moved beyond public gatherings: parks, the steps of the National Theatre, and café terraces all became arenas of free discussion—a phenomenon that itself accelerated the transformation of public space.

[57] Brahimi Atlal, "Youcef Krache et Fethi Sahraoui, deux photographes algériens témoins et acteurs de la contestation", *Mouvements*, n° 102, 2020, pp. 91-96.
[58] Chenoufi, Lalia, "Le *Hirak* algérien ou le temps du possible. Propositions d'ethnographie d'un événement révolutionnaire", *Horizons Maghrébins*, n° 80, 2022, pp. 18-34.
[59] Silverstein Paul, "An Excess of Truth: Violence, Conspiracy Theorizing and The Algerian Civil War", *Anthropological Quarterly*, vol. 75, n° 4, 2002, pp. 643-674.

Thrown into physical proximity during these protests, men and women came to recognise themselves as members of a unique collective,[60] despite their sometimes very different backgrounds, sensibilities, and horizons. The contours of a national “we” (*hna*) emerged in opposition to a "you" that named “the system” (*ntouma*), also referred to as the “gang” (*issaba*). Transcending the borders of ordinary circles of belonging or reference, and transcending state borders through the inclusion of Algerian men and women abroad, this national “we” enabled a “rapid and unexpected aggregation of social groups that previously remained disjointed”.[61] From the first Friday, this “we” was called “people” (*châab*). Since the war of independence, “the system” intent on asserting its populist legitimation had undermined the very possibility that a “creative minority” seeking emancipation could play a political role. Celebrated in official commemorative rhetoric as the victorious motor for independence, “one-hero-the-people” had given way, through official manipulation, to the people-object, “a mass whose inertia we seek to maintain through retribution or mobilising intermittently”, and to the child-people, “an unstable, puerile, dangerous entity, which must be disciplined, constrained and educated to ward off its chaotic passions”.[62] With the *Hirak*, people reappropriated the liberation struggle while refuting paternalistic propaganda, even as they also drew on the 2011 “Arab Spring”, notably borrowing the expression “the people want” (“*al-châab yurid*…”). With these moves, the revolutionary sequence rehabilitated the “people” as symbolic operator of unification, a political force that bypassed the divisions inherited from the period of the civil war and removed its scars. Because of its intrinsic fragility, the power of the people resides more in its becoming than

[60] Butler, Judith, “‘Nous, le peuple’ : réflexions sur la liberté de reunion”, in Badiou Alain & al. (eds), *Qu’est-ce qu’un peuple ?*, Paris, La fabrique, 2013, pp. 53-76.
[61] Wahnich, Sophie, “Incertitude du temps révolutionnaire”, *Socio*, n° 2, 2013, pp. 119-138; Bennani-Chraïbi, Mounia and Olivier Fillieule, “Pour une sociologie des situations révolutionnaires. Retour sur les révoltes arabes”, *Revue française de science politique*, vol. 62, n° 5, 2012, pp. 767-796.
[62] Serres, Thomas, *L’Algérie face à la catastrophe suspendue. Gérer la crise et blâmer le peuple sous Bouteflika (1999-2014)*, Paris, Karthala, 2019.

in its being. Rediscovered in February 2019,[63] the people provided a framework upon which society can organise itself, while respecting its differences and the conflicts they generate[64]. The breaches opened by the popular uprising did not lead to the "fall of the regime" invoked during the marches. What they did do was to "permanently disrupt our lives. Even our very way of being in the world", as Awel Haouati wrote in February 2020.

The Revolutionary Moment—a Future that Lies Behind Us?

When initially the new political language emerged from the protest marches it was hailed and almost unanimously welcomed. At the end of the first year, however, critical voices began to question its effectiveness and pointed to its blind spots, its dangers, and to the movement's likely failure.[65] In the name of realpolitik, these voices translated, on the one hand, the feeling of anxiety, weariness and disillusionment with what was perceived as a political deadlock;[66] and on the other hand, a deeper questioning of the movement and its nature itself.

The decline in participation, more pronounced in rural areas,[67] was one of the arguments used by journalists to demonstrate that the consensus has been

[63] "A jubilation of a people who found themselves, found their unity, regained their strength and an exceptional conscience and political maturity", writes the intellectual Mohamed Bouhamidi, the day after the second Friday 2 March 2019.

[64] Tensions did not fail to emerge from the beginning of the movement, such as ones concerning the place (and the time) of feminist struggles in the *Hirak*.

[65] These positions were circulating more after the summer of 2019 and intensified in the period from the presidential election to the first anniversary of the start of the marches in February 2020, to return in February 2021.

[66] This feeling was amplified at the time of the suspension of the marches and their resumption in February 2021, and led activists to withdraw from the marches. See Dufresne, Aubertin Laurence, "Les garçons des quartiers populaires dans le hirak. Retour sur des pratiques ambivalentes de la contestation" in Allal Amin & al. (eds) *Cheminements révolutionnaires. Un an de mobilisations en Algérie (2019-2020)*, Paris, CNRS Editions, 2021, pp. 29-48.

[67] On the subject of the rural world summoned by Kamel Daoud in his requisitory against the Hirak, Lahouari Addi noted: "The absence of weekly marches in small towns and villages does not mean that the rural world

"broken".[68] In reality, this presupposes that one can "reduce political consciousness to presence in the street"[69] without taking into account the repressive climate,[70] the intimidation by the authorities, and the widespread usage by the police of temporary detentions in the run up to the presidential election. Critics also stressed that the fragmentation of the original momentum[71] proved the fragility of the uprising—a fragmentation they presented both as cause and consequence. "Over the weeks, the protest lost ground by losing the image of a transcendent, national, united movement", wrote Kamel Daoud in February 2020. Creating a "bad *Hirak*" that contrasts with the "good", reinforces the illusion of a "pure" uprising, diverted over time by the seeds of division sown by antagonistic groups. On closer inspection, however, the "original *Hirak*" movement never abolished social groupings. It never overcame divergent positions in the face of "civil war". And it never moved beyond class distinctions—or refuted patriarchy. The initial disapproval of a feminist bloc in March 2019, who both progressives and conservatives criticized for demanding equal rights when it was not the time (*ma ci el waqt*), is a clear case in point. The marches, nonetheless, dissipated the general climate of suspicion and withdrawal by cutting across the invisibly demarcated but deeply entrenched lines of a society shattered by a political violence that the authorities strenuously denied. Demonstrations made a political, sociological and historical encounter possible, through the collective framing of space-times, the promotion of proximity, collective diversity, freedom of speech, and the easing of social control. But marches never really erased controversial subjects, social conflicts, or ethnic and

supports the regime. This absence is due to objective political factors. Authoritarian regimes have better control over the villages due to the density of the population and the weight of the notables who monitor everyone's words and deeds and gestures. The authoritarian regimes in the Maghreb have more political resources in the countryside than in the cities, with the notorious exception of Kabylia united against the regime by the Amazigh language" (21 February 2021).

[68] Charef, Abed, "En Algérie, fin de cycle pour le hirak", *Middle East Eye*, 16 October 2020.

[69] Haouati, Awel "*Hirak* algérien an I. Les chants d'une révolution Populaire", *Ballast*, n° 9, 2020, pp. 156-169.

[70] Several free information sites on the internet such as Maghreb Emergent or Inter-Lignes have no longer been accessible from Algeria and required using a VPN.

[71] Zelig, Omar, "Une symphonie algérienne inachevée", 15 January 2021, available at http://assafirarabi.com/fr/35437/2021/01/15/une-symphonie-algerienne-inachevee/

ideological differences, even when the protesters proclaimed fraternity between the police and the people—a wish rather than a fact. The *Hirak* movement was not intended to be "a single party which conceals the differences and contradictions that cross society", noted the journalist Saïd Djaafer as the collective gatherings resumed and controversies surrounding the Islamist presence grew stronger. Shared sparingly on social media networks, the historical or local tensions that accompanied the protest marches from the beginning escaped the notice of most of the independent press, which contributed to maintaining this "increased concern for the overhaul of the battered national cohesion and a striving for consensus"[72], as if the consensus could only be obtained by erasing the dialectics of the real, that is to say by ignoring diversity. Born out of the socio-political context and the need to "make a people" in a rediscovered public space, the prioritisation of unanimity over the recognition of ordinary tensions, however, gradually waned. The mistake was not the desire for unanimity, but in placing this goal above all other concerns. Critics, I suggest, reinforced the myth of the "consensual illusion" which accompanied the initial period, instead of deconstructing it by showing its heterogeneity. They also produced a second myth about a "golden age" followed by a "corrupt" epoch. The values initially put forward—brotherhood, unity, idealism, radicalness—to which we turn with nostalgia when it comes to evoking the original *Hirak* movement, are, in the distorted *Hirak*, called into question, because they supposedly promoted the tyranny of blinkered thinking, undermined national institutions, and allowed the infiltration of Islamist networks established abroad. An example is when Kamel Daoud in February 2020 regretted "the image of a transcendent, national, united movement", and in March 2021 denounced this "unity (which) kills over time". The fate of the slogan "*Yetnahaw ga3*" is an emblematic illustration of this change: The slogan had quickly gone viral due to its communicative strength. Gradually, however, critics like Daoud presented it as a naive sublimation of a people deprived of "political lucidity" and "unable to

[72] Mellah, Salima (ed.), *Hirak en Algérie. L'invention d'un soulèvement,* Paris, La fabrique, 2020.

imagine negotiating with a regime that still holds most of the levers of power".[73] A section of observers, including the political scientist specialising in Algeria, Hugh Roberts, and journalist Abed Charef, see it as pure expressive formalism, betraying a lack of real objectives and political pragmatism. Roberts relies on Charles Tilly's theory to argue that, in the absence of a revolutionary situation opposing two clearly identified camps, once the *Hirak* movement missed the opportunity of a "historic compromise" with the army, it can only hope for one-off reforms and offers no radical transformation in the mode of governance. Political scientist Thomas Serres points out the limits of this narrow, rigid reading of Tilly's theory, which discredits the *Hirak* movement as a "counter-power" and underestimates the other elements that contribute to a situation of revolutionary crisis. For the journalist Abed Charef, after "having unblocked a political situation frozen to the point of absurdity", namely in preventing Bouteflika from obtaining a fifth term, "the *Hirak* has completed its life cycle".[74] Those who speak in its name are therefore wrong to have refused the army's deal, which offered "no fifth term for President Bouteflika, immediate end of the fourth term, return to the sovereignty of the people through Articles 7 and 8 of the Constitution, a commitment that not a drop of blood will flow, and the promise of a major campaign against corruption".[75] However, it would be relevant to remember the historically low participation rates in the presidential election of 12 December 2019 and the constitutional referendum of 1 November 2020, which show how the return to popular sovereignty remains entirely illusory. As for the army's promise to not shed a single drop of blood, this serves to whitewash its repression—which is admittedly less deadly than in the past, though not less violent—while the promise of a major drive against corruption will be forestalled by judicial expediencies. It is for these reasons, among others, that economist Omar

[73] Daoud, Kamel, "Où en est le rêve algérien ?", *Le Point*, 12 January 2020.
[74] Charef Abed, "En Algérie, fin de cycle pour le hirak", *Middle East Eye*, 16 October 2020.
[75] Ibid.

Benderra affirmed in 2020: “In fact, the military authority met none of the *Hirak*’s basic demands”.[76]

A second body of criticism is concerned with “horizontality” and the *Hirak*’s resistance to name individuals to represent the movement. Coming in the wake of the regime’s dismantling of civil society and successful efforts to discredit political parties, many at first hailed these elements as key to the strength of the revolt. Subsequently, however, many of the same voices saw these factors as evidence for the protest’s “structural weakness”.[77] Many observers have drawn attention to the fact that “the absence of this interface places political power, and in particular the army command, in a position of strength, allowing it to rule out any possibility of negotiation”.[78] Aware of the need to organise a movement whose very condition for survival is independence from all partisan and associative structures, civil society activists, intellectuals, and protesters divided into two blocs: On the one hand, those who see in the protest marches “an end in and of itself”, “politically empty”.[79] On the other hand, those like journalist Saïd Djaafer who consider the *Hirak* movement to be resilient: it "is not politically empty, it is full of politics: there are Islamists, people from the political left, leftists, liberals, people clearly from the right... With such an abundance, it is difficult to speak of “empty”.[80] On the other hand [...] this does not translate into the formation of political organisations where new elites—which are emerging—can gain political and social visibility. [...] What brings people together on Fridays is the will to exist in the face of a regime which, even while degrading itself and clearly revealing its incompetence, resists and can cause terrible harm.”[81] There, too, the controversy was already latent in March 2019, when the regime raised the

[76] Benderra, Omar and al. (eds), *Hirak en Algérie. L’invention d’un soulèvement*, Paris, La Fabrique, 2020.
[77] Dirèche, Karima, “Portrait d’une société en mouvement”, *Pouvoirs*, n° 176, 2021, pp. 53-65.
[78] Dris-Aït Hamadouche, Louisa and Dris Chérif, “Le face à *face* hirak-pouvoir : La crise de la représentation”, *L’Année du Maghreb*, vol. 21, 2019, pp. 57-68.
[79] On this subject, see Belkaïd, Meryem, “Les élites intellectuelles et le hirak”, 05 March 2021, available at https://www.meryembelkaid.com/post/les-élites-intellectuelles-et-le-hirak
[80] Djaafer Saïd, “Un Hirak résilient, un régime autiste. Pourquoi il faut urgemment changer de paradigme”, *24hdz*, 23 February 2021.
[81] Ibid.

spectre of a “constitutional vacuum” to dissuade the insurgent population. Discussions have long opposed the supporters of a rapid transition, possibly negotiated with the army, against those of the “long term”, which would be necessary to boost democratic momentum and thus improve the people’s ability to be self-reliant and self-structuring, without worrying about the regime’s agenda and the standardised forms of exits from crises. This second group considers the *Hirak* to be what Dirèche has called the “first cycle of a political process [...] punctuated by hardships”.

A third set of criticisms focus on the apolitical and chauvinistic nature of the movement. Political scientist Mohammed Hachemaoui thus describes the *Hirak* as “fundamentally anti-political because of its structural avoidance of class conflict as well as massacres perpetrated with impunity by the praetorian forces”. Even if the social question was latent, Thomas Serres reminds us that the *Hirak* movement saw the interweaving of economic and social struggles, called for equal access to national resources, and made political demands.[82]

...

Criticised, defended, questioned, blamed, sometimes frontally attacked, one may ask whether the *Hirak* movement is already a “future that's in the past”, or, worse, a “future that never happened”? Are Algerians experiencing a “disillusioning tomorrow”—a paradoxical moment when the erosion of trust is accompanied by the permanent nature of possibilities?[83] Is the revolution over? If for some this is the case, for others the horizon remains open, and the struggle, even if long, remains a "sum of possibilities”. Predicting results, making assumptions about

[82] Serres, Thomas, “‘Vous avez mangé le pays !’ Revendications socio-économiques et politisation en Algérie (2011-2019)”, *Esprit*, vol. 6, 2019b, pp. 49-60 ; Serres Thomas, “Understanding Algeria’s 2019 Revolutionary Movement”, *Middle East Brief*, Crown Center for Middle East Studies, Brandeis University, 2019.
[83] Allal, Amin and Marie Vannetzel (eds), “Restaurations autoritaires ?”, *Politique africaine*, n° 146, 2017.

the transition, if transition there be, sketching out plausible scenarios is certainly tempting. But we must admit that we will not know what can happen until it has happened. “The revolution is in reality never frozen”, writes the historian Ludivine Bantigny: “It is in essence a process, a sequence made up of uncertainties and trial and error, of experiments and tests. Its development and outcome are unpredictable and cannot be reduced to ready-made models. (...) We can no longer reduce them to their end, by means of a teleology which would destroy their paths, their hopes and their projects”. With Deleuze we may say that rather than sounding out the future, wondering whether this will be a revolution, it is better to consider what is at our disposal: the revolutionary becoming and not the future of revolution.

What we know for sure is that, for the majority of those who marched in the protests, this was the first time they entered in a public space and reconnected with the long-deserted field of politics. They voiced their desire for an emancipated, inventive and creative citizenship. They affirmed their determination to establish an “Etat de droit”, in which socio-economic and cultural questions should be debated by the different components of society in the respect of established rights. The diversity and divisions of society, crystallised by the memory of the black decade and its political matters, have not disappeared. Neither have they hindered the emergence of a popular will and a rediscovered collective and national imagination. Whatever the future may hold, this experience will remain foundational, on both subjective and collective scales. As such, it will remain revolutionary.

CHAPTER TWO

A Difficult Quest for Consensus: Political Parties, Unions, and Civil Society at the Heart of Hirak

Siham Beddoubia

Abstract

When the *Hirak* emerged in on 22 February 2019, it took most political parties, trade unions, and associations by surprise. After initially failing to act, they gradually began looking for a place within the movement. From the first weeks of the *Hirak*, supporters of the existing FLN-RND government tried to take control over the movement. Other organisations, including some of the autonomous unions, engaged for the first time in the debates about political change and democracy. This chapter analyses the attempts to find consensus among the political players within and around the *Hirak* movement.

Introduction

The *Hirak* movement, which began on 22 February 2019, took most Algerian political parties, unions, and civil society groups by surprise.[84] The unexpected emergence of the social movement occurred in a context where most of the established political organisations had lost credibility in the eyes of the Algerian

population.[85] The last legislative elections held before the emergence of the *Hirak* movement had been held in 2017 with one of the lowest turnout rates (35.37%) in the history of independent Algeria. In this sense the 2017 elections had little resemblance with the myth of "*a'rass dimocratiya intikhabyia*" (democratic electoral celebrations[86]) as described by public media and officials under the presidency of Abdelaziz Bouteflika. In October 2018, an incident in front of the APN (*Assemblée Populaire Nationale*) marked the beginnings of a political crisis. Deputies of the parties of the "presidential alliance" including FLN (*Front de Libération Nationale*), the RND (*Rassemblement National Démocratique*) and the MPA (*Mouvement Populaire Algérien*) had padlocked the parliament and called for its president Said Bouhadja to resign.[87] The year 2018 was furthermore characterised by a disintegration of several state institutions, but also by strong sectoral mobilisations that resembled those of the CAMRA movement (*Collectif Autonome des Médecins Résidents Algériens*), and which were met with unprecedented police violence. Public opinion was also influenced by several political and financial scandals revealed in the new electronic media and involving both ministers and senior officials.[88] In this context, a few months before the start of the *Hirak* movement, fourteen political and public figures sent a letter to the President of the Republic, Abelaziz Bouteflika, asking him not to run for a fifth term. On 6 June, 2018 a group of roughly the same persons met at the at the headquarters of the *Jil Jadid* [New Generation] party to form the *Mouwatana* [Citizenship] Movement.[89] Under the influence from partisan personalities and activists from previous protest movements it would put focus on the question of

[85] Grim, Nordine, *L'An I du Hirak : Autopsie d'une révolution inédite*, Algers, Casbah Editions, 2020; Benderra, Omar and al. (eds), *Hirak en Algérie. L'invention d'un soulèvement*, Paris, La Fabrique, 2020.
[86] Populist expression that one often finds in the lexicon of declarations of Algerian officials to state the "consensus" around president Bouteflika during electoral periods, and for some parties to insist on the democratic nature of the elections.
[87] Having become persona non-grata, he purportedly met with a personality of the opposition abroad.
[88] Like "Algérie part" and "Algérie focus", the driving forces behind these channels, Abdou Semmar and Adlène Mellah, have been the subject of legal proceedings.
[89] *Liberté*, 11 June 2018. Available at https://www.djazairess.com/fr/liberte/394536

change.[90] The *Mouwatana* initiative, however, went beyond the framework of classic partisan discourse and attempted to mobilise a citizen movement against Bouteflika running for a fifth term. On 12 February 2019, *Mouwatana* launched a call for a national march on 24 February 2019 against this possible fifth term.[91] In the meantime, on 16 February mass demonstrations took place in Kherrata setting social media networks on fire and triggering further discussions about participating in the march scheduled for 22 February.

Some of the leading figures of Algeria's traditional representative organisations also participated in these weekly Friday marches. Several political party leaders were, however, booed when they took part in the 22 February marches, the first Friday of the Hirak movement in spite of their will to mobilise against the fifth term of Abdelaziz Bouteflika.[92] Leaders and members of political parties such as Louisa Hanoune from the PT (*Parti des Travailleurs*), Abderazzak Makri form MSP (*Mouvement de la Société pour la Paix*), Ali Benflis from *Talai 'Hurriyat* or even Said Saadi, former president of the RCD (*Rassemblement pour la Culture et la Démocratie*) were all booed on the first Friday of the *Hirak*. This reinforced the idea of a deep crisis of representation of trade unions, political parties, and associations whose members were perceived to have been co-opted by the state apparatus.

The popular rejection of the political parties was well illustrated in the famous slogans "FLN to the museum"[93] and "RND go away."[94] The secretary-general of the UGTA (*Union Générale des Travailleurs Algériens*), a fervent supporter of

[90] Among these personalities are Zoubida Assoul (UCP), Djillali Sofiane (Jil Jadid), Ahmed Benbitour (former Prime Minister), and Mustapha Bouchachi (former President of the LADDH), Amira Bouraoui (Baraket activist in 2014), and Saad Bouaakba (journalist).

[91] *Liberté*, 14 February 2019. Available at https://www.djazairess.com/fr/liberte/409487

[92] The word "Hirak" means movement. On the chronology of the first weeks of the Hirak movement, see Boumedine, Rachid Sidi, *Aux sources du Hirak,* Alger, Chihab editions, 2019. On the difficulty to situate the notion of Hirak in terms of revolutionary action, see Chazel, 1985, pp. 635-646.

[93]It is important to note that subsequently the National Organisation of Moudjahidins (fighters of the national liberation war), support popular demands: APS, 27 May 2019. Available at https://www.aps.dz/algerie/89952-mohand-ouamar-charge-de-la-gestion-de-l-onm-par-interim

[94] On the Hirak's slogans in general and for a description of the marches, see Mebtoul, Mohamed, *Libertés, dignité, Algérianité avant et pendant le Hirak,* Paris, Karthala. 2019.

Bouteflika and his regime, is among the personalities considered by the *Hirak* movement actors as part of the "*Issaba*" [gang].

This widespread reaction to the announcement of Abdelaziz Bouteflika's candidacy for a fifth term on 10 February was so unexpected that on the eve of the *Hirak* movement on 22 February, the political class seemed bewildered. The rest of this text will shed light on the positions of key political and social actors, while highlighting the limitations that made all attempts to create a national consensus fail.

The Announcement of Bouteflika's Candidacy

The announcement of Bouteflika's candidacy for a fifth term was made on 10 February 2019, following an infamous FLN meeting at the "cupola" of Algiers,[95] and a few days before the parties of the presidential alliance had affirmed their support for a potential fifth tenure for Bouteflika. The regime's traditional allies among parties and unions soon supported the latter's candidacy for a fifth term. These include the FLN, whose honorific president was none other than Abdelaziz Bouteflika himself at the time, the RND, including Secretary-General Ahmed Ouyahia (Prime Minister at the time), and the UGTA, which, in the same vein, had supported all the regime's choices since independence (as well as Bouteflika's fourth term in office).[96]

[95] The meeting at the cupola in Algiers of Mohamed Boudiaf the FLN took place on 9 February 2019, to support Bouteflika's candidacy for a fifth term even before the latter officially announced his candidacy, see *El Watan*, 10 February 2019. Available at https://cutt.ly/2MGVLgt. This meeting drew attention due to the fact that an impressive number of people were displaced from several wilayas to attend meals made of "kosher" ("cachère") sandwiches distributed to the latter, an act deemed contemptuous by public opinion, and which introduced the term "cachirists" now used to designate those who still want to support Bouteflika and the regime in general among citizens.

[96] Bellaloufi, Hocine, *Algérie 2019-2020, le peuple insurgé entre réforme et révolution,* Alger, Editions Koukou, 2020.

On 12 February 2019, in a joint declaration, the UGTA and all employers' organisations, in particular the FCE (*Forum des Chefs d'Entreprises*), chaired by Ali Haddad, reaffirmed their support. It should be recalled that the UGTA, which has nearly 3 million members, asked the president to run for a fifth term in September 2018, arguing that "this is part of the continuation of the work of Moudjahid Abdelaziz Bouteflika, which has generated and will continue to generate major advances, whether economic, social, democratic or republican."[97] Other parties from the presidential alliance (*Tajamu Amal al Djazair* of Amar Ghoul and The Algerian Popular Movement of Amara Ben Younes) also supported his candidacy.

If we go back a little further, the positions were already becoming clearer in the summer of 2018 when Islamist parties such as the MSP started talking about an initiative for a "national consensus."[98] Others rejected the idea and ended up boycotting the presidential elections. This included Abdelkader Bengrina of the El Bina Movement (Islamist), Ablaziz Belaid of the Front *Al Moustakbal* or even of the ANR party (*Alliance Nationale Républicaine*) who were all in favour of taking part in the presidential election.

The presidential election would therefore reinforce the divisions within the political class between supporters and opponents of Bouteflika. In January 2019, Louisa Hanoune, Secretary-General of the PT announced that she would not participates in the presidential elections.[99] Unsurprisingly, the FFS (*Front des Forces Socialistes*) and the RCD—both opposition parties—decided to boycott the presidential elections of 18 April. For these two parties, the election was in fact a coronation of the head of State rather than an election.[100] As soon as the *Hirak* movement erupted, unions and civil society tried to join the protest movement,

[97] See https://radioalgerie.dz/rai/fr/news/l%E2%80%99ugta-appelle-le-pr%C3%A9sident-abdelaziz-bouteflika-%C3%A0-poursuivre-son-%C5%93uvre

[98] On this issue, see MSP, "Initiative du consensus national". Available at https://hmsalgeria.net/ar/wp-content/uploads/2018/09/Initiative-de-consensus-national.pdf :.

[99] See *Jeune Afrique*, 25 January 2019. Available at https://www.jeuneafrique.com/715748/politique/presidentielle-en-algerie-le-front-du-boycott-selargit/

[100] See https://algeriesolidaire.net/le-rcd-decide-de-boycotter-lelection-presidentielle

as best as they could, through positions, actions, and initiatives to end the crisis. As the events of the first days after the start of the *Hirak* movement testify, unions and political parties were, however, far from realising the scope of this unprecedented movement and its ability to sustain itself over time.

Internal Crises and Attempts to Recover the *Hirak*

It would not be wrong to qualify the stance of the two parties (FLN-RND) and the central labour union (UGTA) as a triangle closely linked to the political scene and having an objective of mobilising solidarity around the regime. There are many examples of this. On February 23 (the day after the *Hirak* movement started), during a meeting in Oran, the FLN Secretary General Mouad Bouchareb said provocatively to those who sought change, "Sweet dreams and good night" ("*ahlam saida ou saha noumkoum*"). The speech was addressed to those he described as "pseudo-politicians". It was also interpreted as being intended for the public opinion to confirm the position of the former single party. It would take more than that for the 22 February marches to become a source of concern for the leading political party in Algeria and the regime's main supporters.

Paradoxically as it may seem, Mouad Bouchareb later changed his position by declaring his support for popular marches against the fifth term and for the departure of Bouteflika's regime. This unconvincing position within his own party would lead to his being challenged during a meeting of activists and FLN Mouhafeds (heads of the offices of the wilayas) on 20 March 2019, during which he was unambiguously asked to resign.

We must also not forget that another demand emanating from the *Hirak* movement was the departure of what was called the "4 B" including Mouad Bouchareb, the former leader of the parliamentary group of the FLN who was elected on 24 October 2018 as president of the ANP (*Armée Nationale Populaire*).

The same applies to the RND whose secretary general and prime minister Ahmed Ouyahia declared on 2 February that "We will let no one use the street—and I speak here on behalf of the State. We control the street, and we proved it in 2014,"[101] while reaffirming his support for Bouteflika's candidacy for a fifth term. The latter, whose name was chanted from the first Friday of the *Hirak* movement ("Ouyahia degage!"), would react to the marches three days later (25 February) by saluting their peaceful nature while warning against the anonymity of those who called to go out into the street.[102]

On the other hand, the spokesperson of the RND party, Seddik Chihab declared in February 2019 that "the street cannot be a serious alternative". He reaffirmed this position by declaring that his party's support for Abdelaziz Bouteflika was synonymous with political stability.

Ahmed Ouyahia would be forced to resign from his post as prime minister on 11 March 2019. On 25 March, he in turn called on President Abdelaziz Bouteflika to resign as president. He thus joined the position of the strong man of the situation, Gaid Salah (Deputy Minister of Defence and Chief of Staff)[103]. Ahmed Ouyahia announced his resignation from the presidency of the party of which he had been the number one for 20 years.[104] After the arrest of the former prime minister and his imprisonment on 12 June 2019 under an anti-corruption investigation, an extraordinary party session on 6 July saw the election of Azzeddine Mihoubi[105] as interim head of the party. He would later be among the five presidential candidates on 12 December 2019.

The UGTA, the RND, and the FLN initially maintained their position in favour of a fifth term. With a reference to the civil war, the Secretary-General of the UGTA,

[101] See https://www.algerie360.com/recours-des-citoyens-a-la-rue-ouyahia-se-ravise/

[103] The political situation has evolved to the number one of the army becoming a political actor appearing several times on national television to discuss and comment on political news.
[104] 100 members of the RND national council signed a petition made public on March 30 accusing Ouyahia of being an "opportunist" after having supported Bouteflika's candidacy.
[105] Minister of culture at the time.

Sidi Said, declared in Adrar on 24 February on the celebration of the 48th anniversary of the founding of his organisation and of the nationalisation of the oil sector: "You want us to go back to blood and tears? Do you want us to return (to the time) of orphans? Do you want us to go back (to the time) of burnt down houses and factories? No to *fitna* [conflict between Muslims]! No to *fitna*!".[106] If the official position of the UGTA was in favour of the regime, this was not the case for a significant number of workers, regardless of whether they were affiliated to the trade union centre or not. During the months of March and April they would organise sit-ins every Saturday in support of the *Hirak* movement and demand the departure of the UGTA Secretary-General. Since then, voices within the organisation's centre started echoing these demands. On 6 April, four wilaya Unions (Béjaïa, Tizi-Ouzou, Saïda, Tlemcen) stood out from the Secretary General's position and supported the *Hirak* movement. Under the pressure of the political and social unrest, Abelmajid Sidi Said decided not to run for a new mandate under the UGTA. He was replaced on 21 June, at the end of the thirteenth Congress, by former PT deputy Salim Labatcha. The latter lined up in favour of the regime by supporting early presidential elections on behalf of the UGTA.[107]

Weakened Opposition Parties

Parties such as the Muslim Brotherhood leaning MSP, who since 2012 have considered themselves to be part of the opposition since 2012, and who had joined the opposition front in 2014 around "the Pole for Change"[108], openly

[106] Noting that the reference to the black decade is part and parcel of the political discourse in Algeria in public statements of officials and supporters of the regime whenever a protest movement emerges. It is partly in this way that the regime is maintained.
[107] Moreover, in this regard, a march was organised on 30 November 2019 by the UGTA in Algiers, which confirmed the latter's position.
[108] From 1999 to 2012, the MSP was part of the presidential alliance supporting Bouteflika's programme with the FLN and the RND. In 2014 he took part in the Mazafran conference concerning the outgoing

declared that they were among those who called for a march on 22 February. They forget, however, that it was expected that they would take part in the elections.

Louisa Hanoune, the president of the PT, who had already reacted to the intense protests in 2018, had warned against an eruption of protest on all levels. She did not hesitate to speak of a "ticking time bomb". Nonetheless, her party was quickly weakened after Ms. Hannoune was imprisoned on 9 May by the military court in Blida on accusations of conspiring against the state.[109] Sofiane Djillali's *Jil Jadid* party would, for its part, leave the Mouwatana initiative just a few weeks after the start of the *Hirak* movement on 27 March 2019.

The Autonomous Unions and Civil Society

On the side of civil society, from the first Friday of *Hirak*, in Algiers, one noticed the remarkable presence of those who gradually settled in the protest space and who had been at the vanguard of democratic struggles, especially at the turn of 2010 -2011. Here one can find associations like RAJ (*Rassemblement Action Jeunesse*), SOS Disparus, and the LADDH (*League Algérienne pour la Défence des Droits de l'Homme*), and autonomous unions such as the CNES (*Conseil National des Enseignants du Supérieur*), and the SNAPAP (Syndicat *National Autonome des Personnels de l'Administration Publique*). These organisations had been behind the formation of the CNCD (*Coordination Nationale pour le*

presidential candidate Ali Benflis ("Talaie El Houriat" vanguard of freedoms) who had seen the constitution of the National Coordination for Freedoms and Democratic Transition concerning opposition parties (CNLTD).

[109] She had been accused of "*undermining the authority of the state and the army*" for having participated in a meeting with Saïd Bouteflika (brother of the president), Athmane Tartag (Commander-in-chief of the gendarmerie) and Toufik Mediene (ex-heads of the secret services) on 27 March 2019. According to his statements, it was an official consultation meeting on the political situation in the country. She would be sentenced to three years in prison, jailed nine months, then released.

Changement et la Démocratie) in 2011.[110] Their action was therefore part of a continuity of activities geared towards a democratic transition, which they were trying to concretise by joining the *Hirak* movement in various ways. However, most autonomous unions—which numbered around 100[111] at the time—were absent in the debate on Abdelaziz Bouteflika's candidacy as well as politics more generally. Their vision was most often part of a labour rights protest and they pushed for demands related to the socio-economic situation. The latter, although very present in the protest space for almost two decades, having in great part given form to this space in Algeria, would now have to deal with this new context. It would mostly be the CSA (*Confédération des Syndicats Autonomes*)[112] that gradually got involved with the *Hirak* movement. That said, the CSA struggled to mobilise workers around the *Hirak* movement as was seen during the marches announced for 1st May or the general strike of 28 October.[113] This is partly explained by the fact that workers are more accustomed to autonomous unions acting mainly for socio-economic demands and not political ones. In March and April, several calls to a general strike and civil disobedience were launched by anonymous individuals and barely visible trade unions, Nonetheless the calls resonated with workers in certain regions of the country such as Bejaia, Algiers, Tizi, and Ouzou. One could even qualify these workers' strikes as a result of the *Hirak* movement.

[110] Baamara, Layla, "Quand les protestataires s'autolimitent. Le cas des mobilisations étudiantes de 2011 en Algérie", *in* Amin Allal and Thomas Pierret (ed.), *Au cœur des révoltes arabes : devenir révolutionnaires*, Paris, Armand Colin, 2013, pp. 137-159.

[111] Of which about thirty inactive. Also including employers' unions.

[112] This confederation which is not recognized; was born only a few months before the start of the *Hirak* movement. It has 13 unions including 12 from the public service (education-health-administration-higher education) and 1 from the public economic sector. These are mainly unions whose struggles have managed to win socio-economic gains in recent years.

[113] These two strikes were mildly successful according to the wilayas.

The "New" Actors

Apart from these long-active unions and civil organisations, it should be noted that the *Hirak* movement, though organised around weekly Friday marches would have a structuring effect on the different categories that would take part in them. Fridays were already characterised by the emergence of alliances of different activists (partisans, associations, unions, feminists, etc.). Protests were also being organised by the Algerian diaspora through gatherings every Sunday at the Place de la République in Paris, and in peaceful marches in Montreal. But the weight of the struggle was also felt beyond the Friday marches, as with the very early emergence of student marches every Tuesday, the multitude of lawyers' groups that came forward to defend detainees held on account of their political opinion (student activists and journalists in particular), or even the highly noticed speaking out of magistrates with the birth of "the Club of Free Magistrates". They were all committed to the defence of a democratic transition. Numerous homepages on social networks disseminated[114] political news, but posted, above all, protest news. Solidarity networks were created so that the *Hirak* movement could be sustained. The most popular figures[115] of the *Hirak* movement turned their Facebook accounts into means of communication with the '*hirakistes*'. Some opponents, mainly living abroad, posted videos on a regular basis, such as Amir dz, rapper Lotfi DK, or even [adherents of] the 'Rachad' movement.

[114] Dz wikiliks, Algérie Debout in particular.
[115] Notably but not exclusively Khaled Drareni, Rachid Nekkaz, Fodil Boumala, Amira Bouraoui.

The National Conference on the Dynamics of Civil Society

In early 2019, civil society was already getting organised with the aim of proposing solutions to end the crisis. Three civil society dynamics soon arose in the political field: First, the civil forum for change created on 9 March. It counted 70 associations led by Aberahmanne Arrar, president of the NADA network. From the outset it has been in favour of proceeding quickly to presidential elections[116] and working to launch a national dialogue.

Second, the civil society collective for a democratic and peaceful transition: This was formed on 18 March and consisted of 28 associations, the chief of which were RAJ, LADDH, SOS Disparus. It also consisted of unions including SNAPAP, SATEF, SNAP, SNAPEST, CLA and CGATA. At the end of the founding meeting, the collective proposed the constitution of a national high committee for setting up a transitional government.

Third, the Confederation of Autonomous Trade Unions (not recognised). This initiative gathers 13 trade unions, mainly from public sectors and was formed a few months before the start of the *Hirak* movement in November 2018.

In spring 2019, these three tendencies converged. Already on 27 April, the civil society collective proposed to organise a national conference, and the three groups came to be labelled as the "dynamic of civil society". After several preparatory meetings and consultations, preliminary demands were set out during the meeting of 1st June 2019, mainly to call for the release of political detainees of the *Hirak* movement and for "freeing" the field of political trade unions and associations. However, ideological differences between the various parties[117] also came to a head. At the end of the fourth preparatory meeting, on 8

[116] However, little is known about this network, the member organisations, and activists.
[117] The affinities of political parties - unions and associations in particular such as the proximity of Islamist political parties with certain autonomous unions and associations *(MSP-UNPEF-Association Irchad wa Islah*). In contrast, we also find democrats such as the UCP with the Mouwatana movement, *or* even the SATEF with the FFS and the RCD...

June, bringing together 71 unions and associations (i.e. one week before the national conference scheduled for 15 June) two proposals for an end to the crisis emerged: the first in favour of holding presidential elections; the second opting for a constitutional revision and the election of a Constituent Assembly before elections. The text resulting from the national conference of 15 June in which 400 participants and 80 associations and unions took part tried to find a compromise. The adopted text put forward the idea of a transition period led by a presidential body or a broadly respected political figure and the establishment of a body responsible for organising elections made up of representatives from the political class and broadly respected political figures. The text also called for opening a national dialogue with the [political] class, civil society, the *Hirak* actors, etc.

The impact of the national conference on the dynamics of civil society would, in a way, oblige the political parties to specify their positions regarding the end of the crisis given the public debate.

The Democratic and Secular Opposition Parties

On 18 June, 2019, seven opposition parties including RCD, FFS, UCP, PT, PST, MDS and PLD as well as the LADDH, launched an appeal to the forces of the democratic alternative, to all political actors, to the autonomous unions, and to the associative movement to initiate a dialogue. After several meetings with autonomous unions and civil society, on 26 June, the political parties organised into the Forces of the Democratic Alternative, and released a document entitled the "Pact of the Democratic Alternative". From the outset, the Pact rejected the holding of presidential elections and laid down preconditions for a transition period. The Pact stated that no negotiation and no democratic transition would be possible without "the immediate release of all political detainees and detainees of conscience, the liberalisation of the political and media sphere, the immediate cessation of judicial harassment and threats against citizens, activists

from political parties and their organisations, from the associative movement, trade unionists, human rights activists, journalists..., and the immediate end to the sale of national wealth and the recovery of looted property"[118].

The Forces of the Democratic Alternative also announced that a national conference was in the making. Initially scheduled for 31 August, then brought forward to 28 August, it would eventually not take place on that date due to lack of authorisation from the authorities. Instead, the meeting was organised at the headquarters of the RCD in the presence of several autonomous unions on 9 September. A new text was published, focusing mainly on the rejection of the presidential elections scheduled for 12 December 2019.

On 25 January 2020—well after the presidential elections had taken place—the national assembly of the Pact of the Democratic Alternative took place and laid the groundwork for the national conference. Authorities once again refused to grant authorisation to hold this event which was planned at SAFEX in Algiers. It would instead finally take place at the RCD headquarters.

The Nationalist and Islamist Parties

This Pole of Forces of Change has existed since 2014 and brings together the political parties that boycotted the presidential elections that year: MSP, Ennahda, FJD, RCD, Jil Jadid and the former head of government Ahmed Benbitou.[119] These are also the parties that previously had launched the reform initiative called the CNLTD (*Coordination Nationale pour les Libertés et une Transition Démocratique*). Back in 2014 the Pole initially also included the RCD and the FFS, and it aimed to fight for expanding freedoms and against corruption. Announcing the convening of a national conference under the name

[118] See https://alencontre.org/afrique/algerie/algerie-declaration-du-pacte-de-lalternative-democratique.html
[119] *Liberté* 22 April 2014. Available at https://www.djazairess.com/fr/liberte/220003

of Forces of Change was seen these forces attempt to return to the centre stage of politics.

In the new context of the *Hirak* movement, a political parties organized the so-called held "Ain Benian Meeting" which was held in Algiers on 6 July which brought together a mix of nationalist and Islamist parties as well as 30 unions.[120] Abdelaziz Rahabi, the former minister of communication under Bouteflika, was the coordinator of the conference. The so-called "democratic parties", mainly those of the "Forces of the democratic alternative", were absent from the conference. A text called the "Ain Benian platform" was issued presenting 11 proposals.[121] It should be remembered, however, that the platform highlights the need to hold elections within a period that does not exceed 6 months.

Eventually, the platform would be challenged by some of those who took part in it. This took the form of statements to the press, which reported deep disagreements on many points such as the release of prisoners of conscience and the departure before any dialogue of the two "B" (the President of the Constitutional Council, Belaiz, and the Prime Minister, Bedoui). The media has also revealed that the final statement announced by Rahabi was not consensual.[122]

The "Panel of Karim Younes"

The idea of a dialogue between the regime and the actors of the *Hirak* movement took root in public debate. Hence, on 17 July 2019, the president of the Civil Forum for Change Abderrahmane Arar proposed a list of 13 public figures to initiate

[120] They are the Front de la justice et du développement, Talaii el Houriyat, El fadjr el Jadid, l'Union des forces démocratiques et sociales, Mouvement el Binaa, El Houriyawa el Adala, Mouvement Ennahda, the MSP, Jil Jadid, Ahd 54, Rassemblement démocratique républicain.
[121] To consult the full proposals of the national conference (written in Arabic) by Ain Benian see Algeria now (website in Arabic) on 07 July 2019.
[122] See *Liberté,* 10 July 2019. Available at https://www.djazairess.com/fr/liberte/419689

dialogue with the regime to emerge from the crisis. A week later, interim president Abdelkader Bensalah declared himself in favour of this initiative. On 25 July he announced the creation of a forum for dialogue and mediation with the actors of the *Hirak* movement led by six personalities.

List of the 13 public figures proposed by Abderrahmane Arar:

They are: Karim Younes, Djamila Bouhired, Mokdad Sifi, Mouloud Hamrouche (former head of government under the chairmanship of Chadli ben Jdid), Mustapha Bouchachi (former president of LADDH and member of the Mouwatana movement), Ahmed Taleb Ibrahimi (Former Minister of Education under the presidency of Boumédiène), NacerDjabi (Sociologist specializing in social movements), Smail Lalamas (economist), Lyes Mrabet (President of the CSA), Nafissa Hireche (association activist), Aicha Zinai (human rights activist), Islam Benaya and Fatiha Benabou (lawyer).

The six public figures selected for the panel:

Karim Younes and former minister of M. Bouteflika and former president of the APN, Fatiha Benabbou, professor of public law, Smail Lalmas, economist and business manager, Bouzid Lazhari, professor of public law and former parliamentarian, Abdelwahab Bendjelloul, education union, Azzedine Benaissa, academic. This list is to be extended to other academic personalities. It should be noted that only two personalities proposed by the Civil Forum are now part of this body because the majority of those who were contacted refused**;** They are Djamila Bouhired, Ahmed Taleb-Ibrahimi, Mouloud Hamrouche, Ahmed Benbitour, Mokdad Sifi, Abdelaziz Rahabi, Lyes Merabet, Ilyas Zerhouni, Messaoud Boudiba, Guessoum Abderrazak, Rachid Benyelles, Hadda Hazzam, Brahim Ghouourma, Brouri, Adda Bounedjar, FaresMesdour, Mustapha Bouchachi, Chemseddine Chitour, Benbrahem Fatma-Zohra, Drifa Ben M'hidi, Saïd Bouizri and Mokrane Aït Larbi.

The panel held its first meeting on 28 July and called on 23 national figures for consultations. The coordinator of this body set the preconditions for opening a dialogue on 25 July 2019 during a meeting with Mr. Bensalah, the interim president who seemed to be open to these proposals namely:

> "1. The urgent need for the release of all detainees of the *Hirak* movement, as a first step;
> 2. Respect for the peaceful nature of the demonstrations by the police;
> 3. The cessation of acts of violence and aggression against peaceful *Hirak* demonstrators and students;
> 4. The reduction of the police force, particularly in the capital during the weekly marches;
> 5. Opening of all access to the capital on the days of the marches;
> 6. The liberation of the media as demanded by press professionals and desired by the people in general;
> 7. The unanimous call for the departure of the current government and its replacement by a consensus government, made up of non-partisan technocrats."[123]

The 3 July speech of the vice-minister of Defence and the chief of army staff confirmed, however, that it was out of the question for the regime to accept such preconditions. This position very clearly and precisely confirmed the desire of the regime to proceed as quickly as possible with presidential elections. Hence Gaid Salah declared: "there is no question of wasting more time, because the elections constitute an essential point around which the dialogue must be centred, a dialogue that we welcome and hope will be crowned with success, far from the method of imposing preconditions going as far as diktats."[124]

In reaction, Smail Lalmass, a member of the panel, resigned. Karim Younes also resigned while affirming his attachment to the preconditions. It had now become clear that the objective of this body was to prepare as quickly as possible for the presidential elections, which had already been postponed twice—in April and again in July 2019.

Finally, one observes a change from a declared wish to see a dialogue with political actors to the need to organize elections "as soon as possible". This was done through the organisation of a national conference that would create an

[123] TSA, 25 July 2019. Available at https://algeria-watch.org/?p=72365
[124] *El Watan*, 30 July 2019. Available at https://www.elwatan.com/edition/actualite/gaid-salah-veut-un-dialogue-sans-prealables-30-07-2019

independent body whose main objective would be to organise and monitor the presidential elections—ANIE (*Autorité nationale indépendante des élections*).

Hence, during the month of August, this dialogue and mediation body began a series of meetings with political parties. The parties of the former presidential alliance, like the FLN and RND, were excluded. This would not prevent them from publicly supporting the initiative. Islamist parties, such as the MSP and *Adala,* refused to take part, as did the PT, FFS and the RCD. Other opposition parties would take part, such as the *Jil Jadid* party of Sofiane Djillali, *Talai el Houriyat* of Ali Benflis, the *El Bina Movement*, the *Fadjr el Jadid*, the *El Infitahet*, the UFDS, and *El Moustakbel*. Panel meetings with civil society were also held. On 8 September 2019. Karim Younes submitted a report on the proposals and consultations made with 23 political parties and more than 5500 associations, which were mainly focused on two draft legislative texts: the first concerned the modification of the organic law on the electoral regime; the second concerned the formation of an independent national electoral authority. These two proposals were retained since the electoral code was amended to strengthen the role of the independent national electoral authority that already existed under the Bouteflika regime.

Parties and Unions in the Post-Presidential Elections

After the presidential elections, the time for dialogue had clearly passed, since before that date many activists and politicians had been targeted by judicial prosecution for various reasons. Regarding the parties we can cite as an example Karim Tabou, a figure of the *Hirak* movement. To this were added many arrests affecting the actors of the movement. The CNLD (*Comité National de Libération des Détenus*) reported 218 detainees of conscience of whom 94 had been detained and 124 were yet to be released (as of the end of January 2019).

Civil society activists were not spared either: Abdelouahab Fersaoui of the RAJ, trade unionist and human rights activist Kadour Chouicha (SESS-CGATA-LADDH), and activist Amira Bouraoui form *Mouwatana* and *Baraket*[125] were targeted. The arrests also extended to some journalists, including Khaled Drareni.[126] With the approach of the first anniversary of the *Hirak* movement, civil society activists announced that a second enlarged national conference would be held, which this time would also include students, lawyers, artists, and representatives of the diaspora. The Conference, which was to be held at the El Harcha venue in Algiers had to be cancelled for lack of authorisation from the prefecture. The police would even prevent a press conference, which had been scheduled for February 17 to announce the conference. It would not take place until the next day at the headquarters of SOS Disparus in central Algiers. A text was made public, known as the "Manifesto of February 22", which included the five key slogans of the *Hirak* movement: *"Silmya, silmya... Khawa, Khawa"* (peaceful, peaceful... brothers bothers*)*; "Echaab t'harar houwa li iqarar" (the people have freed themselves, it is they who decide); "*Yetnahaw Gaâ"* (they all should go); *"Dawla madaniya machi askariya"* (civil state—and not a military state); "*Matalibouna char3iya" (*our claims are legitimate). The text also highlights the need to respect the sovereignty and popular will, the question of freedoms in general (individual and collective, freedom of expression, freedom of association, unions and partisan, etc.). It also emphasizes the need for the separation and balance of powers, the independence of the judiciary, and the fight against corruption.

[125] She was accused of "insulting or denigrating the dogma or precepts of Islam", "insulting the President of the Republic by an outrageous, abusive or defamatory expression" and "publication that may undermine national unity". She was arrested in June 2020 and her trial is still ongoing (at the time of writing this chapter).

[126] Who was sentenced to one year in prison for "undermining national unity" and "inciting unarmed assembly".

The Coronavirus pandemic would, however, heavily penalise the *Hirak* movement and its supporting organisations due to public health measures that banned gatherings and brought the *Hirak* demonstrations to a halt. This did not, however, prevent the parties of the former presidential alliance (FLN and RND) from organizing activities and mobilising their supporters. The RND held its party congress on 28 May 2020 in the presence of 800 people. The FLN held its congress on 30 May 2020 in the presence of 500 people. The two congresses were authorised by the prefecture of Algiers. It may be recalled that, the activities announced by the PAD (Pact of the Democratic Alternative) and the Dynamics of civil society had been prohibited well before the start of the pandemic. More recently, the statutory meeting of the national council of the RCD (a leading opposition party) was not authorised at the El Riadh hotel,[127] forcing organisers to relocate to the party's headquarters on 25 September. Mohcene Belabes, president of the party, was furthermore threatened with having his parliamentary immunity lifted for a matter of common law.[128]

Also, the regime's management of the Coronavirus pandemic had been strongly criticised on social media, especially in Blida, the first region affected by the virus. Angry citizens would here report difficulties with accessing certain essential commodities, including basic food supplies. The support of volunteers carrying necessities from other parts of Algeria eventually helped alleviate the situation. The coronavirus pandemic spread quickly throughout the country, giving rise to more strain for the general population: overwhelmed hospitals, lack of PCR testing, and a lack of transparency in the management of the public health crisis. Many of those who considered this as mismanagement and posted critical videos of complicated situations in hospitals were arrested and prosecuted.[129]

[127] *Algérie éco*, 23 September 2020. Available at https://cutt.ly/xMGCB7F

[128] A case that dates back two years when a Moroccan construction worker died of a work-related accident at Mohcen Belabess' home.

[129] Like the Rai singer known as "Siham japonniya" who posted a video of her sick brother judging that he was badly taken care of and abandoned, she was sentenced to 18 months in prison on July 16 2020 by the court of Oran for "insulting an official in the performance of his duties, insulting a constituted body, defamation and taking of images and publicising them without authorisation of the concerned person and

Furthermore, a decree amending the penal code was signed by President Abdelmajid Tebboune on 2 August, which penalised physical and verbal attacks against public health personnel with between three and ten years in prison.

The government even made bank accounts in dinar and in foreign currency available for citizens to collect donations to deal with the pandemic. This decision was mocked on social networks, many saying that if it was to help, they would do it their way, but not to line the pockets of the *"issaba"* (gang). Others suggested that the authorities would "just have to recover the money from the *issaba*".

Other problems arose not necessarily linked to the coronavirus but weighing on the daily life of Algerians. This included water shortages, to the lack of liquidity in post offices, the difficulty of movement between wilayas, and the indefinite postponement of the start of the school year, initially scheduled for 4 October. Posts appeared on social media networks about political decisions seemingly made in light of the electoral agenda (the referendum of 1 November 2019). They claimed that the school term had been postponed for this purpose.[130] The decision to maintain the suspension of Friday prayers for public health reasons was strongly criticised since beaches, restaurants, gardens, cafes, and other venues had been authorised to reopen. Some of those who spoke out on the issue indicated that the real goal of this inconsistent policy was to prevent people from gathering to continue the Friday marches after prayers.

Amidst all this, the sectoral claims were still relevant before and during the *Hirak* protests, as well as during the pandemic since the future of the *Hirak* movement is linked in a way to the end of the public health crisis. These sectoral demands range from requests for social housing, to the rehabilitation of national education staff, as well as demands from fixed-term contract workers for permanent contracts (for which the government had announced an integration programme

attacking symbols of the war of national liberation, in accordance with article 151 of the penal code and articles of law 99/07 on the moudjahid and the martyr". See Algérie 360, 16 July 2020. Available at https://www.algerie360.com/20200716-tribunal-doran-siham-japonia-condamne-a-18-de-prison/

[130] Ultimately, the start of the school year took place on 31 October 2020.

over 3 years for 360,000 applicants)[131]. The political debate also revolved around the constitution, held up for a referendum announced for 1 November. The date was not randomly chosen but marked the anniversary of the outbreak of the national liberation war in 1954. Political parties, unions and associations were invited to discuss the preliminary draft of the constitution from May 2020. The parties of the former presidential alliance, such as the FLN, the RND, and the MPA, welcomed the preliminary draft. A RND press release on this subject said that "it's intended to be the cornerstone of the construction of the new Algeria hoped for by all."[132]

For their part, the Forces of the Democratic Alternative immediately rejected the draft, emphasising the fact that a new constitution must be treated by transitional bodies. The Islamist parties have taken on a cautious and reluctant stance, like the FJD (*Front de la Justice et du Développement*), which through Abdallah Jaballah points out that this text only strengthens the executive power. The MSP commented along similar lines. Abdrezzak Mokri drew attention to the fact that the text is not clear on the very nature of the political system (presidential/semi-presidential/parliamentary). The two parties deplore the maintenance of a hybrid regime through this preliminary draft, which is ultimately not very different from previous constitutions, especially that of 2016.[133] Civil society, for its part, remains disappointed. Mustapha Bouchachi from *Mouwatana* said in this regard that "this preliminary draft does not enshrine a democratic regime and aims to perpetuate a non-democratic regime".

[131] Or for example also demands from military personnel (whose service had been interrupted due to injury or disability), particularly contract workers who participated in fighting terrorism during the 'dark decade'. The latter had in recent years begun a series of protest movements with the aim, among others, of being able to draw a pension, organized under the army's National Coordination of Retirees, Invalids and Discharged Personnel The latter finally supported the holding of elections following negotiations for the regularisation of their situation since they would now benefit from a pension.

[132] *Algérie éco*, 09 May 2020. Available at https://cutt.ly/vMGVfOc

[133] On this subject, see *Jeune Afrique*, 12 May 2020. Available at https://cutt.ly/SMGVxwm

Conclusion

As we have seen, the many initiatives launched by political parties and civil society during and after the *Hirak* have failed to articulate an end to the crisis. Despite the strong involvement of parties, trade unions, and civil society, political and ideological differences, and the relationship to political power itself continue to block possible avenues out of the crisis. The conditions conducive to holding a political debate and free and responsible dialogue have been hampered by the regime's refusal to engage in any dialogue with the opposition, and their categorical rejection of a transition period.

This is how the former parties of the presidential alliance have remained in place despite the *Hirak* movement mobilisation. The RND even put up a candidate in the presidential elections of 12 December 2019,[134] and several government ministers hailed from both parties (FLN and RND). The same goes for the opposition with the candidacy of Ali Benflis. The traditional supporters of the regime have not contented themselves with remaining on the political scene. Rather they have gone so far as to claim their place within the *Hirak* movement, with the FLN president using the expression "*Hirak Mubarak*" (the blessed *Hirak*) during his inauguration as the party head. The regime fends off the impact of the *Hirak* movement with the same satellite organisations it used in the past. These organisations have succeeded in maintaining themselves partly due to a divided opposition, whether partisan or from civil society, that is accused of being unrepresentative and prone to co-option. Prior to the parliamentary elections, it was thus reported that members of the FFS and *Jil Jadid* were received for talks at the presidency. The latter are accused of negotiating seats at the APN—which is reminiscent of practices prevalent during Abdelaziz Bouteflika's presidency.

[134] As did Abdelkader Bengrina of the Bina Movement; he obtained second place in terms of Presidential elections.

While the *Hirak* movement has been successful in mobilising millions of Algerians to reject the Bouteflika regime's authoritarianism, cronyism, and Mafia practices, it has failed to unite the political class and civil society around a common project for a new Algeria. Partisan divides are such that the regime no longer feels obliged to take party initiatives into account. The unions, for their part, are concentrating their fight on social issues that have assumed greater urgency due to the economic situation of the country, which can no longer count on oil and gas incomes—due to the drop in oil prices—to buy off social peace, as had been the practice during Bouteflika's four mandates.

CHAPTER THREE

The Repression of Media Freedom: Between Protests and Structural Diversification

Rasmus Alenius Boserup

Abstract

The emergence of the *Hirak* movement in Algeria in 2019 coincided with an unprecedented peak in state-orchestrated repression of media and media workers in Algeria. This article seeks to explain why the repression has come at this point, and why it was more brutal than previously. The article argues that the current repression cannot be explained simply as an attempt by the military-backed government of President Tebboune to crush the *Hirak* movement. Instead, it is explained as a product of the political crisis of authority and of the internal transformations and diversification of the Algerian media sector itself since the 2010s.

Introduction

Since the emergence of the *Hirak* movement and the toppling of President Bouteflika in early 2019, the Algerian authorities have orchestrated the most intense wave of repression of freedom of expression that the country has seen in decades.[135] An unprecedented number of journalists have been detained and

prosecuted for covering the *Hirak* protests or for writing critically about state institutions or their protagonists. In 2019 alone, at least a dozen journalists were arrested during sit-ins against media censorship or while covering *Hirak* protests.[136] Several online media outlets have also been blocked for short or long periods. In April 2019 access to news websites *Tout sur l'Algérie* and *Algérie Part* were blocked by the government without explanation and, in August the same year, several more websites were blocked.[137] In April 2020, the authorities blocked access to the websites *Maghreb Emergent*, *Radio M*, *Interlignes,* and *L'Avant-Garde Algérie*. In December of the same year, *Tariq News*, *Shihab Presse*, *UltraSawt*, *Tout sur l'Algérie*, and *Twala* were also made inaccessible.[138] Furthermore, foreign correspondents were denied entry or expelled on several occasions during 2019. In March, a Reuters journalist was expelled after reporting on anti-Bouteflika protests, and, in April, the bureau chief of Agence France-Presse (AFP) was forced to leave the country after his accreditation was not renewed. In May of the same year, a Moroccan journalist was briefly detained and subsequently expelled.[139] In parallel, ordinary citizens received prison sentences for expressing critiques of the government and the state.

The World Press Freedom Index, in which the French media watchdog Reporters Sans Frontières (RSF) ranks media freedoms in 180 countries around the globe on a scale of 0 to 100, with 0 signifying total freedom and 100 signalling total unfreedom, has captured this increase in repression of freedom of expression. Between 2013 and 2015 Algeria scored around 36 negative points each year, its place fluctuating between the 125th and the 119th place on the global index.[140] By the end of 2010, and the beginning of the 2020s, the situation had, however,

[136] "Local newspaper editor detained in Algerian city of Annaba", RSF, 24 October 2019. Source: https://rsf.org/en/news/local-newspaper-editor-detained-algerian-city-annaba. See also: https://freedomhouse.org/country/algeria/freedom-world/2020
[137] https://freedomhouse.org/country/algeria/freedom-world/2020
[138] https://freedomhouse.org/country/algeria/freedom-world/2021
[139] https://freedomhouse.org/country/algeria/freedom-world/2020
[140] Source: Reporters Without Borders: "2013 World Press Freedom Index": https://rsf.org/en/ranking/2013; "2014 World Press Freedom Index": https://rsf.org/en/ranking/2014; "2015 World Press Freedom Index": https://rsf.org/en/ranking/2015

deteriorated considerably. In 2019 and 2020 Algeria scored 45 negative points, dropping to 141st and 146th places respectively, and, in 2021 it set for plummeting further to 47 points.[141]

Observers have suggested that the recent wave of state-orchestrated repression of Algerian media should be seen as an attempt by the military-backed government of President Tebboune to crush the *Hirak* movement by taking control of public opinion.[142] Indeed, the repression of journalists and media outlets has run in parallel with a broader crackdown on freedom of assembly and freedom of association orchestrated by the government since the beginning of the *Hirak* protests, and accelerated since a ban on public gatherings was issued in March 2020 due to the Covid-19 public health emergency. The authorities made multiple arrests of activists and protesters during 2019 and 2020. The Algerian League for the Defence of Human Rights estimates, for instance, that between March and June 2020 alone, 200 activists from the *Hirak* were arrested, while many others received fines or prison sentences for participating in the protests.[143]

Closer scrutiny reveals, however, that the current wave of state-orchestrated repression of media and journalists had already started in 2016—three years before the emergence and subsequent repression of the *Hirak* movement. During 2017 and 2018, Reporters Without Borders and other watchdog agencies reported an alarming increase in violations of media freedoms and a widespread increase in the use of legal instruments to harass the media, and censor or punish controversial journalism. Although the legal framework provides extended legal protection of Algerian journalists, prosecutors and judges have circumvented this

[141] The index shows that Algeria scored 45,75 in 2019, 45,52 in 2020 and 47,26 in the first half of 2021. See "2019 World Press Freedom Index", "2020 World Press Freedom Index" and "2021 World Press Freedom Index" - https://rsf.org/en/ranking/2013, https://rsf.org/en/ranking/2014, https://rsf.org/en/ranking/2015;, https://rsf.org/en/ranking/2019; https://rsf.org/en/ranking/2020 and https://rsf.org/en/ranking/2021

[142] See e.g. Reporters Without Borders: "Harassment of Algerian reporters intensifies in run-up to parliamentary elections". Published online on 18 May 2021: https://rsf.org/en/news/harassment-algerian-reporters-intensifies-run-parliamentary-elections and Reporters Without Borders: "Algeria: media increasingly under pressure as presidential election approaches". Published online on 22 November 2019: https://rsf.org/en/news/algeria-media-increasingly-under-pressure-presidential-election-approaches

[143] https://freedomhouse.org/country/algeria/freedom-world/2021

by prosecuting online media workers under the penal law. As a legal expert explained to me during an interview in 2019:

> "The system in Algeria works to control the media through complicity between the police, the prosecutors and the judges. Rather than putting journalists on trial under the Information Law—a legal framework that protects journalists from being prosecuted—the state prosecutes journalists under the penal law. That is illegal and is an abuse of the legal framework and in violation of the intent of the constitution."[144]

According to the American watchdog, Freedom House, several journalists and bloggers were detained, imprisoned and fined during 2018.[145] As a leading member of the political opposition to Bouteflika summarized the situation to me during an interview in February 2019:

> "In terms of political repression, 2018 was the worst year in a long row. The repression has encompassed not just journalists but also artists, bloggers, and citizen-journalists—everyone who has criticized the power in place [*le pouvoir*]."[146]

RSF's World Press Freedom Index also reflects this change. In 2016 Algeria jumped from the abovementioned average score of 36 points in the early 2010s to 41 points. From there, the negative score gradually crawled upwards to 42

[144] Interview person #17. Algiers, Monday 4 February 2019, interviewed by the author via mobile phone. The identity of the interviewee is concealed out of concern for his or her safety, but is known to the editors and to the publisher.
[145] https://freedomhouse.org/country/algeria/freedom-world/2019
[146] Interview person #13. Algiers, Monday 4 February 2019, interviewed by the author via mobile phone. The identity of the interviewee is concealed out of concern for his or her safety, but is known to the editors and to the publisher.

points in 2017, and to 43 points in 2018.[147] In this perspective, the abovementioned increase to 45 points in 2019 and 2020 when the *Hirak* movement took off is not a "leap" as much as it is a continuation of an already existing trend. Put differently, the high levels of repression of freedom of expression in 2019 and 2020 cannot be explained simply as a reaction to the political crisis generated by the *Hirak* movement.

Journalists, editors, lawyers, and activists engaged in Algerian politics before the emergence of the *Hirak* are, of course, fully aware of this. In interviews I have conducted on the topic since the mid-2010s, Algerian media professionals, politicians and activists have often explained the steady increase in the repression of freedom of expression as a way for the regime to ensure the continued survival of the system by handling the growing dissatisfaction with President Bouteflika's increasingly poor performance after he emerged paralyzed and confined to a wheelchair from a stroke in 2013.[148]

This chapter suggests a somewhat different approach. It acknowledges that a hybrid authoritarian regime like the Algerian one, which combines relatively strict adherence to constitutionally defined political decision-making with disproportionately high informal influence on the political scene by the army high command and a number of what Luis Martinez has elsewhere referred to as "interest groups", would seek to tightly control public opinion not only in a time of direct political crisis as in 2019-2021, but also in the period leading up to such events.[149] Already in 2014, the election of Bouteflika for a fourth term had given way to unprecedented levels of popular protest and critique—at the time manifested in the so-called "Barakat" movement that gathered dissatisfied intellectuals and artists as well as several initiatives taken by prominent

[147] Sources: "2016 World Press Freedom Index": https://rsf.org/en/ranking/2016; "2017 World Press Freedom Index": https://rsf.org/en/ranking/2017; "2018 World Press Freedom Index": https://rsf.org/en/ranking/2018

[148] Interview person #13. Algiers, Monday 4 February 2019, interviewed by the author via mobile phone. The identity of the interviewee is concealed out of concern for his or her safety, but is known to the editors and to the publisher.

[149] Martinez, Luis, "Interest groups in a non-democratic regime" in Martinez, Luis and Rasmus A. Boserup, *Algeria Modern, From Opacity to complexity*, London, Hurst, 2016.

opposition politicians, journalists and intellectuals. This would prompt increased state vigilance and, eventually, repression.

At the same time the article argues that a narrow analysis of the political context alone cannot stand as an explanation of the repression. If the repression of media outlets that took place between 2016 and 2021 was an expression of the nervousness the regime protagonists felt due to the low support to Bouteflika and later also to Tebboune, we could assume that it would broadly target the critical media outlets to quell dissent and establish control over public opinion. This, however, is not the case. The data collected by Reporters Without Borders on violations of media freedoms from 2016 until 2021 show that the state-orchestrated repression overwhelmingly targeted online media outlets and, to a lesser extent and for a shorter while, private satellite television.[150] The printed press, which continued to serve as vectors of critique and opposition to the regime, and which in the previous periods had been subjected to less harsher forms of repression as well as occasional cases of crude direct repression has, however, been targeted less often during this period.

Taking this into account, this article suggests that to understand the drivers of the state-orchestrated repression of freedom of expression that has taken place over the past few years, we must combine the conjunctural analysis of the political context with an analysis of the structural changes that have taken place within the Algerian media sector itself. By adopting this approach, the article suggests that the recent pattern of repression should be understood as a reflection of an attempt by Algeria's semi-authoritarian regime to regulate and control the country's two newest types of media outlets: private online media and, to a lesser extent, private satellite television. The article furthermore suggests that the organisational forms of Algeria's private online media initially allowed these outlets to escape "soft" repression methods and indirect control that the Algerian regime had developed in the preceding decades. The article

[150] For a full list of reported events of press freedom violations between 2010 and 2021 see RFS's Algeria page on their website: https://rsf.org/en/thematique/internet?countries%5B152%5D=152

demonstrates this by analysing how privately-owned print media, which emerged during Algeria's first structural diversification of the media landscape in the early 1990s, have operated. It then analyses how, after the constitutional reforms announced by President Bouteflika in 2011, the second wave of the media sector's structural diversification created new online media forms that prompted the regime to ramp up its crude and direct repression tactics.

The First Diversification: Private Print Media

The first building blocks of a working relation between the Algerian government and the private media sector were established in the early 1990s. Between 1989 and 1991, President Chadli Bendjedid and Prime Minister Mouloud Hamrouche introduced sweeping reforms that ended the state's monopoly over the media. Until then, the FLN party had been overseeing the production of the country's only daily newspapers, *El Moujahed* in French, and *Al-Shaab* in Arabic, since the country gained independence from colonial France in 1962. In 1986, the FLN party created a terrestrial state television channel, ENTV (*Entreprise Algérienne de Télévision*), which was later complemented by another four terrestrial channels: Canal Algérie (a French copy of ENTV), Canal A3 (in Arabic), TV AM (in Amazigh/Berber), and TV Coran. The state had also been operating two national radio stations and several local radio stations, which together attracted millions of listeners.[151]

The 1990 Information Code gave media professionals the right to own and operate print media.[152] However, it kept audio-visual media as well as a number of media institutions under state control—including several media-related institutions, such as the national news agency, *Algérie Press Service,* and the

[151] El-Issawi, Fatima, *Algerian national media: Freedom at a Cost*, LSE Middle East Centre Report, LSE, London, 2017. Available at http://eprints.lse.ac.uk/69567/1/AlgerianNationalMedia.pdf
[152] *Journal Officiel de la République Algérienne* 14, 4 Avril 1990.

national press archives, *Centre National de Documentation de la Presse et d'Information* and several other institutions, including the *Centre International de la Presse,* the *Enterprise Nationale des Arts Graphiques* and the *Établissement National de Télédiffusion*.

The media reform in 1990 was accompanied by generous state incentives and subventions aimed at facilitating weaning journalists, editors, and media managers away from the public print media towards privately-owned print media. The incentives included two-year salary packages paid by the state to journalists who joined private media outlets, as well as offers of low-cost housing for private media inside so-called "media cities". It also included cheap access to printing facilities and subsidized equipment, such as printing paper and ink. Combined with the new liberal legislation, the incentives paved the way for Algeria's so-called "golden age" for the print media in the early 1990s—a period characterized by the rapid emergence (and often equally quick disappearance) of more than a hundred privately-owned newspapers, journals, and magazines.

The military coup against President Chadli would, however, also leave its mark on how the relation between private media and the state developed. Shortly after the military coup, the interim government instated state censorship on all information pertaining to national security. As the armed conflict between Islamist rebels and the regime gradually escalated in the early 1990s, the army's control over the most important news stories *de facto* criminalized any attempt by new private print media to conduct critical journalism and made basic reporting on day-to-day news events dependent on information created and distributed by the military. Partially as result of the private press's alignment with the military, journalists would soon after find themselves in the crosshairs of a campaign of targeted assassinations orchestrated by a subgroup of the main Islamist armed group, GIA, which claimed the lives of more than a hundred Algerian journalists.[153] Rather than scaring journalists and editors away, the

[153] "Retour sur le massacre à huis-clos des journalistes algériens" in *L'Humanité*, 28 January 2015. Available at https://www.humanite.fr/retour-sur-le-massacre-huis-clos-des-journalistes-algeriens-564025

assassinations pushed the private media sector and the authorities closer together over a common cause: standing up against the Islamist terror groups and surviving the civil war.

As the civil war came to an end, and the security situation improved in the late 1990s, the authorities and the private print media were faced with a number of choices about how they collectively as a sector and individually as outlets would strike up a relation with the government and the newly elected president, Abdelaziz Bouteflika.

The landscape of private print media that emerged in the first decade after the end of the civil war consisted of a little under a hundred daily newspapers and a somewhat fewer magazines and journals published in Arabic and French. The majority of these have always had a critically low readership, and a poor financial turnover. Owned by individuals or communities that represent political and financial interests, they serve as mouthpieces for drawing attention to specific issues that benefit their patrons' interests. As such, many of them hardly qualify as journalism.

There were, however, two important exceptions to this picture. The first consists of outlets that, during the first two decades after the civil war, built a wide readership, and had a relatively high impact on public opinion, well-balanced budgets, and good relations with the authorities. The Arabic-language newspapers *al-Shourouk* and *al-Nahar* fall in this category. Despite their ability to break news on a broad span of themes, their content production is often seen as tilting towards a "pro-regime" and "sensational" line, just as they are believed to have an editorial line that disproportionately favours the interests of their investors and owners.

The second exception consists of outlets that, in the period after the civil war, carved out a space as relatively independent, high-quality dailies. They combine good journalistic standards with nation-wide readership, and a quite high impact on public opinion. Examples of this are the Arabic-language daily *Al-Khabar* and

French-language dailies *El-Watan, Le Quotidien d'Oran, Liberté,* and *Le Soir d'Algérie*. It is from these media that Algeria first saw attempts to run investigative, critical, and free print media. And it is still today from these circles that most media professionals engaged in producing high-quality, original journalism, emerge. The key challenge that they continue to face, however, is that, in contrast to media like *al-Shourouk* and *al-Nahar,* they struggle with both economic challenges and "red lines" set by the authorities.

Up until the recent wave of repression began in 2016, the Algerian authorities had focused much of their efforts on controlling and influencing these two influential categories of print media. Across the decades, a limited number of cases emerged, in which individual journalists or editors were jailed in mock trials with clear political overtones.[154] In general, however, the authorities have refrained from using crude repression to control the printed press. Instead, they have sought to continue the "soft" control tactics initiated back in the early 1990s, by creating a host of financial and administrative incentives and punishments that could be applied at any time on print media, depending on their compliance with suggestions and guidelines provided by state security personnel or their refusal to do so.

The most efficient instrument of control and soft repression of the printed press is the distribution of public commercial advertising money. This crucial tool for generating income for the printed press is centrally controlled by an institution called the *Entreprise Nationale de Communication, d'Édition et de Publication,* commonly known as ANEP – a reference to the French acronym of its old name.[155] Managed by a chairman appointed directly by the president of the republic, ANEP's main activity consists of distributing public companies' advertising spending among the country's print media. Given the towering role of public

[154] One of the better-known cases was the imprisonment of Mohamed Benchikou, who had used his position as editor-in-chief of the French-language daily *La Nation*, which was well-known to be the mouthpiece of an anti-Bouteflika fraction of the military, to launch derogatory campaigns against the president during his first mandate (1999-2005).
[155] See also http://www.anep.com.dz/siege/

enterprises in the Algerian rentier economy, this amounts to a crucial financial lifeline for any private print media. According to ANEP itself, it was responsible for placing around 77% of all advertising in the print and television media during 2020.[156] ANEP claims to be committed to distributing these advertising funds evenly between the entire range of private and public media. Yet, managers and editors from the printed press, including the editor-in-chief of *El Watan*, Omar Belouchet, have repeatedly complained about the lack of clear guidelines for ANEP, and pointed out that the agency exercises its prerogative without proper oversight. Over the decades, several cases have emerged in which media managers claim to have been "softly" punished by ANEP officials who quietly directed advertising away from their outlet for short or long periods, forcing these newspapers to cut their spending drastically or comply with "red lines" allegedly set out by state security agents. As a member of the *El Watan* management summarized the ways in which these "soft" or administrative repression strategies function, during an interview in 2019:

> "Behind the economic incentives there's always a political motive. Take the example of the year-long economic suffocation of *El-Watan* by the non-distribution of public advertising to us. This is economic. But is it, in reality, political."[157]

Independently of the authorities' attempts to gain influence over Algeria's print media by distributing incentives and meting out punishments, Algeria's print media was heading towards a structural crisis of its own in the late 2010s. From 2014 through 2017 alone, 26 dailies and 34 weeklies ceased operations, and the total circulation of daily newspapers declined by 40-60 percent. By the end of the 2010s, the total number of printed press was down to about 140 dailies and

[156] US State Department, "2019 Country Reports on Human Rights Practices: Algeria". Available at https://www.state.gov/reports/2019-country-reports-on-human-rights-practices/algeria/

[157] Interview person #12. Algiers, Tuesday 5 February 2019, interviewed by the author via Skype call. The identity of the interviewee is concealed out of concern for his or her safety, but is known to the editors and to the publisher.

weeklies split evenly between French and Arabic publications.[158] The Arabic-language newspapers seemed particularly hard hit. Algeria's perhaps most prominent quality newspaper in Arabic, *Al-Khabar*, saw a massive plunge in its circulation from 1.2 million in 2000 to an estimated 200,000 by 2017.[159] Similarly, the daily circulation of the French newspaper *El-Watan* dropped from 160.000 in 2012 to 90.000 by the end of the decade.[160]

As explained in the introduction, the increasing crackdown orchestrated by the Algerian state since 2016 has targeted the printed press only to a limited degree. This is not because the printed press has refrained from criticizing both Bouteflika and his successor, Tebboune. During the *Hirak* mobilisation, outlets like *El Watan* willingly covered the anti-government protests and published opinion pieces that strongly criticized the government and its backers. It therefore seems more likely that abstention from targeting the printed press as heavily as online media reflects the authorities' reckoning that they had other tools available for controlling the editorial line of the most important print outlets. Further, the combination of a financial crisis and declining readership rendered the private printed press less of a challenge for the authorities than it had been in the past decades.

The Second Diversification: Private Satellite TV and Online Media

As explained earlier, it is online media, which, together with a few selected private satellite TV stations, that have endured the most recent state-orchestrated

[158] http://www.dailystar.com.lb/News/Middle-East/2017/Nov-29/428333-algerias-independent-press-fears-for-its-survival.ashx?utm_source=Magnet%26utm_medium=Entity%20page%26utm_campaign=Magnet%20tools
[159] See www.dailystar.com.lb/News/Middle-East/2017/Nov-29/428333-algerias-independent-press-fears-for-its-survival
[160] Agence France-Presse, "Algeria's Independent Press Fears for Its Survival", 29 November 2017. Available at https://www.voanews.com/a/algeria-independent-press-fears-survival/4142455.html

repression of freedom of expression in Algeria. The emergence of these two types of media outlets dates back to the early 2010s. In December 2011, twenty years after the introduction of private print media in Algeria, President Bouteflika promulgated the so-called "organic" law on information as part of a broader reform package aimed, in part at least, at dissuading the Algerian population from revolting against the political system like several of its neighbours had done earlier the same year. The new Information Law of 2012, which was adopted by the Algerian Parliament in January 2012, allowed private individuals to own and operate audio-visual media, including online media and satellite television.[161]

Although media freedom watchdogs and NGOs denounced the potentially repressive nature of the Information Law of 2012, the deregulation of the audio-visual media sector, particularly the satellite TV outlets, created high expectations among media professionals in Algeria. For decades, Algerians had been consuming foreign-produced satellite television broadcast on a mass scale since the early 1990s, and the prospect of creating local Algerian outlets was massively attractive both for big business investors eyeing outlets with a potential to influence local consumption behaviour in one of Africa's largest emerging markets, and for political actors seeing a potential for the mass mobilisation of supporters. Hence, even before the law that deregulated the sector was promulgated, several private satellite channels had emerged.[162] These first runners consisted, on the one hand, of a few Islamist opposition leaders linked to the former FIS party, who in 2011 began operating satellite channels from outside the country. This notably included the London-based *al-Magharibiya TV* and *al-Rachad-TV*, which were said to be funded from Qatar.[163] On the other hand, the first movers included a few of the more successful and risk-taking private print media, which over the previous decades had built good relations to the

[161] "La loi organique n° 12-05 du 18 Safar 1433 correspondant au 12 Janvier 2012".
[162] Rasmus Alenius Boserup, *Authoritarianism and Media in Algeria*, Report by International Media Support, IMS, Copenhagen, 2013. Available at https://www.mediasupport.org/wp-content/uploads/2013/07/authoritarianism-media-algeria-ims-20131.pdf
[163] Reuters, "Algeria TV with Islamist tie starts from diaspora", London, 16 December 2011. Available at https://www.reuters.com/article/maghreb-television-idUSL6E7NF72120111216

authorities. As the legislation dragged on and as further procedural regulation seemed to take even longer, several of these outlets leapt forward to ensure a competitive market advantage for themselves before the regulation kicked in. The result was that satellite television was already being produced and broadcast under legal and procedurally unclear conditions from around 2014. The most aggressive and eventually successful of these initial attempts were undertaken by the investors behind the popular print media *al-Nahar* and *al-Shourouk,* which both created competing satellite TV channels. Like the paper editions, the TV channels quickly built a wide following by offering easily consumable flow TV, entertainment, and news without a too-critical edge towards the government. They would not, however, serve as standard-bearers for independent and critical media production and journalistic standards.

The rush into the satellite television sector by private business investors and politicians had, by the end of the 2010s, generated a sector that many media professionals considered hostile towards independent and critical journalism. This was particularly linked to the ownership structures, which mirrored some of the most problematic aspects of the print media seen from a press freedom perspective. Following a hasty and poorly regulated opening of the satellite television sector, some 30 to 35 privately-owned satellite TV channels emerged by the end of the 2010s. As with the print press most of these were *de facto* operating as tools for political and business interests rather than for independent and critical journalism. As a former manager of an Algerian news TV satellite channel told me during an interview in early 2019:

> "The problem with the Algerian satellite TV is that it has experienced a 'Beirutization' – like Beirut in the 1980s, when all the Lebanese political factions had their own TV channels, so was it the case in Algeria in the 2010s. This sudden and massive explosion of outlets would generally impoverish

the quality of each channel, leading to an overall low bar for the TV channels."[164]

In parallel, attempts to create independent and critical satellite TV outlets meet occasional pushback and repression from the authorities. Perhaps the most prominent of these cases was the attempt by the investor group behind the quality newspaper *Al-Khabar* to launch an Arabic news channel, KTV, which was eventually blocked. Yet the Algerian authorities have never adopted an outright repressive attitude towards the satellite TV channels, seeking instead to control and influence the sector through the "soft" mechanisms of distributing favours and opportunities familiar to the print media. This stands in stark contrast, however, to the approach adopted by the authorities from 2016 towards the other newly deregulated media sector: online media.

The relatively late emergence of online media in Algeria can, in part, be explained by late arrival of the Internet. While the Internet found its way into Algeria's neighbouring North African countries during the 1990s, it only began spreading in Algeria during the 2000s and 2010s following an opening for private operations of Internet services in 1999.[165] This delay was in part due to the freezing of technology and infrastructure investments during the civil war in the 1990s. But it was also part of a deliberate government strategy to keep the communication infrastructure under government control, for example, through highly restrictive Internet-provider laws. For instance, the one passed in 2009 placed the responsibility on Internet providers to monitor and report on consumers' Internet behaviour, and through the continued micro-management of Internet-related technologies by the Ministry of Post and Telecommunications via the Regulatory

[164] Interview person #10. Algiers, Tuesday 5 February 2019, interviewed by the author via SkypeCall. The identity of the interviewee is concealed out of concern for his or her safety, but is known to the editors and to the publisher.
[165] Zaghlami, Laeed, "Social Media as a New Source of Empowerment in Algeria" in M. N. Ndlela and W. Mano (eds.), *Social Media and Elections in Africa, Volume 2*, 2020, pp. 117-134.

Authority of Posts and Telecommunications (RAPT) and the state-owned service provider, Algérie Télécom.[166]

Hence by 2012, Algeria was estimated to have an Internet penetration rate as low as 20 percent. The picture began changing, however, in the mid-2010s with the introduction of cheap and assessable ADSL technology as well as mobile Internet solutions. By 2018, the Internet penetration was estimated to have reached 45.2 percent corresponding to roughly 18.5 million Internet users. 8.5 millions of these were using the 3G mobile Internet technology that the major private mobile phone companies had begun rolling out in 2013.[167]

The state's will to retain control over the Internet has impacted the speed of available internet connections, where Algeria ranks at the absolute bottom globally. In 2018, for instance, the Internet connection survey tool, Speed Test, placed Algeria on an embarrassing 134th place out of 135 surveyed countries with regard to fixed line Internet speed and on an equally embarrassing 121st place out of 125 surveyed countries with regard to its mobile technology Internet speed.[168]

Despite its slow rollout, the increasing availability of fixed and mobile Internet technologies combined with the opening of online media for private ownership had, by the mid-2010s, generated a basis for new online media to emerge. While some established media outlets, such as *El-Watan*, began publishing electronic versions and downloadable PDFs of their daily print editions and started running websites, others, like *TSA*, *Maghreb Emergent*, *El Huffington Post Algérie* and *Interlignes* were launched directly as online-only publications. Since then, many more have followed, and by the late 2010s, the online media sector had developed into probably the most innovative, independent, and critical corner of the Algerian media sector.

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[166] Belkacem, Amin Benamra, "New and social media in Algeria" in Nourredine Miladi and Noha Mellor (eds), *Routledge Handbook on Arab Media*, London: Routledge, 2020.
[167] Zaghlami, Laeed, "Social Media as a New Source of Empowerment in Algeria" in M. N. Ndlela and W. Mano (eds.), *Social Media and Elections in Africa, Volume 2*, 2020, pp. 117-134. https://doi.org/10.1007/978-3-030-32682-1_7
[168] Ibid.

There are several reasons behind the success of Algeria's online media. For a start, the combination of financial difficulties and state repression and control with other privately-owned media outlets made the online sector an appealing alternative for risk-inclined idealists and investors. Further, the low production costs of online media compared to both print media and particularly satellite television, provided the sector with a tactical shield against the attempts to dictate the editorial line that private print and satellite media have endured as a consequence of receiving state subventions or financial boosts from investors driven by political and business motives. As an illustration, the online outlet *Al-Huffington Post*, which, in 2018 had an estimated 70,000 unique daily users according it its own statistics,[169] was run by a small team of six content writers plus a few support staff.[170] Operating with slim budgets, and shielded from depending on the editorial approval of politically connected media owners or agents of the regime's security and rent redistribution institutions, the new online publications have been able to attract some of Algeria's most experienced and seasoned content journalists—including key staff from private print press outlets like *El-Watan* and *Al Khabar*.

It seems likely that the crude forms of repression that Algeria's online journalists and media professionals have witnessed since 2016, has been triggered by the fact that structural opportunities, editorial freedom, and talented pioneers by 2015 had created a powerful new media sector which the authorities found difficult to control or influence via their established "soft" tactics. In contrast to the heavy costs associated with satellite television production, which have allowed the authorities to better exercise influence over these outlets, the slim budgets and low production costs in the online media sector have contributed to establishing a position of independence for the management and journalists,

[169] Interview person #15. Algiers, Monday 4 February 2019, interviewed by the author via WhatsApp. The identity of the interviewee is concealed out of concern for his or her safety but is known to the editors and to the publisher.
[170] Interview person #14. Algiers, Monday 4 February 2019, interviewed by the author via Mobile phone. The identity of the interviewee is concealed out of concern for his or her safety but is known to the editors and to the publisher.

which allows them to turn down the authorities' requests for influence and control. In combination with the sector's self-understanding as an avant-garde in the media landscape that has consolidated its position while the authorities were engaged in regulating and controlling journalists in the print and satellite television outlets, the online media has challenged the Algerian regime in ways that are more profound than any other media sector. It is this challenge that has prompted the authorities to target online media more intensely since 2018. And it is this inability of the authorities to exercise control over online media through their traditional methods and tactics that explains why they have resorted to crude repression tactics including ill-treatment, beatings, and imprisonments that the private media sector in the past only experienced in exceptional cases. As an Algerian human rights defender summarized during an interview in January 2019:

> "The electronic press has surpassed the regime. While the regime was busy regulating, co-opting or repressing journalists and editors working with the printed press and satellite TV, e-publications developed rapidly and increasingly critically since 2015. Now, however, the repression is hammering down on it."[171]

Perspectives

As this chapter has demonstrated, understanding the dynamics behind the current wave of repression of freedom of expression in Algeria requires a two-sided analysis. First, the wave of repression that commenced in 2016 and primarily targeted the autonomous and critical new online media cannot be understood without a proper analysis of the political power balances within the regime, and

[171] Interview person #01. Oran, Friday 8 February 2019, interviewed by the author via Mobile phone. The identity of the interviewee is concealed out of concern for his or her safety, but is known to the editors and to the publisher.

between the regime and the media sector more generally. In hindsight, the entire period from 2015 until today could be seen as one long transition away from Bouteflika's presidency—a period characterized by a failed quest for political legitimacy. The crisis period began with the decision by the interest groups formed around President Bouteflika to push for a fourth mandate for the president in 2014. The crisis escalated with the failed attempt to have Bouteflika serve a fifth mandate in the 2019 election, which gave way to the emergence of the *Hirak*. And it continued with the unpopular decision of the military, against the will of the *Hirak* movement, to take control over the transition process after Bouteflika's ousting. Finally, the crisis period has endured with the implementation of the presidential and parliamentary elections and the constitution referendum despite strong popular opposition and critically low voter participation. In this respect, the lack of popular legitimacy of the successive governments and of the political system explains more generally why the authorities have sought to take control over the media sector with increasingly brute force.

Second, and as this chapter has explored in depth, the repression of freedom of expression cannot be explained without a proper analysis of the structural changes that have occurred within the media sector itself during the past decade. In this perspective the entire decade forms a period in which a deep structural diversification of the Algerian media sector took place. Kickstarted by president Bouteflika himself in the wake of the Arab Spring in 2011, the second round of reforms of the legislation governing media ownership produced as series of what seems to be unintended outcomes. The most important novelty generated by the structural diversification process has been the emergence of a new type of online media outlets whose organisational and operational forms ensured them an unprecedented autonomy and rendered inefficient the regime's existing tools and tactics for softly controlling and influencing the media. In response, the regime has since 2016 sought to take control of the media

sector by resorting increasingly to a type of crude repression that the media sector had not experienced for decades—if ever.

While the combined analysis of the political conjunctures with the structural organisation of the media sector allows us to explain the increasing repression of freedom of expression documented in the macro data and events reported by Algerian and international watchdogs since the mid-2010s, there are aspects of the political system's inner workings that the model does not consider properly. This concerns the fact that the Algerian regime is far less coherent than what the analysis may suggest. As demonstrated by multiple analyses and witness accounts, the Algerian regime is not a coherent and disciplined actor.[172] As proposed by Luis Martinez, the regime can be better understood as a coalition of interest groups who are constantly engaged in conflicts, negotiations, and collaborations over policymaking. In our context it means that it is not only the media—whether print, satellite TV or online outlets that is fragmented. It is also very much the case with the regime itself. In our context this means that the idea of a unified Algerian "regime" acting against a unified media sector makes little sense. Consequently, state-orchestrated repression of media in Algeria may not always be triggered by a media outlet or a media sector transgressing a "red line" or achieving "too much" autonomy to comply with the wishes of regime protagonists. In the Algerian system, state-orchestrated repression may also occur if a media outlet has complied fully with the requests put forward by a regime protagonist if this protagonist happened to be on the losing side of an intra-regime conflict. A seasoned media professional who had recently ventured into online media production when I interviewed him in February 2019 explained this double peril associated with state interference in the media sector with the following words:

> "Almost all major media outlets in Algeria have been co-opted by the security services one way or another. They have informers, and they

[172] Martinez, Luis and Rasmus A. Boserup, *Algeria Modern. From opacity to complexity*, London, Hurst, 2016.

> provide access to privileged information and sources. This also goes for the online media. In our outlet, however, we refuse to enter that kind of engagement. We explain firmly, albeit often in vain, that we will not be part of the warfare between the clans of the regime, and that we will not participate in a close dialogue [with regime protagonists] about the content of our outlet. Others have not done so. And for that, some are punished."[173]

In this perspective it is not a media outlet's objection to follow the informal guidelines given by regime protagonists that triggers state repression. Rather, it is when media managers, editors and journalists start following these guidelines that they become entangled in political power struggles with outcomes beyond their control, that they, sooner or later, as a consequence of the ever-changing power balances among the regime's interest groups will be punished as proxies of a patron who has lost influence. In this Machiavellian perspective where repression targets a media outlet at the moment when the patron to whom the media outlet has sworn loyalty is marginalized, the future for the new online media may be less bleak than its past. By virtue of their organisational and operational form they may, indeed, in the long run, be able to distance themselves successfully from the dynamics that have pushed the media professionals in the other sectors into the arms of the regime protagonists and—eventually triggered vengeful repression.

[173] Interview person #2. The identity of the interviewee is concealed out of concern for his or her safety but is known to the editors and to the publisher.

The 2020 Constitutional Revision: Authoritarianism Against Fundamental Rights and Popular Sovereignty

Mouloud Boumghar

Abstract

The article analyses the 2020 constitutional revision with an intent to establish whether it allows for a less authoritarian political system to emerge. Integrating both the revision context and the effectiveness of the new legal and practical features, the article argues that the constitutional revision of 2020follows a well-established practice to use constitutional and legislative formalism to ensure regime endurance and perpetuating a political *status quo* that limit, or even render meaningless, fundamental rights. The article concludes that by normatively consolidating authoritarianism the Constitution of 2020 is unable to resolve the legitimacy and institutional crises the Algerian political system that generated the *Hirak* movement in 2019.

Introduction

On 1 November 2020, a national holiday, a mere 23,84 percent of the registered voters in Algeria went to the polling stations.[174] Here they

[174] This contribution is published under the CC BY-NC-ND creative commons license. Constitutional Council, Proclamation n° 01 / P.CC / 20 of 12 November 2020 bearing the final results of the

approved the fourth revision of the Algerian Constitution of 1996—following those of 2002, 2008 and 2016—with a 66.80 percent majority of the cast votes. The high approval rate might be presented as legitimation of the constitutional revision. However, only 3,356,091 out of 24,466,618 registered voters approved the amended text. Put differently, the revised constitution was passed with a mere 13,71 percent approval from the electorate. While a low participation rate in the referendum does not render it legally invalid, it bears witness of the general rejection of the institutions and of the political regime that has emerged after the peaceful popular pro-democracy protest movement known as the *Hirak*, began in February 2019.

The publication of the participation rate in the 2020 election has by some observers been interpreted as a proof of the new government's commitment to transparency. It is better understood, however, as a part of a long-lasting disinterest in elections that began in the early 2010s. Organised to found a "new Algeria" with vague political outlines, the referendum of 1st November, 2020 of which the lack of plebiscitary amplitude is obvious, attracted even lesser voters than the election of 12 December, 2019 (the most openly criticised in Algerian electoral history) that had brought Abdelmajid Tebboun to the presidency of the Republic with 4,947,523 votes and a turnout below 40 percent.[175] By comparison, this is a little more than half of the votes collected by candidate Abdelaziz Bouteflika during the 2014 presidential election, which paved the way for his fourth term with a participation rate of 50.70 percent.[176] In a constitutional framework where powers are formally concentrated in the hands of the President of the Republic, the election by direct universal suffrage of the members of the APN (*Assemblée Populaire Nationale*)—the lower house of Parliament—also

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referendum of November1, 2020 on the draft revision of the Constitution, JORA n° 72 of 3 December 2020.The Official Journal (*JORA*) is available in French and Arabic at www.joradp.dz. Only the Arabic language version has official status and is authentic.

[175] Constitutional Council, Proclamation n° 03 / P.CC / 19 of 16 December 2019 bearing the final results of the election of the President of the Republic, JORA n° 78 of 18 December 2019.

[176] Constitutional Council, Proclamation n° 02 / P.CC / 14 of 22 April 2014 bearing the final results of the election of the President of the Republic, JORA n° 23 of 23 April 2014.

saw low participation rates: 43.14 percent in 2012 and 35.37 percent in 2017.[177] Thus, independently of the key question of the free, fair, and transparent nature of these polls, the official figures themselves testify to the near-absence of representativeness in Algerian political institutions and thus to their lack of legitimacy. Instead of consolidating it, the referendum thus confirmed the popular rejection of the "new Algeria" project.

Beyond the political significance of such a low turnout, the referendum took place in a climate of political uncertainty. Indeed, Abdelmajid Tebboune's emergency hospitalisation in a German hospital just days before the vote aroused a feeling of irritation among many Algerians, and a sense of *déjà vu* in terms of former President Bouteflika's absences for medical reasons. The constitutional revision itself was not promulgated until after Tebboune returned to Algeria on 30th December 2020.[178] These circumstances raised doubts about his ability to exercise his presidential functions. Even with regards to the health status of the tenant of the presidential palace of El Mouradia on the day of the referendum, the "new Algeria" strongly resembled the "old" one.

The *Hirak* movement was born in February 2019, initially to dissuade Bouteflika from seeking a fifth presidential term. The massive and peaceful weekly protests quickly took the form of a persistent public refusal of the authoritarian social pact that had prevailed until then. In this regard, the decision announced on 11 March 2019[179] to cancel the presidential election scheduled for April 2019 so that Bouteflika could remain in power beyond the constitutional term of his mandate, was a decisive turning point.[180]

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[177] See Proclamations n° 01 / P.CC / 12 of 15 May 2012 (JORA n° 32 of May 26, 2012) and n° 01 / P.CC / 17 of 18 May 2017 (JORA n° 34 of June 7, 2017).
[178] Presidential Decree No. 20-442, JORA *No.* 82 of 30 December 2020.
[179] APS, "President Bouteflika sends a message to the nation announcing the postponement of the presidential election", 11 March 2019 (French): https://www.aps.dz/algerie/86748-le-president-bouteflika-adresse-un-message-a-la-nation-annoncant-le-report-de-l-election-presidentielle. APS is the state press agency.
[180] See Mouloud Boumghar, « Le gant constitutionnel réversible : accessoire de l'uniforme militaire. Regard critique sur la crise constitutionnelle algérienne de 2019 », *L'Année du Maghreb*, n° 21, 2019, pp. 69-88. Available at https://journals.openedition.org/anneemaghreb/5172.

Obviously contradicting the Constitution, the decision was rejected by the protesters who demanded the application of the principles set out in articles 7 and 8 of the Constitution, which stipulate that it is “the people” that hold national sovereignty and constituent power. This failure to comply with the Constitution prompted the military high command, which had earlier supported the 11 March plan, to support Bouteflika’s departure. His resignation under these conditions, on 2 April, less than a month before the end of his mandate, appears to be a clear violation of the Constitution. It brought the military high command, to the forefront of politics and in direct confrontation with the popular protest movement. It was from this period on that the demand for a "civil, non-military state" gained momentum to the point of becoming a central slogan in the demonstrations at the same time as arbitrary arrests and detentions multiplied.[181] As soon as Bouteflika had resigned, the *Hirak* movement ceased to have its raison d’être, since the army had satisfied the protesters’ demands. From this moment on, the popular demands, seen as legitimate before April 2019, were selectively represented and criticised by the army high command. In particular, *“yetnehaw gaa” (“they all have to go”)* was reinterpreted by the chief of staff as meaning “the collective departure of all the executives of the state” and was presented as a “non-objective, unreasonable, even dangerous and malicious demand”, raising the spectre of infiltration of the marches by unidentified individuals and entities to “convey irrational demands” and “plunge the country into a premeditated political impasse in order to achieve their goal of dragging the country into a constitutional vacuum.”[182] Meanwhile the interim head of state, a relative of Bouteflika, saw his interim term extended beyond the 90 days provided for by the Constitution until the

[181] As the United Nations High Commissioner for Human Rights recalled during a press briefing on May 5, 2021, on the basis of “credible reports” nearly a thousand people were prosecuted for participating in the Hirak movement or for posting messages critical of the government on social media. See HCDH, « Algérie : l’ONU réclame une enquête et la fin des détentions arbitraires », 5 May 2021 (French). Available at https://news.un.org/fr/story/2021/03/1090972.

[182] See the speech of 20 May 2019 as reported by the APS (French): https://www.aps.dz/algerie/89654-la-tenue-de-la-presidentielle-exige-l-acceleration-de-la-mise-en-place-de-l-instance-d-organisation-et-de-supervision-gaid-salah.

presidential election of 12 December, 2019. This was presented by then Chief of Staff, Ahmed Gaïd Salah, as the "irreversible" completion of 1st November, 1954[183] – the start of the war for independence. It is in fact the first step in the reconstruction of the civilian interface between the military high command and society. The second step, the constitutional revision of 1st November 2020, did not prevent the resumption of massive popular protest on 22 February 2021 after its interruption during the Corona virus outbreak. The third step, the early parliamentary elections, took place on 12 June 2021.[184]

Resilient, the Algerian system that emerged under Bouteflika's presidency is part of so-called hybrid political regimes, which create controlled openness and limited competition as a means of perpetuating the *status quo*.[185] The 2020 constitutional revision was officially presented as the start of a "New Algeria" and the cornerstone of the radical political change and democratisation promised by Abdelmadjid Tebboune during his installation address on 19 December 2019[186]. One cannot answer the question of whether the 2020 constitutional revision established a less authoritarian political system—not to say democratic—by only analysing the new Constitutional provisions. Instead, one must also analyse the revision context and the effectiveness of the new legal and practical features. On this basis, this article argues that the constitutional revision of 2020 served to perpetuating the *status quo* by being in line with an Algerian tradition: the regime's use of constitutional and legislative formalism to legitimise itself[187] while making sure to limit, or even render meaningless, fundamental rights. This revision

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[183] APS, 4 December 2019: https://www.aps.dz/algerie/98422-presidentielle-le-discours-prononce-par-gaid-salah-a-la-2e-rm-fait-la-une-de-la-presse-nationale.

[184] Presidential Decree n° 21-96 of 11 March 2021 convening the electorate for the election of members of the People's National Assembly, JORA n° 18.

[185] Hamadouche Dris Ait, Louisa and Dris Cherif, "De la résilience des régimes autoritaires : la complexité algérienne", n° 3, *L'Année du Maghreb*, 2012. Available at https://journals.openedition.org/anneemaghreb/1503.

[186] See the installation address, in Arabic, on the President's Office Website: https://www.el-mouradia.dz/ar/president/inauguration-speech.

[187] At least since the elaboration of the 1976 Constitution. See Yefsah Abdelkader, *Le processus de légitimation du pouvoir militaire et la construction de l'État en Algérie*, éditions Anthropos, 1982, p. 182.

is like all formal Algerian constitutions "of a critical nature". It is intended as a “crisis exit charter”[188] and even more so as a resolution of the crisis. It imposes the solution of the political system in place in a scheme[189] of pre-empting any real change and a vertical method of developing this same solution. By its content, the revision consolidates, on a normative level, the authoritarianism, and does not satisfy the demands of the *Hirak* movement. It is thus unable to resolve the deep legitimacy and institutional crises that the Algerian political system is experiencing.

The Reconstruction of the Civil Interface: A Well-known Pre-emptive Scheme

The constitutional revision was made according to a well-known scheme for reconstruction of a civil interface of the regime that we may call pre-emptive. Shortly after his arrival at the presidential office in December 2019, President Tebboune, a long-time minister under Bouteflika whom he also served shortly as a Prime Minister, launched a project to revise the 1996 Constitution. The institutional crisis of 2019 and the sequence of events leading to the reconstruction of the civil interface are, however, in certain respects reminiscent of the institutional crisis of January 1992.

Between the two legislative rounds of December 1991—January 1992, largely won by the FIS, then President Chadli Benjedid resigned after dissolving the APN (*Assemblée Populaire Nationale*). This prevented the president of the unicameral Parliament from becoming the interim head of state as provided for in the constitution at the time. This complicated the institutional situation given the cancellation of the second round of legislative elections, paving the way for the establishment of the High State Committee. It also

[188] Bousoumah Mohammed, *L’opération constituante de 1996*, Alger, O.P.U., 2012, p. 4.
[189] On this modus operandi applied to the elaboration of a Constitution, see Melissa Crouch, “Pre-emptive Constitution-Making: Authoritarian Constitutionalism and the Military in Myanmar”, *Law & Society Review*, vol. 54, n° 2 (2020), pp. 487-515.

anchored the idea of "the existence of an alleged omission" in the Constitution of 1989,[190] on the grounds that it had not foreseen such a situation. From 1992 until the adoption of the Constitution of 1996 outside a constitutional framework and without elected national institutions, the civil war intensified. While the country faced an armed insurrection, the regime in place carried out a process of "completion" of the (re)construction of the institutions.[191] Confronted with the failure of his national dialogue, General Liamine Zeroual decided in his capacity as unelected head of state to confront the parties and civil society organisations which had participated in the dialogue with "a fait accompli [by] scheduling the presidential election."[192] Once elected President of the Republic, Benjedid "unilaterally added an appendage to the electoral process: the revision of the constitution,"[193] which led to the adoption by referendum of the Constitution of 28 November 1996.[194] Contrary to the demands put forward by the main political parties, who had developed the Sant'Egidio platform of January 1995—the FFS (*Front de Forces Socialistes*) and the former single party, the FLN (*Front de Liberation Nationale*), the election of APN members did not take place until two and a half years later, on June 5, 1997. However, these two parties wanted the deputies to be elected before the revision of the Constitution, because the approval of Parliament was essential under the Constitution of 1989. At the time, far from having the objective of amending the alleged constitutional omission, the real motive behind the adoption of a new fundamental law was the prevention of a party like the FIS—which at the time proposed divine sovereignty as opposed to popular sovereignty and whose charismatic leader equated democracy with impiety—coming to

[190] Boussoumah, Mohammed, op. cit., p. 9.

[191] Just as the Charte Nationale and the Constitution that year were meant to finalize the constitutionalisation of the regime in 1976. See Yefsah, Abdelkader, op. cit., p. 180.

[192] Mohamed Boussoumah, op. cit., p. 13.

[193] Ibid.

[194] Officially, this is a revision of the Constitution of 1989. Out of more than 16 million registered voters, just over 13 million took part in the popular consultation and nearly 11 million approved the project submitted to a referendum. See Conseil constitutionnel, "Proclamation du 1er décembre 1996 relative aux résultats du référendum du 28 novembre 1996 sur la révision constitutionnelle", JORA n° 76 of 8 December 1996.

power through the ballot box.[195] At the very least, the idea was to drastically reduce the scope of such a future electoral victory. In the words of Professor Ahmed Mahiou, this constitution aimed to "contain the excesses of universal suffrage."[196]

In 2019, after a process of so-called dialogue that attracted few interlocutors and whose only objective was to stage an agreement around the political "road map" of the HCM (*Haut Commandement Militaire*), a presidential election took place in December 2019, followed by a constitutional revision in November 2020 and the dissolution of the People's National Assembly—the lower chamber of Parliament—in February 2021[197] to allow early legislative elections on 12 June 2021. Although not legally binding, the authorities in place chose this modus operandi with clear political aims: The first was to depoliticise the issue of popular rejection. Thus, it sought to convey that the target of popular rejection was not the institutions as such—which the revision does not affect in any case—nor the political personnel in power, or a challenge to their legitimacy, but only the Constitution and the laws,[198] the latter fulfilling the function of the "constitutional omission" of 1992. The second objective was to avert the risk of a "constitutional vacuum" stirred up by the late Major General Ahmed Gaïd Salah. Having revised the Constitution and laid down the foundations of the new Algeria, there was no longer a need to demand either a political transition or the election of a Constituent Assembly. In the plan of 11 March 2019, Abdelaziz Bouteflika—and with him, the entire regime —proposed to carry out the reforms and urged the protesters to return home. Since 2020, however, it is one of the former ministers from this regime, Abdelmadjid Tebboune, who in his

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[195] Boussoumah Mohammed, op. cit., p. 11.

[196] Mahiou Ahmed, "Note sur la Constitution algérienne du 28 novembre 1996", *Annuaire de l'Afrique du Nord*, 1996, p. 486. It had even been envisaged during the long process of drafting the 1996 Constitution to reduce the universal character of suffrage and increase the age of electoral majority to 21 or 25 years. See Boussoumah Mohammed, op. cit., pp. 78-79 (French).

[197] Presidential decree n° 21-77 of 21 February 2021, JORA n° 14 of 28 February 2021.

[198] See for example, APS, "Révision constitutionnelle : une priorité du Président Tebboune pour une 'Algérie nouvelle'", 7 September 2020. Available at https://www.aps.dz/algerie/109412-adoption-du-projet-de-revision-constitutionnelle-une-priorite-du-president-tebboune-pour-une-algerie-nouvelle

capacity as President claims to be reforming the institutions and building the new Algeria.

But while this pre-emptive scheme worked in the mid-1990s when Algeria appeared threatened in its existence as a nation-state in the face of determined armed opponents, it does not seem to have produced the expected outcomes in the face of the massive and peaceful popular protests of the *Hirak,* which transcended social classes and ideological affiliations. Even the release of several dozen detainees from the *Hirak* movement, announced on the eve of the second anniversary of the start of the movement, and a continued health risk due to the Corona virus, did not prevent the resumption of largescale street protests across the country in February 2021.

A Vertical Method of Drafting the Revision

The method used for preparing the constitutional revision for a referendum was vertical. In January 2020, president Tebboune appointed a committee of eighteen experts to formulate proposals for reviewing the constitution.[199] Composed of law teachers from different Algerian universities and a former Algerian judge at the African Court on Human and Peoples' Rights, its presidency was entrusted to a professor of international law, Ahmed Laraba.[200]

From the outset, it was clear that there was no change in the drafting method of the text of the amendments, which remained vertical and faithful to the authoritarian tradition of drafting Algerian constitutions since 1963.[201]

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[199] Presidential decree n° 20-03 of 11 January 2020, JORA n° 2 of 15 January 2020.
[200] Who quickly resigned. On the reasons for his resignation, see: "The Constituent Assembly is now the only possible alternative (Fatsah Ouguergouz)", interview with *Maghreb Emergent*, July 19, 2020 (French). Available at https://maghrebemergent.net/exclusif-lassemblee-constituante-est-la-seule-alternative-desormais-possible-fatsah-ouguergouz/
[201] Mohamed Boussoumah, op. cit., p. 5.

Where a "sovereign constituent process" was claimed, or even a Constituent Assembly, and therefore a new constitution drawn up with real popular participation, the regime chose to grant it. Here again, the pre-emptive purpose of the revision is obvious. It is quite remarkable to note that the recourse to a committee of experts was even less than what A. Bouteflika had proposed on 11 March 2019: the convening of an "inclusive and independent national conference (...) [with] representatives of Algerian society and all the sensibilities ingrained in it" to draft a new Constitution, which would then be submitted to a referendum.[202]

The verticality of the process could have been attenuated by consultations, which started 7 May 2020. This did not happen for structural and political reasons, not for reasons linked to the pandemic, which only delayed the start. In this respect, the more than 1200 pages long compilation of the proposals relating to the preliminary draft presented by the committee,[203] should not be allowed to mislead. These proposals emanate mainly from the institutions themselves, including the Constitutional Council, from political parties that have supported Bouteflika and/or come from the current regime, including that of the former head of government, Ali Benflis. Other proposals have been made by political parties that are unknown or that are in the process of being set up, or even by some academics and anonymous people.

These consultations were doomed from the outset, precisely because of the question of the legitimacy of the institutions. For a large part of society, the legitimacy of Tebboune whose arrival at the presidency was seen as a coup against the *Hirak* movement, is dubious. From the viewpoint of many actors who have broken with the regime, he was not elected, but was appointed by the military high command. In addition, the intensification of the repression against the *Hirak* movement in the midst of the pandemic did not reassure

[202] APS, "President Bouteflika sends a message to the nation announcing the postponement of the presidential election", 11 March 2019 (French).
[203] Committee of Experts, *Proposals formulated within the framework of the general debate on the constitutional revision project*, September 5, 2020, 1231 p. (Arabic); hereinafter "*Proposals*...".

civil society. Nor did it encourage it to participate in such consultations. The result was that many rejected the revision process of the Constitution as a whole. Still, consultations could only be limited in scope. By addressing political parties, unions and civil society, the regime only "consulted" a small part of society. It is difficult to create a political party, a union or even an association in Algeria, for legal and practical reasons. For example, even if we assumed that a figure from the *Hirak* movement like Karim Tabbou, who is also the leader of an unauthorised political party, could accept the principle and conditions around the consultations, he was in arbitrary detention[204] during these consultations and was only released—temporarily—on 2 July 2020.

Once the hearings were completed, the proposed amendments were submitted, as provided for in the Constitution, to the legitimacy-seeking Parliament[205] which barely debated them. Thus, the question of electoral legitimacy, credibility, and political inclusiveness was posed at all levels and was inevitably reflected in the low participation rates in the referendum.

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[204] According to the qualification given by the UN Working Group on Arbitrary Detention's Opinion 7/2021 adopted on 4 May 2021.

[205] The members of its lower house, the People's National Assembly (APN), were elected in 2017 with an official participation rate of 35.32 percent, under the presidency of Bouteflika. It is mainly made up of supporters of A. Bouteflika, publicly supporting until the first weeks of the *Hirak* movement his candidacy for a fifth term. In addition to having remained silent since the beginning of the *Hirak* movement and submitted to the executive, the lower house is associated with dirty money. During the summer of 2020, its former vice-president Baha Eddine Tliba explained during his trial for corruption the operation of the system of purchasing places with the Bouteflika clan on the lists of candidates for deputation, guaranteeing the "Election" to the APN (French). Available at https://www.liberte-algerie.com/actualite/reaction-des-deputes-apres-les-revelations-de-tliba-345000. As for A. Tebboune, he underlined during the announcement of the dissolution of the APN, the need to have legislative elections "whether there is dirty money or not", see APS, (French) "Des décisions importantes annoncées par le Président Tebboune", 19 February 2021. Available at https://www.aps.dz/algerie/117850-des-decisions-importantes-annoncees-par-le-president-tebboune. As for the upper chamber, the Council of the Nation, it is made up by a third of members appointed by the President of the Republic. The presidential third party remains marked by the appointments of the Bouteflika era despite the recent ones made by A. Tebboune. Elected members were elected by a majority of 'grand electors' belonging to the "presidential majority" of A. Bouteflika, at the heart of the consultations.

The Normative Consolidation of Conservative Authoritarianism

To protect the country against "any form of autocracy," emanating from an "in-depth reform of the Constitution",[206] the President's Office assigned seven focal points of deliberations "for reference",[207] to the Committee of Experts. In a speech given on 21 February 2021, Tebboune claimed that the revised Constitution "enshrines absolute freedom both individually and collectively" and "includes all the demands of the *Hirak*."[208] However, behind the appearance of change and beyond the discourse, the revision operates a normative consolidation of authoritarianism.

Certain amendments are formally oriented towards strengthening the rights and freedoms of citizens, which constitutes the first focal point of the constitutional revision.[209] This is the case with the introduction of the right to life (Article 38)[210] and that of the concept of torture, which reinforces the

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[206] APS, "Creation of a committee of experts responsible for revising the Constitution", January 8, 2020 (French): https://www.aps.dz/algerie/99863-creation-d-un-comite-d-expert-charge-de-la-revision-de-la-constitution. See Presidential Decree No. 20-03 of 11 January 2020 creating an Experts Committee entitled to formulate proposals for reviewing the Constitution, JORA No. 7 of 15 January 2020.

[207] These are: 1) the strengthening of citizens' rights and freedoms, 2) the moralisation of public life and the fight against corruption 3) the consolidation of the separation and the balance of powers 4) the strengthening of oversight of Parliament, 5) consolidation of the independence of the judiciary 6) consolidation of citizens' equality before the law and 7) constitutional consecration of the mechanisms for organising elections. See APS, "Revision of the Constitution: President Tebboune outlines the main axes", 8 January 2020 (French). Available at https://www.aps.dz/algerie/99871-revision-de-la-constitution-le-president-tebboune-trace-les-principaux-axes Not all axes can be addressed here.

[208] APS, "Important decisions announced by President Tebboune", 19 February 2021 (French). Available at https://www.aps.dz/algerie/117850-des-decisions-importantes-annoncees-par-le-president-tebboune.

[209] I cannot review all the numerous amendments here but I will concentrate on those pertaining to fundamental rights and public freedoms that are a prerequisite of a free organisation of society and the protection of its sphere of autonomy in the face of interference, potentially arbitrary, by the state.

[210] In the new article 38 which does not go so far as to abolish the death penalty since it specifies that no one can be deprived of their life "except in the cases provided for by law". In addition, it does not limit the cases where the law can prescribe the death penalty. It should be noted that rights and freedoms are now qualified and designated as "fundamental rights" and "public freedoms" with the dual German and French connotations of the term. At the same time, where there was a question of guaranteeing "fundamental freedoms and human and citizen rights" in the old article 38 and "fundamental human rights" in the old article 39, reference is made to the guarantee of

suppression of cruel, inhuman or degrading treatment (Article 39).[211] The new Article 44, in its second paragraph, introduces the right of any arrested person to be informed of the reasons for their arrest and reaffirms the exceptional nature of pre-trial detention.[212]

In terms of police custody, the revision renews the guarantees introduced in 2016. But it does not impose any limit on the number of extensions, "under the conditions set by the law," of police custody, the maximum duration of which is in principle 48 hours.[213] However, the revision does not go so far as to make medical examination automatic for adults at the end of police custody, nor to guarantee the presence of a lawyer at that time.[214] On the other hand, the right to reparation reserved by the old Article 61 for victims of miscarriages of justice is not only set out in the form of a right in the new Article 46. It is also extended to "any person subject to arbitrary arrest pre-trial detention."[215]

In terms of religious freedom, the use of the plural in connection with the guarantee of the freedom of exercise of religion[216] (Article 51) marks a form of

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"fundamental rights" and "freedoms" in the new article 35. The conceptual and linguistic consistency of the revision from this point of view is questionable.

[211] In this regard, since the statement of the student Walid Nekkiche who claims to have been tortured during his detention in the premises of the intelligence services—a military body whose agents act as judicial police officers—allegations of torture emanating from *Hirak* detainees are many. See Arezki Saïd, (French) "Algérie : le récit exclusif de l'arrestation et de la détention de Walid Nekkiche", *Jeune Afrique*, 5 February 2021 (online). The opening of an investigation into his allegations was announced after several days of media pressure.

[212] The definition of the grounds, the duration and the conditions for extension are referred to the law. Apart from paragraph 2, the new article 44 reproduces the content of the old article 59. The aforementioned case of Walid Nekkiche illustrates the relativity of the assertion of the exceptional nature of pre-trial detention: his lasted more than a year.

[213] Article 51 of the Code of Criminal Procedure provides for the possibility of extending, "with the authorisation of the competent public prosecutor", up to 5 times (ie 12 days in total) custody in terrorism cases. The extension of police custody exists for other offenses but for shorter periods.

[214] The Committee against Torture noted this absence in Algerian law, of article 51 bis 1 of the Code of Criminal Procedure, in particular, which lists the rights of the person in police custody. See CAT / C / DZA / CO / 3, 16 May 2008, § 5.

[215] There would remain "32 individuals (...) detained for the legitimate exercise of their fundamental rights, and some of them are liable to long sentences, while others are still in pre-trial detention". HCDH, (French) "Algérie : l'ONU réclame une enquête et la fin des détentions arbitraires", 5 May 2021. Available at https://news.un.org/fr/story/2021/03/1090972.

[216] The plural for the term "religion" is a proposal from the committee of experts which presented a draft article 51 paragraph 2 consecrating the free exercise of worship "without discrimination" and "with respect for the law". The plural as well as the mention of the absence of discrimination

recognition of the religious pluralism of Algerian society, although limited in its effects: the reference to its exercise “in accordance with the law” opens the way to numerous restrictions. For non-Muslim religions, restrictions result from the 2006 ruling specially devoted to them.[217] The Algerian state, to which the Constitution attributes Islam as a religion, does not recognise the equality of religions, but it seems to have to treat them equally in the fulfilment of its new constitutional mission: to protect them against "any political or ideological influence” (Art. 51, al. 3).[218] In fact, this policy already existed with regard to Islam. It dates back at least to the time of the rise of the FIS from the mosques[219] and is said to be manifested by the “sanctity” of the state religion in the Constitution of 1996.[220]

In terms of freedom of conscience, the revision is a significantly regressive step. The freedom of conscience, which appeared in the old Article 42, has quite simply disappeared under the pressure of many participants in the

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provoked widespread hostility from those consulted. Their removal was requested in particular by HMS (Arabic: Harakat Mujtama' as-Silm - Movement for a Peaceful Society), an Islamist party, close to the Muslim Brotherhood, and which has participated in several governments in the past. In addition to their removal, HMS proposed to introduce a provision requiring the law to punish “blackmail” (*ibtiraz*) exerted on a Muslim to change his religion or faith (*madhheb*) as well as the fact of undermining the stability of the religious situation of the country (*dharb istiqrar el hala eddiniya lil bilad*) (*Propositions*..., n° 1730, p. 365). The deletion of the reference to non-discrimination was expressly requested by the General Secretariat of the Government (*Proposals*..., proposal 1800, p. 378). The Independent National Elections Authority, for its part, simply proposed the deletion of paragraph 2 (n° 1859, p. 386). As for the High Islamic Council, a constitutional consultative institution, it was not opposed to the plural or to discrimination and contented itself with proposing the replacement of the term "religion" by "denomination" (cha'air) (n° 1864, p. 386). The terms “religion” and “denomination” are not 100 percent synonymous with the respective French terms “culte” and “rite” but are as good an approximation as is available in contemporary English.

[217] On this ruling, see Nassima Ferchiche, “L’ordonnance algérienne de 2006 relative aux cultes non musulmans et son application”, (French) *Annuaire Droit et Religions*, 2008-2009, pp. 499-521.

[218] The question of neutrality of places of worship was mentioned in the draft article submitted by the Committee of Experts. The current wording seems to be a response to the multiple requests for clarification of the notion of neutrality and inspired by the proposal of the Union générale estudiantine libre (General Free Student Union) (*Propositions*..., n° 1781, p. 375) and that of the National Construction Movement. (n° 1784, p. 375) which give a privileged place to the mosque (Arabic).

[219] Aït-Aoudia, Myriam, *The democratic experience in Algeria (1988-1992)*, Algiers, Koukou editions, 2016, pp. 253-256.

[220] Babadji, Ramdane, “De la religion comme instrument à l’identité comme sanctuaire : quelques remarques sur la constitution algérienne du 28 novembre 1996” *in* Ahmed Mahiou & Jean-Robert Henry (ed.), *Où va l’Algérie ?*, IREMAM/Kartala, 2001, pp. 53-70. Available at https://books.openedition.org/iremam/397?lang=fr (French).

"general debate", in the name of the defence of the state religion and the Islamic character of the Algerian people.[221] Prosecutions based on the particularly vague criminal offence of insulting the Prophet of Islam and other envoys of God or for denigrating the dogma or precepts of Islam[222] may proliferate.[223] They can theoretically be in contradiction with the "inviolable" freedom of opinion (Article 51) or "guaranteed" freedom of expression (Art. 52). But practice shows that they were possible before the revision and that many people who did not observe the fasting during Ramadan were prosecuted on this basis in recent times. Conversely, simple criticism of the government, without violence or incitement to hatred or violence, has surely led to detention in many cases as recalled by the United Nations High Commissioner for Human Rights in March 2021.

Journalistic freedom of expression is set out in a particularly ambiguous manner in the new Article 54 of the Constitution. This provision guarantees the freedom of the printed press, audio-visual and electronic media. However, the sentence which completed it in the previous Article 50 and which prohibited any form of prior censorship has been deleted. Journalists have "the right (...) to access sources of information" but in compliance with the law. The usual reference to the law does not specify the requirements which it must meet or the limits of the restrictions which it will inevitably impose. In addition, if the Constitution continues to prohibit the punishment

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[221] *Hurriyat el mu'taqad* in the Arabic version (the only authentic). The aforementioned compilation of the proposals resulting from the consultations shows that freedom of conscience was included in the draft article 51 paragraph 1. Some speakers proposed to limit freedom of conscience for considerations of public order (wali (prefect) of El Oued, proposition 1736, p. 366), or to an exercise in accordance with Islamic and national standards (*el mardja'iya el islamiya wa el wataniya*) and the laws of the Republic (General Union of Algerian Workers UGTA - former single union - proposition 1727, p. 364) or, in a more technical formulation, to an exercise in accordance with the principles of Title I of the Constitution, which contains article 2 which makes Islam the state religion (Front de l'Algérie Nouvelle, proposition 1737, p. 366). The vast majority of entities and individuals who made proposals on this freedom expressed a hostile point of view.

[222] Article 144 bis 2 of the Penal Code which provides for a prison sentence of 3 to 5 years and a fine. The offense to the President of the Republic of article 144 bis of the Penal Code, drafted in equally vague terms, foresees a heavy fine only. In both cases, the prosecutor can initiate proceedings ex officio.

[223] Evidenced by the announcement of lawsuits against Saïd Djabelkhir, at the initiative of individuals, for insulting the prophet for having criticised the early marriage of girls.

of press offenses with a custodial sentence (Art. 54, para.5), this prohibition can be circumvented by simply denying the status of journalist to an accused based on the legislative definition of a journalist or press correspondent in a sector characterized by social insecurity.[224]

As regards the press, the new Article 55 represents a break with the old constitutional text by the consecration of the right to found newspapers and any other publication by simple declaration. But as with other media, the "right to disseminate information, images and opinions" (Article 54) is exercised "within the framework of the law and of respect for the religious, moral and cultural constants and values of the Nation", which are particularly vague concepts that considerably extend the range of admissible restrictions. In addition, the right to create television and radio channels and electronic sites and newspapers is granted under the conditions set by the law, which leaves the door open, again, to all kinds of restrictions without supervision.

The political purpose is clear. Newspapers and other publications with declining readership and therefore less impact can theoretically be created freely. On the other hand, the authorities refuse any emancipation of the audio-visual media sector and the electronic press, whose distribution is much more prevalent in the age of ubiquitous smartphones. In this regard, according to an OHCHR account, on 5 May 2021 access from Algeria to no less than 16 online media had been blocked by the authorities, but they remained accessible from abroad. Now with the obligation introduced in November 2020 to have hosting "exclusively, physically, and 'logically'

[224] Thus, the Court of Algiers ruled that Khaled Drareni cannot be considered as a journalist within the meaning of this law on the grounds that, on the one hand, as a correspondent for the TV5 channel had only a "verbal contract". Where article 80 of this law stipulates that the employment contract of the permanent correspondent of a press organ must be in writing and, on the other hand, the accused did not have the professional journalist card, issued by a specific commission and which certifies this quality by virtue of article 76 of organic law n° 12-05 of January 12, 2012. Court of Algiers, judgment of September 15, 2020, *Public Ministry v. Khaled Drareni and others*. On this law, see in particular f Dris Cherif, (French) "La nouvelle loi organique sur l'information de 2012 en Algérie : vers un ordre néo-autoritaire ?", *L'Année du Maghreb*, 2012, pp. 303-320. Available at https://journals.openedition.org/anneemaghreb/1506.

domiciled in Algeria, with an extension of the domain name[225] to ".dz", any blocking from Algeria will also be effective abroad.

In his speech on 18 February 2021, President Tebboune affirmed that the revised Constitution "enshrines absolute freedom [since] (...) a declaration is now sufficient to create (...) associations". It is true that the new Article 53 guarantees the right to create associations, "by simple declaration", just like the freedoms of peaceful assembly and demonstration (Article 52). Article 53 also refers to an organic law for determining the conditions and modalities for the creation of associations (paragraph 3).[226] First, it should be noted that this is not a consecration of the freedom of association in all its dimensions, particularly that which protects the association against the interference of public authorities in its functioning. In addition, the current organic law n°12-06 of 12 January 2012, which is still in force almost two years after the 2020 constitutional revision, imposes conditions rendering the constitution of an association in Algeria complex[227] and by requiring it to make a "constitutive declaration" to the administration, which then grants it "the issuance of a registration receipt" (Article 7), which has "approval value" (art. 8). In other words, the current relevant legislation still imposes a prior authorisation system, and the introduction of the simple notification regime is not guaranteed. The new Article 225 of the Constitution states that "the laws, the modification or repeal of which is made necessary by virtue of this Constitution, remain in force until the elaboration of new laws or their modification within a reasonable time" but it does not specify what is a "reasonable time". In the meantime, the legislative provisions in conflict with

[225] Article 4 of the executive decree n° 20-332 of November 22, 2020, fixing the methods of exercise of the activity of information online and the diffusion of adjustment or correction on electronic sites, JORA n° 70 of November 25, 2020. This decree comes more than 8 years after the organic law on information of 2012, of which it implements certain provisions.

[226] By comparison, it is a "simple" and non-organic law which sets the conditions and modalities for the exercise of the freedoms of expression, assembly and demonstration (art. 52, al. 3). However, a simple law is not necessarily subject to a *priori* constitutional review as is an organic law.

[227] At least 10 founding members for municipal associations and 25 for national associations are needed, from at least 12 wilayas, the constitutive general assembly must be noted by a bailiff's report and the constitution file must in particular contain a extract from the criminal record of each of the founders.

the Constitution remain enforceable. Moreover, Algerian law has a restrictive vision of the objective of associations which must not be contrary, among other things, to the particularly vague "national constants and values" (Article 2, para4, org. n° 12-06), which in no way contradicts the revised Constitution. Lastly, the new Article 53 of the Constitution also states that "associations can only be dissolved by virtue of a court decision" (paragraph 4). At the same time, the organic law makes "interference in the internal affairs of the country" and "attack on national sovereignty" grounds for dissolution. Moreover, an approved association cannot establish an international cooperation without a prior administrative permission and such a cooperation must comply with "national constants and value" (Article 23, org. n° 12-06). This requirement is not only very restrictive, but it is also interpreted in a very extensive way. The dissolution at the request of the Ministry of Interior of RAJ, an association founded in 1993 and very active in the *Hirak*, is a grotesque example of this trend. On 13 October 2021, the second chamber of Algiers Administrative Tribunal dissolved RAJ for breach of Article 23 of the organic law n° 12-06 simply because Tunisian NGO and union members and French local elected representatives visited RAJ main office at the beginning of the *Hirak*.[228] The case is still pending before the State Council, the Supreme Administrative Court. However, the judgment being enforceable, RAJ does already not exist, and its members face a three to six-month prison sentence for any activity on behalf of it, the same punishment as the one established for having activities on behalf a non-registered or non-approved association (Article 46, org. n° 12-06). Therefore, one cannot say that freedom of association nor even the right to found association with a simple declaration is acquired. As with the "opening" of the audio-visual field and electronic media the emancipation of the associative field is far from assured.[229]

[228] See Algiers Administrative Tribunal, 2nd Chamber, Judgment, 13 October 2021, case n° 01798/21.
[229] The authorities are trying to organise associations into a group of support for "new Algeria", presented by an adviser to the presidency of the Republic. Voir APS, "Création du Collectif des organisations et associations nationales 'Nidaa El Watan'", 6 March 2021. Available at

The right to found political parties, for its part, is enshrined in an even more restrictive manner and without protection of their functioning against undue interference. The four paragraphs of the old Article 52 are repeated in the new Article 57, which is more developed. This provision indeed ensures "fair treatment with regard to all parties" (para. 5) and constitutionalises the requirement of the judicial form for the dissolution of parties (para. 7). In addition, and unlike the provision relating to associations, the new Article 57 requires the administration to "refrain from any practice likely to hinder" the right to create political parties (para. 8) and specifies that the organic law must determine its modalities and "must not include provisions likely to call into question [this] freedom..." (paragraph 10). Such statements may sound protective, but they sound more like an acknowledgment[230] and should be superfluous. Obviously, political parties are even more sensitive than associations while their founding is said to be free, it remains carefully framed by the constitutional text which does not allow them to opt for the regime of simple declaration. Some political parties, legally founded, progressive and members of the PAD (*Pacte pour l'Alternative Démocratique*) who fully supported the *Hirak*, face an unprecedented wave of threats to their survival since the spring 2021. On 11 April 2021, the Workers Socialist Party (known as the PST) received a formal notice from the Ministry of Interior urging the party to hold its periodical congress within less than one month in the midst of the pandemic, which has been done before the end of April according to the PST. However, at the request of the Ministry of Council, the Council of State pronounced the suspension of all the party activities on the basis of Article 66 of the Organic Law n° 12-04 of 12 June 2012. This provision allows such a "temporary suspension" in case of breach of any

https://www.aps.dz/societe/118676-creation-du-collectif-des-organisations-et-associations-nationales-nidaa-el-watan

[230] Among other testimonies on the difficulty of creating a political party in Algeria, see that of former Minister Benouari, dated March 2021 and reacting to the creation of a grouping of associations under the aegis of the presidency of the Republic in using the name of the party that he has not been able to get approved since 2015. "Nida el Watan : une nouvelle entrave dans l'exercice d'un droit constitutionnel". Press release available at https://benouari.ch/ali/nida-el-watan-communique-de-presse/.

provision of the very restrictive Law n° 12-04, provided that the party has been given prior notice. It does not, however, specify a maximum length of time for the "temporary" suspension while it implies the ending of all the party activities and the total closure of all its premises. The UCP (*Union pour le Changement et le Progrès*) faced the same threat but has not been suspended while the MDS (*Mouvement Démocratique et Social*) is still under the threat of a suspension after its spokesman, Fethi Ghares, stayed in detention from July 2021 until the end of March 2022 for some of his public statements. The targeting of these political parties, in the political and legal Algerian context, seems to aim at depriving from legal relays the "damned" *Hirak*—the one who asks for a "civilian, not military State", in opposition to the "genuine" *Hirak* celebrated by the revised Constitution's preamble, *i.e.* the movement against Bouteflika's candidacy to a fifth term. It is a part of a methodical repression against the *Hirak* deprived from its main way of expression: the weekly non-violent protests.

According to the new Article 52, the freedom of peaceful assembly and the one of peaceful demonstration should be exercised on the basis of a simple declaration. However, the reality is far from the proclaimed principles. First, the Law n° 89-28 of 31 December 1989 is still in force. As amended in December 1991, the Law n° 89-28 establishes a scheme of prior authorisation. However, almost two years after the 2020 constitutional revision, and despite this legislative act openly contradicts the Constitution, it has not been amended to bring it in line with the Constitution. On the field, few weeks before the June 2021 parliamentary elections, the third stage of the reconstruction of the civilian interface between the military high command and society, the authorities started to ban the *Hirak*'s peaceful demonstrations. In practice, peaceful demonstrations obey neither to the simple declaration scheme nor to the prior authorisation one, but to a prohibition regime.

In general, if the revision extends the catalogue of constitutional rights, unequally enshrined elsewhere, it includes elements allowing their

restriction without sufficient supervision. The main one is Article 34, paragraph 2 relating to limitations. It imposes only two conditions for a restriction: its legality—in the formal sense of the term—and the pursuit of one of the grounds that it sets out. First, if the same article 34 requires the State to "ensure in the implementation of the legislation relating to rights and freedoms, its accessibility, its legibility and its stability", it does not clearly require that the law be predictable in its effects, which requires that it be stated in sufficiently precise terms so that those concerned can regulate their conduct. The many criminal offenses drafted in vague terms can thus proliferate, all the more so, as several of them appear in the duties of the citizen enumerated in Article 79 which imposes on every citizen the duty to safeguard the independence and the sovereignty of the country, the unity of its people as well as all the attributes of the State. Second, in addition to classic grounds of limitation, Article 34 introduces the very vague "protection of national constants"[231] which is akin to a Pandora's box of restrictions.[232] Thirdly, Article 34 does not add to the two conditions a third—classic in international human rights law—the need in a democratic society or an equivalent[233] allowing the imposition of a proportionality check between the restriction and the pursued aimof the restriction, so as to make effective the affirmation of paragraph 3 by virtue of which "in any event, these restrictions may not infringe on the essence of these rights and freedoms".

Article 34, paragraph 2 has several consequences. The first relates to the status of constitutional rights. They are all likely to be restricted, including the prohibition of torture, to which international human rights law does not recognise any exception or possibility of exemption.[234] The second concerns

[231] Reason for limitation introduced in the proposal of the Independent National Elections Body (Proposals..., No. 1436, p. 305), the National Construction Movement (No. 1450, p. 308) and the Initiative of National Reform Forces (No. 1458, p. 310) mainly (French).
[232] Section 81 specifies the last ground for restriction set out in section 34.
[233] Under article 49 of the Tunisian Constitution, the restrictions on the rights and freedoms that it guarantees must in particular "meet the requirements of a civil and democratic state".
[234] In this regard, we can notice that none of the three states of emergency provided for by the Constitution knows the concept of the non-derogability of certain fundamental rights. Better still, the Constitution is suspended during a state of war (art. 101), including its provisions on fundamental rights.

the review of constitutionality. Whether it is *a priori* or *a posteriori*, it will necessarily be limited in its effects on important issues based on the open door to restrictions that this provision invites. The scope of the creation of a Constitutional Court, which constitutes an important modification compared to the current Constitutional Council, as well as that of the exception of unconstitutionality[235]—in force since March 2019—could thus be very limited. The third relates to the hierarchy of norms. Indeed, the new Article 171 provides that "in the exercise of his mission, the judge is bound to apply the ratified treaties, the laws of the Republic and the decisions of the Constitutional Court". However, if ratified treaties retain a higher value than legislation, conventional human rights law will retain a lower value than the Constitution, which is less protective. The fourth follows from the reference to the protection of national constants—one of which is Islam. It surreptitiously introduces the possibility of restricting the principle of equality of citizens before the law and of equal protection by the latter without discrimination on grounds of sex (Article 37) contained in the same chapter, to make the legal inequality between men and women, enshrined mainly in the Family Code, compatible with the Constitution. However, before the revision, such compatibility was doubtful even based on the provision relating to Islam, the state religion, and the general provision in relation to the principle of equality.

The Constitution itself introduces explicit and loosely framed exceptions to the principle of equality of citizens. Its corollary, the citizens equal right to access to functions and jobs within the State is guaranteed, "with the exception of those linked to national sovereignty and security" (Article 67, para. 1). In reality, this restriction is broader than that of the old Article 63 paragraph 2[236] which required exclusive Algerian nationality for access to high state responsibilities and political functions, with reference to a simple

[235] Open to litigants, it is, as in the French system, filtered by the Supreme Court in the judicial order and by the Council of State in matters of administrative litigation. By introducing a filter of this type when the confidence of litigants in the judicial system is low, this procedure risks being dissuasive.
[236] Which had been introduced by the 2016 revision.

law to establish the listing. From now on, it is up to a simple law to set the conditions for implementing this exception. It can thus restrict access to these functions and jobs to protect "national constants" and could impose criteria of ideological or even religious conformity. The exclusionist tendency in the matter of citizenship and nationality is not imaginary. A preliminary draft law aiming to introduce into nationality law "a procedure for the revocation of Algerian nationality of origin or acquired by any Algerian who commits, outside the national territory, acts deliberately causing serious injury to the interests of the State or which undermine national unity" has been announced[237] and abandoned officially because it has been "misapprehended".[238] Regardless of the potential unconstitutionality of such grounds for disqualification and the withdrawal of the text, the political message addressed to the many Algerians residing abroad and supporting the demands of the *Hirak* movement is clear. It contributes to the creation of a new enemy, based on the confusion of loyalty to the regime with loyalty to the state. The abandoned preliminary draft was intended to complement the new Article 95 bis of the Criminal Code[239] drafted in such vague terms that it potentially penalises any contact with and any support to an individual or an organisation critical of the authorities in place, particularly Algerians living abroad. The arsenal of repressive legislative measures had

[237] According to the official press release of the Prime Minister's services reproduced in APS, "Government meeting: examination of a draft law and four executive decrees", 3 March 2021 (French). Available at https://www.aps.dz/algerie/118540-reunion-du-gouvernement-examen-d-un-avant-projet-de-loi-et-de-quatre-projets-de-decrets-executifs. Algerian nationality and its conditions for forfeiture are defined by law by virtue of article 36 of the Constitution which is found in the chapter relating to fundamental rights.

[238] APS, « Déchéance de la nationalité algérienne : retrait de l'avant-projet de loi », 4 April 2021 (French), https://www.aps.dz/algerie/120161-decheance-de-la-nationalite-algerienne-le-president-tebboune-confirme-le-retrait-de-l-avant-projet-de-loi

[239] Introduced by Law No. 20-06 of 28 April 2020, it punishes "with an imprisonment of 5 to 7 years and a fine of 500,000 DA to 700,000 DA, anyone who receives funds, a donation or an advantage, by any means, of a State, of an institution or of any other public or private body or of any legal or natural person, inside or outside the country, to carry out or incite to carry out acts likely to undermine the security of the State, the stability and normal functioning of its institutions, national unity, territorial integrity, the fundamental interests of Algeria or public security and order". The Law No. 20-06 introduced several other amendments in the Criminal Code such as the new Article 196 bis on the wilful spreading, by any means, of false or slanderous news detrimental to public order or security, punished with an imprisonment of 1 to 3 years and a fine of 100,000 DA to 300,000 DA. This offence is regularly used in the repression against the *Hirak*.

been developed four days before the 12 June 2021, parliamentary elections in a way and with a content that confirms the ineffectiveness of the constitutional guarantees.

While the lower chamber of Parliament had been dissolved, President Tebboune adopted a legislative decree ("*ordonnance*") on 8 June 2021, which introduced major changes in the Criminal Code. Firstly, it extends the definition of terrorism given by Article 87 bis of the Criminal Code. Henceforth, "is considered a terrorist act or sabotage, any act targeting state security, national unity and the stability and normal functioning of the institutions by any action aimed at "(...) working or encouraging, by any means whatsoever, to gain power or change the system of governance by non-constitutional means or undermining the integrity of the national territory or to encourage people to do so, by any means whatsoever". This amendment clearly targets the main claim of the *Hirak i.e.* the radical change of the governance system, after having deprived the protesters from their main way of expression. It is significant to note that the use of violence is not an element of the definition of the crime of terrorism and that the expression "non-constitutional means" ("moyens non constitutionnels") is very broad and could include means not provided for by the Constitution as well as means violating the Constitution. In any case, this is clearly intended to criminalize demands for democratic transition or simply to elect a Constituent Assembly. In 2019, the late Major General Ahmed Gaïd Salah was stirring up the risk of a so-called "constitutional vacuum" about the demand of democratic transition; in 2021, it became an act of terrorism. Expanding this definition, which was already broad and vague and highly problematic[240], accentuates the "criminal law of the enemy"[241] character of

[240] See Boumghar, Mouloud, "L'hypothèse de la 'guerre contre le terrorisme' en Algérie : quand l'exception devient la règle ou la transformation du droit commun et des rapports entre autorités civiles et militaires sous l'effet des mesures dérogatoires et exceptionnelles" *in* Julie Alix & Olivier Cahn (eds), *L'hypothèse de la guerre contre le terrorisme. Implications juridiques*, Paris, Dalloz, 2017, pp. 15-28.

[241] On this doctrine, elaborated by Günther Jakobs, see Linhardt, Dominique & Moreau de Bellaing, Cédric, "La doctrine du droit penal de l'ennemi et l'idée de l'antiterrorisme. Genèse et circulation d'une entreprise de dogmatique juridique", *Droit et Société*, n° 97, 2017/3, pp. 615-640.

Algerian terrorism legislation. The second change relates to the creation of a national list of terrorist persons and entities by the new Article 87 bis 13 of the Criminal Code. The registration on the list is not reserved for persons whose guilt has been established by a court. A person who is merely the subject of a preliminary investigation or criminal prosecution may be placed on the list. In other words, a person who is still presumed innocent can be placed on the list. Regardless of his criminal status, a person on the list faces harsh consequences, including the freezing or seizure of his assets and the prohibition of his activity.[242] Moreover, the list, which is established by an administrative committee chaired by the Ministry of Interior,[243] is published in the Official Journal.[244] This is nothing less than the institutionalisation of arbitrariness. However, seized to check the constitutionality of the legislative decree of 8 June 2021, the Constitutional Council concluded that it was in conformity with the Constitution[245] despite the manifest violation of, at least, the principles of the presumption of innocence (Constitution, Article 41) and the equality of citizens (Article 37) and the right to honour (Article 47). Thus, neither the Constitution nor constitutional review can concretely protect against arbitrariness.

The Non-Satisfaction of the Demands for Separation of Powers and the "Civil, Non-Military State"

[242] New Article 87 bis 14 of the Criminal Code.

[243] On the composition of the committee, see Décret exécutif n° 21-384 of 7 October 2021 (JORA No. 78 of 13 October 2021), Article 4.

[244] So far, only one list has been published. See Arrêté du 6 février 2022 portant inscription sur la liste nationale des personnes et entités terroristes (JORA No. 11 of 27 February 2022). It includes two entities, Rachad, an Islamist movement, and *the Mouvement pour l'autodétermination de la Kabylie* (MAK), a separatist movement. Both has no legal existence in Algeria but has been more or less tolerated until the Security High Council labelled them "terrorist organisations" on 18 May 2021. As an advisory body (Constitution, Article 208), it does not have the jurisdiction to classify terrorist organisations. So there needed to be a legislative basis for that i.e., the new Article 87 bis 13 of the Criminal Code. The list also includes 16 individuals accused of belonging to one or the other organisation and apparently all living abroad.

[245] Decision of the Constitutional Council No. 23/D.CC/21 of 7 June 2021 (JORA No. 45 of 9 June 2021). Several UN Special Rapporteurs have harshly criticised this revision from the perspective of international human rights law. See document OL DZA 12/2021 of 27 December 2021.

Among the recurring slogans of the *Hirak* movement the separation of powers, the independence of the judiciary and the "civil, non-military state" figure prominently. However, the constitutional revision does not change the previous balance of civil powers marked by a concentration in the hands of the President of the Republic. As for the military high command, it emerged strengthened by the revision.

Formally, the Algerian political regime is hyper-presidential.[246] Since the revision, the president can decide to organise early presidential elections (Article 91, 11°). This novelty is clearly aimed at circumventing the constitutional consequences of a resignation, namely appointing an interim president, and curbing of the incumbent's powers. With regard to the Algerian practice, that of 2019 in particular, this provision appears, above all, as a way of arranging for the forced departure of the president without having to undergo the constraints of the interim figure, and while keeping control of the electoral schedule.[247] With the explicit recognition of the essentially limited right of the president in this matter,[248] it also seems to be a somewhat watered-down form[249] of the widely rejected proposal[250] for the

[246] The constitutional revision did not, for example, remove the appointment of a third of the members of the upper chamber of Parliament by the President of the Republic (current art. 121, al. 3), which alone is a sign of the glaring imbalance between the legislative and the executive. It maintains the impossibility of questioning its political responsibility by the Parliament whereas it has the competence to—easily—dissolve the APN (art. 151).

[247] True "Achilles heel of constitutional legitimacy" since the death of H. Boumediene, a weakness against which the institution of a vice-presidency was already proposed as a remedy in the second half of the 2000s. Benabbou-Kirane Fatiha, (French) "La nature du régime politique algérien", *RASJEP*, vol. 44, 2007, p. 61.

[248] Likewise, the Constitution now explicitly admits the possibility for the president to "delegate to the Prime Minister or the Head of Government, as the case may be, certain of his prerogatives" (art. 93 subsection1) where this option was implicit and imprecise as to the authority of the delegate. It resulted from an *a contrario* reading of the express prohibition to delegate its most important prerogatives, the list of which remains unchanged (former art. 101, new art. 93 subsection 2 and 3).

[249] *Propositions*..., projet d'article 95, alinéa 6 proposé par le Comité d'experts, p. 651.

[250] Some speakers simply proposed his election rather than his appointment (Arabic) (Sabri Boukadoum, Minister of Foreign Affairs, n° 2771, p. 669), but those who refused the creation of the post are much more numerous. Among others, the Constitutional Council (n° 2715, p. 661) and the High Islamic Council (n° 2738, p. 665), the RND, one of the so-called "administration" parties (n° 2763, p. 669), the UGTA (n° 2764, p. 669) and the National Association of Former Mujahideen of MALG, an

president himself to appoint a vice-president, to whom he could delegate a limited number of prerogatives.[251] It shows how the determination of those who wield real power are capable of undermining institutions by instrumentalising certain constitutional rules.

In his unequal relations[252] with Parliament, the president retains powers to legislate by decree, theoretically, only on urgent matters, in the event of a vacancy of the APN, or during parliamentary recess. President Bouteflika was accused of abusing this. His successor seems to follow in his footsteps. President Tebboune thus dissolved the APN, effective 1st March 2021, while the new organic law relating to the electoral system was still at the draft stage. On 10 March 2021, the president promulgated a legislative decree ("*ordonnance*") on the electoral regime, having the force of an organic law[253], and on 16 March 2021, another *ordonnance* determining the electoral constituencies and the number of seats to be filled,[254] both applicable to the June 2021 parliamentary election. Under these conditions, it was difficult to imagine that the future APN would not uphold these two legislative decrees, especially since the chambers had no choice but to approve or reject these texts. As expected, the chambers upheld both texts in December 2021.[255]

The independence of the judiciary is formally reinforced by the text. But recent practice shows its political submission to the instructions of the executive. The new obligation imposed on the president to submit the

organisation reputed to be the ancestor of the intelligence services, (n° 2774, n° 670) refused this innovation. On the other hand, the APN was favourable to it (n° 2700, p. 659).

[251] This possibility existed in the Constitution of 1976, more or less under the same conditions (art. 111, 15 °, 112 and 116). It was never used either by H. Boumediene or his successor, C. Bendjedid.

[252] A major innovation in the revision, the president now has the explicit power to decide to send army units abroad, but he can only do so after approval by a 2/3 majority of each Chamber of Parliament (art. 91, 2°). It is one of the few important powers of the president, the exercise of which is subject to parliamentary approval. The revision also constitutionalises the entirely theoretical hypothesis under the current conditions of cohabitation, but the distribution of powers between the two heads of the executive and between the legislative and the executive remains broadly unchanged.

[253] Ordonnance No. 21-01 of 10 March 2021 (JORA No. 17 of the same day).

[254] Ordonnance No. 21-02 of 16 March 2021 (JORA No. 19 of the same day).

[255] See Lois Nos. 21-02 and 21-03 of 1 December 2021 (JORA No. 91 of 5th December 2021). See also Loi No. 21-08 of the same day approving the legislative decree 21-08 amending the Criminal Code.

legislative decrees ("*ordonnances*") to the Constitutional Council/Court in order to control their constitutionality[256] is inefficient. The Constitutional Court controlled superficially the legislative decrees of March 2021 on the elections and even more superficially the legislative decree amending the Criminal Code in June 2021 clearing the way to a political exploitation of terrorism accusations.

Regarding the detainees of opinion, whose existence is denied by the Algerian authorities, President Tebboune stated that he had signed a presidential decree of pardon for some detainees of the *Hirak* movement resulting in the release of several dozen detainees on 18 February 2021.[257] These releases began immediately, but there were many anomalies. Several detainees, who had not yet been sentenced, had been released. However, it was impossible for them to be pardoned by the President because only sentenced persons can be granted presidential pardon. Consequently, contrary to the presidential statement there is no presidential decree corresponding to these releases. Second, the non-sentenced persons were only provisionally released until their trial. In other words, they have been released by public instruction from the chief executive.

Beyond the issue of the separation of civilian powers, the issue of relations between civil and military authorities is central in Algeria. The protesters of the *Hirak* movement sum it up with a phrase claiming a "civil, non-military state",[258] explicitly considered by the upper military hierarchy as a slogan of "traitors" and "troublemakers."[259] Since June 2021 and the major change in the Criminal Code, they fall within the scope of the criminal legislation on

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[256] Constitution, Article 142 para. 2.

[257] Speech of 18 February 2021, 17th minute (Arabic). The video of this speech is available on www.tsa-algerie.com

[258] Which is another way of asserting "the primacy of the civilian over the military" as stated by the Platform of the Soummam Congress, the first FLN congress held in Algeria clandestinely during the liberation war.

[259] Editorial, *El Djeïch*, n° 682, May 2020, (French) which designates them as being outside "national constants". This logic is reaffirmed in the editorial of *El Djeïch* of March 2021 (n° 692) where those who are not satisfied with the presidential measures are compared to bats. The review is available online on the ministry's website in French and Arabic: www.mdn.dz.

terrorism, knowing that the Army Chief of Staff is in charge of commanding, conducting and coordinating counter-terrorism operations.[260] Moreover, the day before the Presidential election of 12 December 2019, an Act of Parliament abrogated the limitation, to the offenses related to the State security, including terrorism, in the field of judicial police, of the judicial officers of the military security services.[261] Such changes are a clear sign of the accelerated remilitarisation since the beginning of the *Hirak*. The opposition between the General Staff and military intelligence services should be relativized with regards to these developments.

Behind the slogan follows the reality of relations between the military and civilians. The Algerian state is not military in the same sense as Myanmar.[262] The army is not openly in power through an official military body that directly rules the country, alone or with elected officials. No quota is reserved for officers in civilian bodies. Part of the doctrine recognises that in practice the army is the "forum for arbitrating serious political crises."[263] However, there is more to it than that. It appears as the de facto sovereign, a "State within the State (...), so that no realignment of the political field (...) can be carried out without redefining the place of the army (...)."[264] The power of the HCM (*Haut Commandement Militaire*) rests on conviction. According to the high command, the army is the "backbone of the State"[265] and the protector of the people against "any danger."[266] It is the guardian of "the authentic way of November" and, more broadly, of the "constants of the Nation."[267] Its power is exercised through less visible but decisive instruments. The most directly

[260] See Presidential Decree No. 11-90 of 23 February 2011 (JORA No. 12) adopted when President Bouteflika lifted the 19-year long state of emergency.
[261] See Loi No. 19-10 of 11 December 2019 amending the Criminal Procedure Code and abrogating its Article 15 bis introduced in 2017 under President Bouteflika.
[262] The Burmese "military-state constitutionalism" has several characteristics including a leading role in the Constitution for the army, which has in particular a quota of seats in Parliament, Melissa Crouch, op. cit., p. 496. (French)
[263] Benabbou-Kirane Fatiha, "La nature du régime politique algérien", *RASJEP*, 2007, vol. 44, p. 53.
[264] Mahiou Ahmed, "Les contraintes et incertitudes du système politique", § 12 *in Où va l'Algérie*, op. cit.
[265] See, for example, the press release from the Ministry of National Defense dated 2 April 2019.
[266] For example, the press release from the Ministry of National Defense dated 26 March 2019.
[267] Editorial, *El Djeïch*, n° 692, March 2021. "November" refers to the national liberation war.

institutional is the choice of the president of the Republic. Algerian history does not know of a president who came to power without the support, even the validation, of the HCM, which is considered more decisive than the popular vote. It does not know of a president who remained in power against the will of the upper military hierarchy. That tensions exist within it and that a balance of power can exist between the HCM and an incumbent president does not change anything. At most, especially since the 1990s, the president can manipulate rivalries within the "college of praetorians" to borrow a phrase from Mohammed Hachemaoui. The president is more a representative of the HCM to the people than a representative of the people themselves. The circumstances of President Tebboune's assumption of office also confirm that "the era of dictates and the making of presidents" is not over, contrary to what the review of the Ministry of National Defence affirmed in September 2019.[268] In addition, the army has an apparatus which aims to control society. For example, with regard to the press, a specific body attached to the General Staff in 2014 aims to control the press, in particular through the authorisations required to create certain media and distribution, according to the criterion of allegiance, and by means of public advertising funds.[269]

The revision of the Constitution does not eliminate these practices, which have no constitutional basis. On the contrary, the reference to the "original popular *Hirak* movement of February 22, 2019" in the preamble to the Constitution sends the same message as that of the late Ahmed Gaïd Salah: The *Hirak* only had legitimate demands until the resignation of Bouteflika—the ensuing demands are viewed as aberrations. Moreover, while the old Article 28 of the Constitution did not make the army the guardian of the Constitution or of the institutions,[270] the revision assigned it a new mission

[268] *El Djeïch*, n ° 674, September 2019.
[269] See Chérif Dris, "Algérie politique 2015 : mise à la retraire du général Médiene et restructuration du DRS", § 15, *L'Année du Maghreb*, 2016 : https://journals.openedition.org/anneemaghreb/2896. No major substantive change can be reported in this area (French).
[270] This option was expressly ruled out during the preparatory work for the 1996 Constitution, Mohamed Boussoumah, op. cit., p. 210 (French).

with indefinite outlines allowing it to interfere in political life. Proposed by the Ministry of Defence itself,[271] paragraph 4 of new article 30 entrusts the ANP (*Armée Nationale Populaire*) with the defence of "vital and strategic interests of the country". The setting of the terms of exercise of this new mission is not referred to a law as proposed by the Ministry of Defence. It must be implemented "in accordance with the constitutional provisions" (Article 30 para. 4, *in fine*). If this mention is less vague than the reference to the law, it is nonetheless imprecise. One can, for example, assume that the military cannot intervene abroad without parliamentary approval and a presidential order. But the lack of reference to specific constitutional provisions is all the more detrimental to predictability as the notion of "vital and strategic interests" is particularly vague. With this provision, the HCM seems to have granted itself a "constitutional wildcard", which will give it the last word on the most important issues. It is thus consolidated in its role of sovereign, a quality that the Constitution formally attributes to the people.

Neither the new constitutional provision on the role of the army nor the increased militarisation resolve the crisis of the legitimacy of the institutions. It only attests to the tension of the HCM in the face of opposition from a large part of society to its claim to be the sovereign. It also testifies to the absence of any conceptual evolution among political decisionmakers, the refusal of dialogue, and *a fortiori* of any negotiation on the questions, which adversely impact the likelihood of political change. Among them are the political and legal treatment of massive human rights violations[272] committed by state agents as well as by armed Islamists during the civil war, civil and democratic control over the military budget, and the nature of the authority, which decides on military and strategic doctrine and action.

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[271] *Propositions*..., n° 1317, pp. 282-283. The diplomat and former minister, Abdelaziz Rahabi proposed that the army be invested with the mission of defending the constitutional order, *Propositions*..., n° 1319, p. 283 (Arabic).

[272] The preamble to the Constitution refers to the policy of national reconciliation so as to protect the texts that implement this reconciliation against legal challenges. But it is ineffective against legal proceedings abroad.

Like all political actions undertaken since February 2019, the overhaul has only deepened the rift between the regime and society. Its method and content have convinced large sections of society that a transition to a democratic order cannot be made within the current constitutional framework and that the drafting of a new democratic constitution must be the business of the people themselves. Even if it continues to cause fear, the conviction shared by many that the election of a Constituent Assembly is a necessity is reinforced by this revision, which proves to be politically counterproductive for the regime. It could be its last normative act of authoritarian resilience if the actors of the *Hirak* movement were to structure themselves and unite over democratic principles and clear and public political objectives that would develop and support the demands made every week in the streets of Algeria.

CHAPTER FIVE

Evolution of the Army's Role in the Algerian Political System

Abdennour Benantar

Abstract

This article critically examines the widely accepted assumption that the Algerian military has primacy over political decision-making in Algeria. It argues that the military is intimately linked to power, but that its preponderance must be further qualified to be correctly understood. The article demonstrates that despite having a major, the military is not alone in exercising power. Rather, it must cooperate with civilians to establish and legitimize its power. Examining the context for political processes, the internal relations between military institutions and military's power-sharing with civilians, the article argues that the military does not hold an absolute primacy over the political. Further, it argues that civil-military rivalries are dependent on rivalries between military institutions and that these rivalries evolve in a context of mutual instrumentalisation. Finally, it argues that the alliances between these centres of power change over time.

Introduction

The emergence and subsequent disappearance of the *Hirak* movement raises once again the question of the role of the army in the Algerian political system.[273] This question has for long triggered the imagination of many observers and analysts. Some believe that the army plays a role from behind the scenes. For them it is important to reveal all what is believed to be hidden

and kept invisible. This approach is, however, contradictory. Instead, we should analyse the complexity of the Algerian political system and scrutinize the civil-military relations and the unconventional and non-linear role that the army has given itself, and which it has been given by others. This is especially important since the relationship and the interaction between the structure and the process is not linear. While it is generally agreed that the army plays a major role in the Algerian political system,[274] as evidenced by its ability to "make" and "break" presidents, the understanding of the nature of this primacy over the political realm is riddled with discrepancies. According to Abdelkader Yefsah, "the Algerian army is intimately linked to political power. Moreover, it is the driving force of power, even the main holder (...) it is the only real organised structure whose weight allows the real control of power".[275] Lahouari Addi argues that there exists a system where, on the one hand, real power is in the hands of the military, away from the public eye, while on the other hand, civilians designated by the military hold a "pouvoir de façade"—a visible but superficial power.[276] Rabah Lounici, has argued that this primacy of the military must be understood in accordance with the political circumstances under which it is exercised and in relation to the historical context in which it was forged, and from where it has evolved.[277]

The reflections that follow here align with the first and third of these analyses for three reasons: First, the regime is not military. Second, the army is not all-powerful, and the influence of civilians has not been reduced to nothing. Rather, a complex and diffuse division of power exists despite the military's predominance. Third, and finally, the role of the army[278] does not follow a

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[274] Martinez, Luis and Rasmus Alenius Boserup (eds.), *Algeria Modern: From Opacity to Complexity,* London, Hurst, 2016.

[275] Yefsah, Abdelkader, "L'armée et le pouvoir en Algérie de 1962 à 1992", *Revue du monde musulman et de la Méditerranée,* n° 65, 1992, p. 77.

[276] Addi, Lahouari, "Système politique et paix civile en Algérie", *Confluences Méditerranée,* n° 100, 2017, p. 33. Available at https://www.cairn.info/revue-confluences-mediterranee-2017-1-page-27.htm

[277] Lounici, Rabah, "The Relation of the Military to Politics in the History of Contemporary Algeria", *Arab Journal of Political Science,* n° 29, 2011, pp. 61-62 (in Arabic).

[278] By the army, as an actor, we mean the military high command (represented by the General Staff) made up of the chief of staff, the heads of the three land, air and naval forces, the commanders of the six military regions and the commander of gendarmerie.

linear logic. Instead, the army's intervention in the political field is punctuated, and its intensity and orientation is determined by the unfolding of events.

Indeed, the role of the army is dependent on the political context: In *normal* times the army practices withdrawal or indirect intervention in the political field. In *troubled* times, however, the army practices direct intervention. Its role is punctuated by these sequences, which we will use to highlight elements that seem relevant to our analysis: the importance of the context; the importance of inter-military relations; the collegiality and power-sharing with civilians; the complexity of civil-military relations, and their dependence on relations inside the military.

Our analysis starts from the assumption that despite its major role, the army is not all-powerful. It also deals with civilian forces to whom it needs to establish and legitimise its power. Although it is the only structured and organised actor with a continuity in history and in action, its role is evolving and changing. In the first two decades after the creation of the Algerian state, the role of the army was predominant. In the 1980s, however, its role was reduced—notably after its official withdrawal from the political in parallel with the opening of the country in 1989. Yet, from 1991 and onwards, the army returned quickly, and in force, to the forefront of the political scene. After the end of the "black" decade, the army returned to a role in the background, devoting itself to modernisation and professionalisation only to reappear on the political scene during the struggle to keep President Abdelaziz Bouteflika in power. Bouteflika's quest for unchallenged power and a presidency for life reactivated the army's political role and it eventually forced him to resign in the beginning of April 2019 in a context marked by the popular protest movement known as the *Hirak*.

Primacy of the Military over the Political

The primacy of the military over the political dates back to the problems faced by the leadership of the FLN/ALN (*Front de libération nationale*

/Armée de libération nationale).[279] The historical process of the war of liberation and its trajectory after the Soummam congress in August 1956, in which the military played a central role, laid the foundation for the army's takeover of the revolutionary legitimacy, and its subsequent influence on the political life in the country after independence. While the militarist danger existed in theory from the early moments of the revolution, as shown by the power struggles within the FLN/ALN,[280] the Soummam congress gave way, however, to the decision that the political realm should have primacy over the military realm. The goals of FLN/ALN's top figure, Ramdane Abane was to give the armed struggle a political character.[281] Confronted with internal power struggles and declining political authority of the FLN, the ALN, however, replaced the FLN on the ground. To "clarify the situation, both politically and militarily", the Soummam congress adopted two principles: the primacy of the political over the military and the primacy of the inside over the outside.[282] But "the political takeover [of the revolution] was only in form [because] the FLN did not have its own existence outside the ALN. The armed forces existed prior to any political organisation".[283] The two principles from the Soumman congress were therefore quickly challenged. Instead of a civilian leadership of the revolution, as proposed by Abane it was the military that took control side-lining the political leadership in the GPRA (*Gouvernement provisoire de la république Algérienne*). Hereby the threat of a militarisation of the revolution became a reality. The creation of a unified General Staff, in January 1960, entrusted to Colonel Houari Boumediene, was a further decisive step in this direction. By transforming the army units stationed outside Algeria's North African borders into a "disciplined and over-equipped corps" ready to take up the role of a classical army of an

[279] Lounici, "The Relation of the Military to Politics in the History of Contemporary Algeria", art. cit., p. 66; Yefsah, "L'armée et le pouvoir en Algérie de 1962 à 1992", art. cit., p. 78.
[280] Ibid., pp. 78-79.
[281] Lounici, "The Relation of the Military to Politics in the History of Contemporary Algeria", art. cit., p. 67.
[282] Yefsah, "L'armée et le pouvoir en Algérie de 1962 à 1992", art. cit., p. 79.
[283] Harbi, Mohammed, *FLN mirage et réalité : des origines à la prise du pouvoir (1945-1962),* Paris, Les Éditions J.A, 1985, pp. 180-181.

independent state, Boumediene created an instrument for contesting and grabbing power from the interim "Provisional Government", which took over after the French withdrawal in July 1962. The power struggles had already started in 1962, but only in 1965 the army took over control in a bloodless coup.[284] With this, and thanks to the alliance between deserters from the French army and the 'border army' the 'outsiders' managed to prevail over the 'insiders'. It was this alliance of actors that came to power after 1962, who took control of the army and who afterwards ensured a continued primacy of the military over the political.

Is it a Military Regime?

That the military holds primacy over the political does not mean that the regime in place is a military regime. Michael Löwy and Eder Sader define a military power' as "a form of state in which the military hierarchy (the body of senior and middle officers) occupies the font of the political scene, i.e. ensures control of key government positions and the top of the state apparatus (ministries, large state companies, administration, etc.)".[285] The situation in Algeria does not match this definition. Rather it describes the reality in Egypt, which Yezid Sayigh has described as "a republic of officers".[286] In a similar manner, there is a need to further qualify the nature of authoritarianism in Algeria.[287] Arguing that the Algerian regime is neither a democracy nor a dictatorship Louisa Dris-Aït Hamadouche and Cherif Dris categorise it as a semi-authoritarian regime.[288]

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[284] Yefsah, "L'armée et le pouvoir en Algérie de 1962 à 1992", art. cit., pp. 79-80.
[285] Löwy, Michael and Eder Sader, "La militarisation de l'Etat en Amérique Latine", *Revue Tiers-monde,* 17 (68), 1976, p. 858.
[286] Sayigh, Yezid, *The Owners of the Republic: an Anatomy of Egypt's Military Economy,* Beirut, Carnegie, 2019; Yezid Sayigh, "Above the State: the Officers' Republic in Egypt", *Carnegie Papers,* August, 2012. Available at https://cutt.ly/8f1nRWh [accessed 09/10/2018].
[287] Linz, Juan J., *Totalitarian and Authoritarian Regimes,* Boulder, Lynne Reiner, 2000. For his definition of authoritarian rule see p. 159.
[288] Dris-Aït Hamadouche, Louisa & Cherif Dris, "De la résilience des régimes autoritaires : la complexité algérienne", *L'Année du Maghreb,* 8, 2012, p. 281. On the electoral authoritarianism, see Andreas Schedler (ed.), *Electoral Authoritarianism: the Dynamics of Unfree Competition,* Boulder, Lynne Reiner, 2006.

With a few exceptions, Algerian military has not even in periods of acute crises taken direct control over key political positions in the government and ministries. Neither has it taken control over key positions in the senior administration or in the management of public companies. Except for the minister of the interior and positions under the minister of defence (which is held by the President), retired military personnel have rarely taken up political positions of importance. Although president Bouteflika (1999-2019) did appoint retired military personnel as ministers of the interior (Yazid Zerhouni from 1999 to 2010 and Daho Ould Kablia from 2010 to 2013),[289] the role such military personnel has played in the government in the recent decades is far less prominent than what was the case under previous presidents Chadli Benjedid (1979-1992) and Boumediene (1965-1978). Benjedid alone appointed three retirees of the ANP[290] (*Armée Nationale Populaire*) to serve as prime minister during his presidency. Since then, however, all their successors have been civilians. Algeria's two most recent presidents, Bouteflika (1999-2019) and Abdelmajid Tebboune (2019-) have both been civilians themselves. This process of rendering the regime increasingly civilian, had not, however, has a major impact on political decision-making where the army remains a major actor.

The power-sharing arrangement between military personnel and civilians has prevailed since independence. As Yefsah rightly points out, the coup d'état led by Boumediene in June 1965 did not give rise to exclusive military rule: "Having conquered the monopoly of the political decision and coercion, all while accentuating the vague demarcation between the various state institutions, the army will have the foresight to 'share' its power with civilians". As Yefsah observes: "Algerian power was politico-military in nature", ever since the from the outbreak of the revolution, even if the army

[289] Many ALN soldiers had left the army upon independence and resumed civilian life, some of whom held political and administrative positions.

[290] The two Colonels Mohamed Abdelghani (1979-1984) and Kasdi Merbah (1988-1989) as well as Lieutenant-Colonel Mouloud Hamrouche (1989-1991). Merbah (assassinated in August 1993) was the only former intelligence officer (he headed Military Security from 1962 to 1979) to hold the post of head of government.

always wanted to "remain the master of the political game".[291] The army was directly in control of politics during Boumediene's presidency (1965-1978) and during the reign of the HCE *(Haut comité d'Etat*) (1992-1995). It returned to directly control politics in 2019 siding with the *hirak* movement against the presidency. Except for these periods where it directly exercised power, the Algerian army has in the words of Steven Cook preferred to "rule but not to govern".[292] This configuration has ever since the emergence of an independent Algerian republic weakened the republic's presidents, whether they themselves had a background in civilian life or in the military. By virtue of this status, the army has in Algeria avoided being held accountable to the people. As such it has escaped a reality of the exercise of power which in other authoritarian contexts imply that an "elected" president both *responds to* the demands of the people and is held *accountable for* his/her policies to the people.

Alignment of Civilians with the Military

In his article from 2011, Lounici suggests that the tendency to exaggerate the role that the army plays in politics in Algeria might also reflect attempts by politicians to blame the military for their own shortcomings and failures. Moreover, the intervention of the Algerian army into the realm of politics is causally linked with the actions of a number of interest groups whose composition and ways of acting transcend the civil/military dichotomy. The army's role in halting the electoral process in 1992 is a case in point. This intervention into politics was not determined solely by the army's own calculations. Influential political, economic and social forces in the country had been calling for the army to intervene into the political process estimating that the FIS (*Front islamique du Salut*) posed a threat to their own interests and positions. This aligned well with the views of certain

[291] Yefsah, "L'armée et le pouvoir en Algérie de 1962 à 1992", art. cit., pp. 83, 91.
[292] Cook, Steven A., *Ruling But Not Governing: The Military and Political Development in Egypt, Algeria and Turkey,* Baltimore, The John Hopkins University Press, 2007.

military personnel and the army more generally which worried about a potential "islamist contamination" of its ranks and file. Notwithstanding the importance of the army's narrow calculations about power, the preservation of the state's institutions was a decisive factor in the decision by the army to intervene in the political process in 1992.[293]

The weakness of the politicians vis-à-vis the military had been firmly consolidated during the reign of Boumediene (1965-1978). Since the president held both political and military power and the governing single party, the FLN, had been practically demobilised, Boumedienne's presidency instilled a habit among Algerian politicians of waiting for a signal from the military[294] and a belief that only the army could pull the country out of a crisis. Indeed, during each successive crisis in Algeria history, all actors, including those political and social forces that do not wish for it to interfere in political life have turned to the army for a solution. As explained above, this was the case in the 1990s. But it was also the case during the debate about president Abdellaziz Bouteflika's two last terms in office. In the debate over Bouteflika's candidacy for a fifth term in office in 2019, various non-military actors would call for the army to trigger Article 88 of the Algerian constitution and declare Boutefilka unfit to perform the presidential duties due to his poor health. Until the emergence of the *Hirak* movement in spring 2019 changed the calculations of all actors in Algerian politics, the army refused to take this step, and its chief of staff, Lieutenant-General Ahmed Gaïd Salah, who was known to be loyal to Bouteflika presented this as an act of loyalty towards the country's constitutional framework.

Debates about the nature of the Algerian regime have tended to downplay the above outlined importance of civilian actors and forces in political decision-making leading to poorly documented claims that the regime is military in nature only. Such claims deny, however, the complex reality of power-sharing between military and civilian actors, of shifting stakes and

[293] Lounici, "The Relation of the Military to Politics in the History of Contemporary Algeria", art. cit., pp. 59-61.

[294] Ibid., p. 62.

fluctuating alliances, and of collegial power politics. In particular, the collegiality of power politics makes the analysis of decision-making processes complex. While it would be absurd to dispute that the army plays a major role in politics, it is just as wrong to reduce the role of the civilians, who are involved in the power games, to mere auxiliaries of the military or executors of the will of the military. On the contrary, these civilians have their own interests when dealing with the military. While the dominance of the military has been strong in some periods, it has not been the case throughout contemporary Algerian history. Precisely for that reason an understanding of the army's role in politics can best be established through an analysis of the evolution of its role across time and in relation to changing contexts.

With a reference to Wendt's typology of the three modes and cultures of anarchy in international relations, we would suggest that the alignment by civilians with the positions of the military in Algeria is understood as "coercion", "self-interest" and "legitimacy".[295] Coercion, because civilians know that the balance of power is unfavourable to them. Self-interest, since they profit from dealing with the military. Legitimacy, since they as most other Algerians have internalized the notion that the role of the army in the struggle for national liberation gives it an indisputable historical legitimacy and that the military due to its role as backbone of the state is the only institution capable of rescuing the country from crises. As such civilians are not mere puppets in the hands of the military. They do not only carry out the plans of the military without taking advantage. Pushing this analysis further, one could even argue that civilians are engaged in a strategy of what Jean-François Bayart calls "extraversion",[296] using their own dependence on the military as a way to general political rent, while simultaneously clearing

[295] We borrow these concepts from Alexander Wendt's typology of the three cultures of anarchy, Hobbesian, Kantian and Lockean, in International Relations, and their modes (coercion, self-interest, and legitimacy) of internalisation. Wendt, Alexander, *Social Theory of International Politics*, Cambridge, Cambridge University Press, 1999, pp. 43-44, 250.

[296] On the notion of extraversion, see Bayart, Jean-François, "L'Afrique dans le monde : une histoire d'extraversion", *Critique internationale,* n° 5, 1999, pp. 97-120.

themselves of responsibility on the pretext that they do not hold real power. In this perspective, civilian officials, who control public policies, profit from the power-sharing arrangement, regardless of its terms. The regime seems to develop subsystems within itself with complex functioning and interlinked interests, evolving independently of the central system on condition of not exceeding the limits drawn by the latter. In this sense, the notion of the primacy of the military over the political distorts our understanding of the complexity of civil-military relations in Algeria. Hence dismissing the prospect of a politically neutral army subject to civilian power, simultaneously conceals the fact that civilians also participate in the reproduction of military control.

Three Military Presidents Facing the Army

When Boumedienne in 1965 toppled Algeria's first president, Ahmed Ben Bella, he seized all powers: He became head of government and of the powerful Council of the revolution, He also assumed the post of minister of defence, which he in 1967 further strengthened by abolishing the General Staff after a failed coup d'état against him. By exercising these three functions simultaneously Boumedienne, and by extension the army, became "the supreme arbiter of all political situations". In this form of the Algerian regime nothing could be decided without the approval of the army and military security (*sécurité militaire*), and the FLN party merely served as a "political extension of the army". Over time, however, the system produced its own constraints and gave rise to a new balance of power between various interest groups—a balance that it would be risky to try to alter even for Boumediene: "While controlling them", Boumedienne was a prisoner of influential members of the Council of the revolution, the commanders of the military regions, the SM, which kept him informed, but also of the bureaucracy that managed oil rent. Boumedienne's position as supreme arbiter between these interest groups did not shield him from criticism, however discreet, within the Council of the revolution, whose members

"reproached him for being a second Ben Bella". The 1976 constitutional charter confirmed the dominant role of the army and lauded it as "a force for social change" alongside the FLN although the latter no longer existed as an independent actor. This configuration allowed the army to stay in the background of the political scene while pushing the FLN to the forefront.[297] After successfully consolidating his power by removing several influential figures from Boumediene's regime, Algeria's third president, Chadli Bendjedid (1979-1992) re-established the General Staff of the armed forces in 1984. This modified the relationship between the president of the republic (who also continued to serve as minister of Defence) and the army: It weakened the control that Bendjedid exercised as minister of Defence over the army and diluted his "personal authority" over the armed forces. As such it reduced Bendjedid's ability to arbitrate and limit factional quarrels within the military, and between officers who had originally served in the French army before joining the struggle for independence and the guerrilla unit officers from the ALN (*Armée de Libération Nationale*). As a result, the conflict between these fractions inside the army intensified. The long-term significance of Bendjedid's institutional change in 1984 was the emergence of an alternative and autonomous centre of political power within the ANP. The full implications of this only became clear during the power struggles and crises between 1989 and 1992[298] and during the reign of the HCE (*Haut Comité de l'État*). Side-lined by the charismatic leadership of Boumediene, the military had after his death in 1978, returned to collegial power management to better control the new president Bendjedid whom they had themselves chosen. The aim with this collegial management was that the new president would emerge as a new charismatic military leader who, by drawing on sources of legitimacy outside the army, would be capable of imposing his will on the army.[299]

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[297] Yefsah, "L'armée et le pouvoir en Algérie de 1962 à 1992", art. cit., pp. 84-85, 87.
[298] Roberts, Hugh, "Demilitarizing Algeria", *Carnegie Papers,* n° 86, 2007, p. 9.
[299] Dris, Nouri, "The Army, the Power and the State in Algeria: From Populist Ideology to Neo-Patrimonial State", *Siyasat Arabiya,* n° 35, 2018, pp. 37-38 (in Arabic).

When in 1989 the army withdraw from the forefront of the political scene, and its representatives left the committee and the political bureau of the FLN party, many observers thought that the army had withdrawal from political life altogether. However, the army would build autonomous links to most factions within the political class through workings of both the General Staff and the revamped SM—the DRS (*Département du Renseignement et de la Sécurité*). Army officers would also independently of the MDN (*Ministère de la Défense Nationale*), establish their own autonomous relations to the political class. This configuration, in which the army "remained discreet since its official withdrawal from public life" all while the intelligence services were deployed at various levels to infiltrate political parties and associations,[300] impacted President Bendjedid's authority[301] and increased the army's influence.

The increased power of the army was reflected in the way FIS's rise was handled. First, Bendjedid was during the government of Mouloud Hamrouche (September 1989-June 1991) convinced to cede the post of minister of Defence to the chief of the General Staff, General Khaled Nezzar.[302] Then the General Staff forced Bendjedid to quell FIS demonstrations, dismiss prime minister Hamrouche (June 1991) and to step down from the presidency of the FLN. As Hugh Roberts concludes, the ANP commanders had through this process "become an independent force in the political arena, dictating terms to the president and progressively stripping him of his prerogatives". Bendjedid's authority would further erode until the army forced him to resign in January 1992.[303]

Set up by the army as an instrument to rule the country after president Bendjedid's resignation in January 1992, the HCE was little more than an

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[300] Yefsah, "L'armée et le pouvoir en Algérie de 1962 à 1992", art. cit., p. 87.

[301] Roberts, "Demilitarizing Algeria", op. cit., p. 9.

[302] According to Khaled Nezzar, it was Hamrouche who offered him, on two occasions, the post of minister of Defence, while the appointment to this post is an exclusive competence of the president. He therefore informed Bendjedid of this proposal. Quoted in Djabi, Abdenasser, "The Algerian Case", in Mos'ad, Nevine (ed), *How Decisions are Made in Arab Regimes: Cases studies – Jordan, Algeria, Saudi Arabia, Sudan, Syria, Iraq, Kuwait, Lebanon, Egypt, Morocco, Yamen,* Beirut, Centre for Arab Unity Studies, 2010, p. 128 (in Arabic).

[303] Roberts, "Demilitarizing Algeria", op. cit., pp. 9-10.

extension of the power of the military. According to Abdeslam Belaïd, who presided over the first HCE appointed government "everyone knew that, since the disappearance of President Boudiaf [assassinated in June 1992], the HCE was no more than a registration chamber and a body of formal promulgation of decisions taken elsewhere". Initiatives for managing the country has, according to Belaïd "no other source than the circle around the minister of National Defence [Nezzar]—namely the supreme directorate of the ANP who decided, as a last resort, the affairs engaging the destiny of the country".[304] When General Nezzar in July 1993[305] formally ceded power to General Liamine Zeroual who became head of the ministry of Defence, Zeroual could not freely choose his own military staff—a situation that persisted even when he became head of state in January 1994 leading formally the HCE and serving simultaneously as minister of Defence. Instead, Nezzar has prior to leaving the post to Zeroual, appointed a former special forces' commander known for his preference for a hardliner stance against negotiations with the islamist insurgents, General Mohamed Lamari, as chief of the ANP's General Staff. "The result was a situation of dual power, with Lamari's General Staff contesting and neutralising Zeroual's authority over the armed forces, security policy, and, indeed, the political situation as a whole".[306]

In a nutshell, the experience of Bendjedid was being repeated under Zeroual: The General Staff would take control of the ministry of Defence, effectively limiting Zeroual's political room of manoeuvre. Zeroual's conflict with the General Staff and the DRS crystallised around his friend and adviser, General Mohamed Betchine, a former chief of the Central Directorate of Army Security (1988-1990) and coordinator close to the president through the newly established RND party (*Rassemblement National Démocratique*).

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[304] Abdesslam, Belaïd, *Pour rétablir certaines vérités sur treize mois à la tête du gouvernement (juillet 1992-août 1993),* pp. 186, 229. This book was available at: http://www.belaidabdesselam.com/?page_id=6#bibli [accessed 15 September 2020].

[305] Prosecuted and sentenced in absentia, in August 2020, to 20 years in prison for conspiracy against the state and disturbing public order, after Bouteflika's resignation. On the run abroad, he is the subject of an international arrest warrant.

[306] Roberts, "Demilitarizing Algeria", op. cit., p. 10.

The result of these power battles was that Zeroual, who was the first president elected in a universal suffrage in 1995, resigned in September 1997. In the elections following Zeroual's resignation, General Larbi Belkhir ensured that the military sided with Bouteflika—a civilian candidate whom the military had failed to persuade to run for president in 1995.[307] Given the role that the miliary played in placing him at the presidency, Bouteflika eventually would have to deal with aspirations and meddling from the military. Indeed, Algerian presidents since Bendjedid have had to deal with high-ranking ANP officers appointed by their predecessors or by themselves. Bouteflika would, however, exercise power in a political and economic context that until 2014/2015 allowed him so much room of manoeuvre that observers despite his chronic illness believed that his authoritarian grip on power had been consolidated once and for all. Eventually, the way in which Bouteflika structured his regime carried within itself the conditions that precipitated his downfall.

Bouteflika and the Illusion of Undivided Power

The relationship between the military and the political realms evolved considerably during Bouteflika's long presidency (1999-2019). Already in 1962, when Algeria became independent from France, Bouteflika had played a role in creating an alliance between military, commanded by Boumediene, and the politicians who stayed loyal to Algeria's first president, Ahmed Ben Bella (1962-1965). After the coup d'état against Ben Bella in 1965, Bouteflika witnessed, however, the split between the two institutional allies. After Boumediene's death in 1978, he worked to limit the power of senior ANP officers—an engagement that most likely led to his ouster from the presidential race the following year. Yet, after his election as president in 1999, he strove to succeed where he had failed in 1978.[308] His relationship with

[307] Ibid., pp. 10-11.
[308] Tlemçani, Rachid, "Algeria Under Bouteflika: Civil State and National Conciliation", *Carnegie Papers,* 7, 2008, pp. 14-16.

the military had always been ambivalent: the army had blocked him from taking over after Boumediene. But subsequently they invited him twice to head the country—in 1994 where he declined, and again in 1999 where he accepted and was elected president. In the aftermath of the 1999 election the army was internally divided in its view of his way of exercising power. In the 2004 presidential race, the General Staff took up a position against his candidacy, while the intelligence service, the DRS, was backing him. In 2013-2014, the roles had changed with the army backing Boutelifka and the DRS working against his candidacy. By skilfully manipulating these inter-military rivalries and creating alliances of convenience, Bouteflika managed to ensure a fourth mandate in 2014. During the last years of his presidency, the alliance between Bouteflika and the chief of staff of the army, Gaïd Salah, prevailed: In September 2015, the head of the DRS, General Mohamed Mediene (known as "Toufik") retired, and in January 2016 the DRS was dissolved. Ironically, Toufik would be arrested together with Bouteflika's brother, Saïd, and General Bachir Tartag under accusations of "conspiracy against the authority of the state" one month after Bouteflika's resignation in May 2019.

Upon assuming power in 1999, Bouteflika asserted his refusal to be "three quarters of a president" by expanding the prerogatives of the president and by putting the presidency at the heart of all important decision-making process. This concentration of power and the relationship Bouteflika built with the army, the head of government, and with the parliament, looked much like the system in place under Boumediene (1965-1978), with whom he had served as minister, and in some respects also that of Ahmed Ben Bella (1962-1965).[309] In 2008, Bouteflika furthermore changed the constitution to allow himself to run for a third term. While Bouteflika's ambition for the role of the presidency was great, so were the obstacles. As a product of the system himself and having come to power thanks to the army, Bouteflika knew that full control over the decision-making institutions

[309] Djabi, "The Algerian Case", op. cit., p. 90.

would require a remaking of the balance of power. Although he owed his presidency to the military and the DRS, he wished to make the presidency a centre of unchallenged power.[310] Immediately upon his election in April 1999, he started an arm-wrestling with them both, which he lost: First, he tried to appoint Zerhouni as head of the ministry of Defence. When the military refused to endorse this, he changed plans and entrusted Zerhouni with the post of minister of the Interior. This showdown lasted for nine months, and only ended when Bouteflika under pressure from the military appointed a government including also political forces outside his own power based in the FLN and the RND parties.[311] It might very well be that the idea of a super-ministry led by Zerhouni, which Bouteflika in vain tried to push through ten years later, has its origins in this early stand-off.

In spite of these setbacks, Bouteflika continued to appear confident about the outcome of these power battles: On 25 November 2009, Bouteflika described the situation to the head of AFRICOM, General William E. Ward in the presence of the chief of army's General Staff, Gaïd Salah, in the following terms: "The house is now well ordered (…) I can tell you that the army obeys civilians. It's not like Turkey at all. There is only one constitution, and all obey it. Anyone can be a candidate for an election, even a general (…) But the generals realise the difficulties, and none of them are candidates for the moment being".[312] From 2015, Bouteflika and his political entourage, seemed to be convinced that the era in which the army was "making" presidents had come to an end. Although the exceptional circumstances surrounding the emergence of the *Hirak* movement distorts our analysis of the military command's intentions after 2019, history would eventually prove him wrong. From the moment he came to power, Bouteflika worked to counter and even control the General Staff and its leader Lamari, who had accumulated

[310] Dris, Cherif, "Algeria: The Relationship Between State Institutions on the Eve of Presidential Elections", Al Jazeera Centre for Studies, 27 March 2014 – https://cutt.ly/wf1nHAf [accessed 10 September 2020]. (in Arabic).

[311] Roberts, "Demilitarizing Algeria", op. cit., p. 13.

[312] "Algérie : le cercle des généraux disparus (sous Bouteflika)", *Jeune Afrique,* 20 October 2015 – https://cutt.ly/Rf1nJdD [accessed 5 September 2020].

considerable power during the 1990s civil war. His first alliance in this power struggle was with the DRS, which in 2004 helped Bouteflika to win a second term as president that Lamari had been opposed to. In the aftermath of the election Bouteflika further reduced the influence of the General Staff by pushing Lamari to resign, and by replacing him with Gaïd Salah. This tactical alliance made the presidency and the DRS the two most influential actors at the expense of the General Staff.[313] Bouteflika also made efforts to consolidate his power by placing loyalists and political allies mostly recruited from his native region in the west of the country in key positions of the state administration, and by retaining himself the post of minister of Defence. As supreme chief of the armed forces, he gradually replaced the officers of the military command. Having entrusted the General Staff to loyal supporters, Bouteflika began to consolidate his influence over the ministry of Defence. This notably took the form of creating a post of minister-Delegate to the minister of Defence, which he entrusted to the former chief of General Staff, General Abdelmalek Guenaïzia. Bouteflika needed, however, to establish control over the powerful security apparatuses, the DRS,[314] to successfully restore power to the civilians.[315] In this endeavour he seems to have followed the approach taken by president Bendjedid in the 1980s. In 1987 Benjedid had restructured the predecessor of the DRS, then called the Military Security. With a view to reducing its influence, Bendjedid divided it into an internal and an external structure: the DGPS (*Délégation Générale à la Prévention et à la Sécurité*) entrusted to General Medjdoub Lakhal Ayat, and the DCSA (*Direction Centrale de la Sécurité de l'Armée*) entrusted to Colonel Betchine.[316] Bendjedid also reinforced the FLN's role as a "state party", which had become an important actor under his reign. In his turn, Bouteflika also strengthened the two powerful parties, FLN and RND, and he destroyed the DRS. The outcome for Bendjedid is well known: the events of 5 October 1988,

[313] Dris, "Algeria: The Relationship Between State Institutions on the Eve of Presidential Elections", op. cit.
[314] Roberts, "Demilitarizing Algeria", op. cit., pp. 11-12.
[315] Tlemçani, "Algeria Under Bouteflika: Civil State and National Conciliation", op. cit., pp. 12-13.
[316] *Journal officiel de la République algérienne,* 21 October 1987.

the emergence of radical Islam, his resignation as president, and the civil war of the 1990s.[317] For Bouteflika, the neutralisation of General Staff was not an objective. Rather it was a part of a plan to consolidate presidential power. The other part of that plan was to weaken the DRS.

One outcome of the civil war was that DRS found itself entrusted with "very extensive powers, giving it influence over the security, political and economic and even socio-cultural governance of Algeria". The security imperative during the crisis in the 1990s had also allowed the intelligence services "to take on another dimension [and to succeed] in establishing a certain balance of power with the other segment of the defence apparatus, in this case the General Staff".[318] This explains the influence of the DRS over the General Staff. Thus, it was only in 2015 that Bouteflika began to change the system that Boumediene had created by tilting the power balance in favour of the General Staff.

As the DRS had supported him against the General Staff in running for a second presidential term in 2004, Bouteflika would await a tactically more favourable moment to push back against the security apparatus. This came only after he had secured the support of the General Staff through the appointment of Gaïd Salah as Chief of Staff. The tactic is reminiscent of ways in which Boumediene managed alliances to seize power both as colonel for the liberation army ALN from 1957 onwards and as minister of Defence in the run up to the 1965 coup d'état.[319] It also reminds of the way Algeria's first president Ahmed Ben Bella ensured his power in 1962. After placing the General Staff in his fold in 2004, Bouteflika thus began to gradually counter the influence of the DRS despite owing his re-election to the agency. Unable to take control of the DRS directly, however, he tried to bypass it in 2009 with an to attempt to create "a large ministry of state security". Such a super-

[317] "Comment le DRS est devenu une coquille vide", *TSA,* 6 September 2015 – https://cutt.ly/WfInZTk [accessed 7 September 2015].

[318] Dris, Cherif "Algérie politique 2015 : mise à la retraite du général Mediene et restructuration du DRS", *L'Année du Maghreb,* n° 15, 2016, pp. 196-197.

[319] See Lounici, "The Relation of the Military to Politics in the History of Contemporary Algeria", art. cit., pp. 68-69.

ministry destined to be led by his loyal supporter, Zerhouni, and which would bring together the police, the intelligence services as well as the gendarmerie, would effectively strip DRS of its influence.[320] This approach of attaching the intelligence services to the ministry of the Interior was not new. Bendjedid had tried the same strategy, relying on these two institutions to diminish the influence of the military. Bouteflika's project did neither get support from the ministry of Defence nor from the DRS because it threatened the influence of both their services—the gendarmerie and the intelligence services. As such it could not be carried out.

Bouteflika subsequently adopted a twofold strategy. The first part consisted in strengthening the ministry of the Interior and in consolidating its security services under the pretext of enabling it to better combat terrorism and organized crime. In consequence, the ministry of the Interior expanded its influence among the country's security apparatuses, and the ranks of its police forces, which were armed with modern equipment, swelled. This was an attempt to shift "the centre of gravity of the security forces from the General Staff" of the army and the DRS "towards structures close to the presidency". This has also been a part of the plan to create a super-ministry in charge of the various security services.[321] The second part, however, consisted in gradually transferring the competences of the DRS to the army's General Staff. This strategy had a better chance of succeeding. Firstly, because it relied on the General Staff of Gaïd Salah. Secondly, because it offered Gaïd Salah an opportunity to strengthening his position against the head of the DRS, Mediene. Finally, because it did not provoke opposition from the military since it was seen as a shift of prerogatives within the army, rather than the creation of a new entity beyond its control. Bouteflika thus began to implement this strategy from 2013.

This second part of Bouteflika's strategy consisted in dissolving the DRS. This was a complex and difficult mission given that the DRS unlike the army

[320] *Quotidien d'Oran,* 25 June 2009.

[321] Dris-Aït Hamadouche & Dris, "De la résilience des régimes autoritaires : la complexité algérienne", art. cit., p. 285.

enjoyed wide-ranging influence within state institutions and in society. During the struggle Bouteflika's illness gave the DRS some leeway: The agency would disclose information on corruption cases involving relatives of the president, and it would open investigations into cases involving corruption, embezzlement of public money in various sectors (energy, public works, etc.). This forced the president to part ways with some of his close ministers including Chekib Khelil (Energy minister), Zerhouni (minister of Interior), and Abdelmadjid Temar (minister Investments). But it did not undermine his influence. The circle of supporters around the president, particularly Amar Saïdani, whom Bouteflika had appointed as the head of the FLN, was, on its part, responsible for multiple attacks on the head of the DRS in the media. In 2013 Bouteflika went in action with support from the Chief of General Staff Gaïd Salah, whom he appointed Deputy minister of Defence and entrusted with the management of the High Military Committee which oversaw the promotion and the retirement of senior ANP officers, including those of the DRS. In September 2013, Bouteflika put the DRS Communication Directorate under the General Staff and dissolved the Judicial Police Service of the DRS, which had been responsible for investigating corruption cases.[322] A Judicial Investigation Service was re-established in June 2014, and became attached to the Directorate of Internal Security, which now depended on the General Staff.[323]

In 2013, the political and media debate in Algeria had initially focused on Bouteflika's illness and some voices had called for him dismissal under Article 88 of the constitution on grounds of failing health. Instead, however, the debate shifted back to focus on the army, especially the DRS, which was accused, among other things, of wanting to side-line Saïd Bouteflika, the

[322] Dris, "Algeria: The Relationship Between State Institutions on the Eve of Presidential Elections", op. cit., The position of vice-minister of Defence existed already at the time of Bendjedid. It had been occupied in the 1980s by Colonels Abdallah Belhouchet and Kasdi Merbah.

[323] The judicial officers of this new army service carry out their activities under the supervision of the Attorney General, in compliance with the provisions of the Criminal Procedure Code and the Criminal Code (as was the case at the time of the DRS). Presidential Decree n° 14-183 of 11 June 2014 on the creation, missions and organisation of the judicial investigation service of the Directorate of Internal Security of the Department of Intelligence and Security, *Journal officiel de la république algérienne,* 12 June 2014.

president's brother and advisor.[324] This successful media operation by the President's supporters took place at the end of Bouteflika's third and the beginning of his fourth term in office and occurred in parallel with the dismantling of the DRS. This dismantling itself took almost two years and can be divided into five milestones: First, the enforced retirement in 2013 of some of DRS' influential officers close to its chief Mediene. Second, the attachment in 2013 of some DRS sub-structures to the General Staff and the dissolution of other. Third, the side-lining, in 2015, of the senior officers who had been appointed in place of those retired in 2013. Fourth, the retirement in September 2015 of DRS' chief over the past 25 years, Mediene. Fifth, the dissolution of the DRS in January 2016.

The last two milestones would send shockwave through the political and media milieus. The attachment of the DCSA (*Direction Centrale de la Sécurité de l'Armée*) of the DRS to the General Staff in September 2013 was, however, the real kick-off for the dissolution of the DRS both due to its importance for the DRS and due to the changes it would later undergo under the General Staff. By broadening its prerogatives, restructuring, and enhancing some of its services, the General Staff wanted to turn the DCSA, which had recovered almost all of the competences of the DRS, including the accreditation of foreign journalists, into a "real intelligence service, more important than the DRS".[325] Together with the dissolution of the Economic Intelligence Service, the dissolution, in August 2015, of the GIS (*Groupe d'Intervention Spécial*)—an elite counter-terrorism unit under the DRS, whose members were distributed across the various structures of the army—constituted another key event in the disappearance of the DRS.[326] The GIS was replaced in early 2016 by the GOSP (*Groupement Opérationnel Spécial de la Police*) attached to the DGSN (*Direction générale de la sûreté*

[324] Martinez, Luis, "Interest Groups in Non-Democratic Regimes", in Martinez and Boserup, *Algeria Modern,* op. cit., p. 21.

[325] "Restructuration des services secrets : comment la DCSA a supplanté le DRS", *TSA,* 12 August 2015. Available at https://cutt.ly/9f1mne3 [accessed 12 August 2015].

[326] Dris, "Algérie politique 2015 : mise à la retraite du général Mediene et restructuration du DRS", art. cit., p. 190.

nationale). Through this process, Bouteflika succeeded with the help of the General Staff in creating the type of DRS "bis" that he had worked for since 2009, while delivering a fatal blow to the "historic" DRS.

In 2016 Bouteflika appointed General Bachir Tartag as head of the newly created CSS (*Coordination des Services de Sécurité*). The CSS was attached to the presidency and created to supplant the dissolved DRS. The CSS consists of three directorates: Internal Security, External Security and Technical Intelligence.[327] It was, however, a far less powerful institution that the DRS had been since most of the powers of the former DRS had been transferred to the General Staff, which now controlled the Algerian intelligence community. As such the agency would not be of any help to Bouteflika when he faced the massive crisis provoked by the *Hirak* in 2019.

The End of the DRS

As Dris pointed out already in 2015, the General Staff's absorption of the prerogatives of the DRS reflected "the upheaval in the balance of power in the military-security order to the benefit of the army. An upheaval accelerated by the fourth [presidential] term".[328] The simple transfer of prerogatives combined with the reproduction of the same structures and patterns signified, however, that the political role of the intelligence services had changed hands but not necessarily function.

The two years long process of dismantling the DRS may seem to lend credibility to the thesis that Bouteflika seized power at the expense of the military. In reality, the dissolution reinforced certain aspects of the role of the DRS. Indeed, for Bouteflika the problem with the army had never been its political role. Rather it was its opposition to him remaining in power. It is in this light that we shall see Bouteflika's readiness to extend the prerogatives of the General Staff. Hence what might appear as a de-politicisation of the

[327] He was dismissed in March 2019 before being arrested.

[328] Dris, "Algérie politique 2015 : mise à la retraite du général Mediene et restructuration du DRS", art. cit., p. 190.

army under his reign masks a strong politicisation of this institution implemented in alliance with the General Staff under the commanded of Gaïd Salah, who tellingly came to dominate the political and media scenes from 2013 until his death in late December 2019.

Bouteflika and his entourage tried to reconfigure the balance of power by using the DRS to neutralise the General Staff and depoliticise its role. But these were only intermediate objectives. The long-term goal was to centralise the decision-making process in his own hands. From this perspective, the DRS was to become a technical service again. The strategic stake of these readjusted alliances was a "consolidation of a regime where the domination of the individual takes precedence over that of the institutions". As Dris points out: Side-lining the head of the DRS, "apparently sanctifies the primacy of the institution over that of the individual, [but it] is, in fact, the expression of a deep crisis within a political regime, in constant search of legitimisation".[329]

Bendjedid's resignation as president in 1992 had together with the security crisis in the 1990s allowed the decision-making centres, the General Staff and the DRS, to accumulate considerable influence. The presidency found itself in a weakened position and cooperation had grown almost exclusively military-military. Bouteflika attempted not to restore the military-civilian cooperation of the past, but to reverse the situation, with the ambition of giving pre-eminence to the presidency, and therefore to civilians, to the detriment of the two military decision-making centres. His objective was not sharing power with the military or balancing civil-military relations with a view to establishing the primacy of the civilian over the military. Rather he aimed to concentrate power in his own hands. He first exploited the rivalries between the General Staff and the DRS to secure support from the General Staff, before dismantling of the DRS. In doing so, he made the General Staff a political colossus that he could not match himself. The *Hirak* movement in 2019 offered the army an unexpected opportunity to get rid of Bouteflika and

[329] Ibid., p. 198.

to avert internal divisions. When Bouteflika's entourage tried to counter the plans of Gaïd Salah's General Staff to ouster them from power by reaching out to Mediene through Saïd Bouteflika, it was already far too late.

In the long run Bouteflika's strategy of breaking up the DRS turned out to be counterproductive. It reinforced the General Staff, which in April 2019 pushed him to resign in. Having come out as the stronger part of the confrontations in 2019, the General Staff is likely to further increase its power under Bouteflika's successors who no longer can rely on a rival structure like the DRS to exploit inter-army rivalry. Seeking to reinforce his power by personalising his fight against the DRS, Bouteflika ended up giving more political weight and influence to the General Staff of the army.

The military chiefs who appointed Bouteflika to head the country in 1999 could hardly have imagined how quickly they would come to regret the decision.[330] But neither could Bouteflika have imagined that by dismantling the DRS, to the benefit of the General Staff, would become fatal to him. Although he was known to be politically astute, Bouteflika clearly lacked judgment and realism. He underestimated the resilience of the military and the importance they accorded to the collegiality of power. No longer able to play on rivalries within the army, he lost the competition that had served him well in 2004 and in 2013-2015.

The restructuring of the DRS has also had an impact on the counter-terrorism apparatus themselves. In particular the dissolution of the GIS—a strategic, well-trained and experienced unit, which had been in charge of the Algerian intelligence community in the combat against terrorism—has taken a toll.[331] By depriving the DRS of the GIS, its strike force in the fight against terrorism, and by destabilising and attaching the DSI (*Direction de la sécurité*) to the General Staff, Bouteflika undermined the two key instruments in Algeria's anti-terrorism efforts.[332] These changes have had an

[330] Tlemçani, "Algeria Under Bouteflika: Civil State and National Conciliation", op. cit., p. 12.
[331] Dris, "Algérie politique 2015 : mise à la retraite du général Mediene et restructuration du DRS", art. cit., pp. 191-192.
[332] *El Watan,* 10 August 2015.

impact on the functioning of the involved institution. The investigation into the attack in 2013 at the oil facility in Tigentourine, for instance, was delayed following Bouteflika's decision to suppress the Judicial police service of the DRS. This resulted in “a breakdown in communication between these officers and the judiciary”.[333] The restructuring of an intelligence service is not a problem *per se*. It is the fact of carrying out such a restructuration according to a political rationale rather than a security rationale that is problematic. In dismantling the DRS, Bouteflika did not have sufficient consideration for the best interests of the state and the principle of the civil state. The dissolution of the GIS, the elite unit specialising in the fight against terrorism, indicate the primacy of immediate political interests over those of the state.

When seeking to justify the dismantling of the DRS and the side-lining of its leader Bouteflika’s supporters have ever since 2013 evoked the merits of a civil state. But in fact, the process was put in motion to preserve a presidency for life for a man with increasingly failing health. In addition, Bouteflika’s chief of General Staff officially and ostentatiously expressed supported to his fourth term threatened opponents of the Bouteflika’s fourth term that the army would otherwise act. In short, the merits of the civil state, which is by no means synonymous with a democratic state was used to keep Bouteflika in power regardless of the opposition.

By simply transferring prerogatives such as accreditation for journalists and advertising from the DRS to the General Staff, Bouteflika's regime reproduced the same pattern of control[334] without introducing a political openness. The logic of the civil state, however, required that the accreditation of foreign journalists be entrusted to the ministry of Foreign Affairs. In this way Bouteflika's civil state was a continuation of authoritarianism by other means, to paraphrase Clausewitz. In terms of authoritarian practices, nothing had changed. Even if the presidency scored

[333] *El Watan*, 22 January 2016. Available at https://cutt.ly/DgvRxIX [accessed 22 January 2016].

[334] Dris, “Algérie politique 2015 : mise à la retraite du général Mediene et restructuration du DRS”, art. cit., pp. 191-192.

points against the army, especially the DRS, it did not change the authoritarian structure of the regime. In fact, there was a direct correlation between the strengthening of Bouteflika's powers and the exacerbation of authoritarianism. The military-military and civil-military rivalries were not about political openness. They were about sharing or concentrating power. The only area that has escaped this pattern is the ISTN (*Interdiction de sortie du territoire national* - the ban on leaving the national territory). Previously left to the discretion of the security services (military and civilian), it now falls under the jurisdiction of the judiciary (prerogative of the public prosecutor),[335] even if the judiciary cannot be considered fully independent. In this regard, the number of ISTN has exploded during and after *Hirak*.

Finally, the dismantling of the DRS, correlated with the fast rise of the "financial cartel" linked to the presidential entourage. Bouteflika seemed to be inspired in part by the Mubarak's Egypt where an alliance had formed since the 1980s between the regime protagonists and a "business community". Unlike the Egyptian case, however, he worked to reduce the influence of the army. Benefiting in all opacity from state credit lines, public contracts, and redistributed rent, this "financial cartel" acquired control over entire sectors of the economy and became important in the political arena. Bouteflika used this actor group to gain autonomy from the army. In his quest for power, he has thus made use of various levers: instrumentalisation of the rivalry within the army, redistribution of state rent, creation of a "financial cartel", as well as the creation of political alliances with the major political parties—FLN and RND—and their extensions in the UGTA *(Union générale des travailleurs algériens*), the religious *zaouïas* etc. The objective was twofold: putting an end to the collegiality of power and to assign a civil stature to the authoritarian regime. The reaction of the General Staff against the president and his entourage can also be explained as a reaction to Bouteflika's attempt to destabilise this balance of power. In this perspective, the gradual consolidation of the army's role in the economy also seems to

[335] Ordinance no. 15-02 of 23 July 2015 amending and supplementing Ordinance no. 66-155 of 8 June 1966 on the Code of Criminal Procedure. *Journal officiel de la république algérienne,* 23 July 2015.

be part of a tactics aimed at countering the influence of the “financial cartel”. Before examining this aspect, we must, however, briefly examine the rupture that occurred within the regime during the dismantling of the DRS.

A Rupture Within the Regime

The retiring of generals and other ANP officers that began in 2013 has continued until well after the election of president Tebboune in December 2019. Together with the trials of high-ranking military personnel, ministers, and businessmen associated with Bouteflika’s regime[336] they reveal that the conditions and rules of rivalry and power struggles inside the Algerian regime have changed. The military has for decades observed a certain restraint in such rivalry—a threshold of “minimal solidarity with the corps”. This has ensured that winning a power struggle will not go beyond forcing the opponents to early retirement and marginalisation. The practice, which dates to the time of Bendjedid,[337] stands in contrast to the norm under Boumediene. Bouteflika, however, broke with this practice.

Two factors were driving this rupture. First Bouteflika’s will to stay in power. Second Gaïd Salah's support to Bouteflika. Gaïd Salah had come to see the opposition from some members of the military establishment to a fourth term in office for Bouteflika as an implicit criticism of the General Staff and as a challenge to his own alignment as head of the army with the president and his supporters. In response Bouteflika and Gaïd Salah used retirement as a weapon against dozens of senior ANP officers, especially from 2013 onwards. This did not, however, silence their opponents. Once presidency

[336] Officers who were stationed and others who are retired are in prison, while others are on the run. Among the jailed civilian officials, two former heads of government (Ahmed Ouyahia and Abdelmalek Sellal) and many Bouteflika’s ministers, while another minister is on the run. The great figures of the business community close to the presidential circle are also in prison. This wave of arrests affected ANP senior officers, in the wake of the dismantling of the DRS, as well the chief of the DGSN, General Abdelghani Hamel, dismissed at the end of June 2018 and arrested a year later.

[337] The case of General Mostefa Belloucif is the exception that proves the rule. Chief of Staff from 1984 to 1986, he was the first to occupy this post, which had been abolished in 1967. After being the subject of certain charges, notably of embezzlement in 1989, he was arrested in May 1992. Sentenced to 20 years in prison in 1993, he was amnestied by President Zeroual.

and the General Staff had prevailed in the struggle with the DRS, the judiciary was roped in to operate at full speed. Judicial cases were opened against both serving officers and those in retirement. Often dismissal was followed by arrest. To silence senior retired ANP officers, who were involved in the public debate and had openly criticised the president and/or the General Staff, the judicial system was co-opted to ensure arrest and imprisonment. Two retired generals paid the price for their divergent opinions through such judicial resort: Hocine Benhadid, who was arrested twice before being released, rehabilitated and finally exonerated, [338] and Ali Ghediri who was arrested and imprisoned after running for president in the (later cancelled) April 2019 presidential elections.[339] The eve of the December 2019 presidential elections, the rules regulating retired officers' involvement in politics were also further tightened with the insertion of a new article prohibiting retired military from engaging in political activity for a period of five years.[340] Finally, the new practice may also reflect the calls from supporters of the *Hirak* movement for an end to impunity. In that context the new practice of prosecuting retired civilian officials and military officers also served to hone an image of a state capable of delivering justice.

Economic Role of the Army

For decades after independence, Algeria did not have a military industry. The exception was the production of speedboats, under license from Brook Marine during the 1980s, the construction of small boats for the protection of Algeria's fishing waters, some landing vessels and a small munitions

[338] Having publicly criticised president Bouteflika and his circle, Benhadid was arrested in 2015, for "undermining the morale of the army", then in 2019. Released in January 2020, he was rehabilitated by the army in July (invited to the ceremony of the ANP officers in the presence of the new chief of Staff, Lieutenant-General Saïd Chengriha) and was exonerated, at the beginning of November, by the courts.

[339] Retired ANP officers who are arrested are generally accused of contempt of the corps, undermining army morale and state security. As for those arrested while in office, they are accused of forgery and use of forgery, bodily harm, possession of a firearm, corruption, etc.

[340] Law no. 19-11 of 11 December 2019 supplementing Ordinance no. 06-02 of February 29, 2006 on the general status of military personnel. *Journal officiel de la république algérienne,* 18 December 2019.

production.[341] In a study from 1992, Yezid Sayigh noted that the creation of a military industry could help the preservation of foreign currency reserves and boost the development of local industrial capacity and skilled labour. In his view it could also help Algeria make better use of its oil and gas income, and to better exploit various industrial sectors, such as the mechanical industry.[342] This approach seems today to have been adopted by the Algerian military leadership.

Growing at ever faster rates, the Algerian military budget[343] has almost doubled in ten years from 5,368 billion dollars in 2010 to 10,334 billion dollars in 2019.[344] Three factors have been driving this development: A doctrine of security independence which dictated that Algeria should be able to provide for its needs without any foreign support; an imperative to catch up with a deep delay in upgrading, modernisation and professionalisation of the armed forces; and an increasing regional instability generated by the crises in Libya and Mali.[345] The colossal military budget is beyond any civilian control. It is doubtful, however, how much any civil control by authorities who themselves operate in opaque manners would ensure transparency: could a deputy, who has bought a seat in parliament for millions of dinars, exercise any meaningful control over the military budget? There is one historical exception, however: the parliamentary session held in Algeria's lower house, the People's National Assembly, in August 1991, to discuss the military programming law for 1991 to 1997 presented by then minister of Defence, General Nezzar.[346] It was a one-off experience, however, in Algeria's modern history. This complete lack budget transparency combined with the

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[341] Sayigh, Yezid, *The Arab Military Industry,* Beirut, Centre for Arab Unity Studies, 1992, pp. 287-288 (in Arabic).

[342] Ibid., p. 288.

[343] For an analysis of the determinants of its evolution, *cf.,* Abdennour Benantrar, "Problematic of Armament in the Maghreb", *Algerian Review of Political Sciences and International Relations,* 3, 2014, pp. 31-62 (in Arabic).

[344] SIPRI, available at https://cutt.ly/Bf1eni9 [accessed 24 September 2020].

[345] Abdennour Benantar, "Sécurité aux frontières : portée et limites de la stratégie algérienne", *L'Année du Maghreb,* n° 14, 2016, p. 149.

[346] Abdennour Benantar, "La sécurité nationale algérienne dans les années 90 : entre la Méditerranée et le Sahara", *The Maghreb Review*, 18 (3-4), 1993, p. 161.

multiple corruption scandals, casts deep doubts on the management of funds and public contracts.

Over the past decade, the military high command has been developing military industry. The aim of this has primarily been to reduce strategic dependence in armaments and expenditure, and to boost job creation. The Directorate of military industries under the ministry of Defence has embarked on a military industrialisation strategy that increases partnerships at the national and international level. According to ANP staff, the military industry aims primarily at attaining self-sufficiency for the army, security bodies, and the national public enterprises. Beyond that it furthermore aims at contributing to the development of the industrial sector of the country.[347] Starting from 1984, the Algerian army also embarked on a broad modernisation and professionalisation programme.[348]

Algeria is developing a technological and industrial base through strategic alliances in the field of small arms and light weapons. The two main actors in the country's defence industry are the GPIM (*Groupement de la promotion de l'industrie mécanique*) and DFM (*Direction des fabrications militaires*). The main field of industrial activity in this sector is the manufacture and assembly of different types of vehicles for military and civilian use through partnerships with foreign companies such as Mercedes. In August 2016, the Algerian ministry of Defence and the Italian firm Leonardo signed an agreement to produce Agusta Westland[349] transport,

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[347] See http://www.mdn.dz/site_principal/index.php?L=fr#undefined [accessed 10 September 2018].

[348] The professionalisation policy aims to respond to the challenge posed by the reduction in the size of the armed forces by rationalising resources management and seeking to optimise military action. William Genieys, Jean Joana & Andy Smith, "Professionnalisation et condition militaire : une comparaison France/Grande-Bretagne", Centre d'études en sciences sociales de la défense, Ministère de la Défense (Paris), janvier 2000, p. 24. The ANP is an *armée professionnelle,* modernized both in terms of training and equipment, but not an *armée de métier*. It continues, in fact, to be based on a mixed mode of recruitment: active and conscription, however are more important, particularly in the air and naval forces. Initially 24 months, national service was reduced to 18 and then to 12 months. The reduction in its duration could have continued if regional instability had not set in over time.

[349] See https://www.mdn.dz/site_principal/sommaire/presentation/histoire3_fr.php [accessed 20 September 2020].

evacuation, and surveillance helicopters.[350] Today, the army's industrial base consists of 14 companies operating in mechanics, electronics, explosives, munitions, chemical industries, textiles, construction, etc. It enjoys the status of "Public establishments of an industrial and commercial nature, belonging to the economic sector of the People's National Army",[351] which signify that its production is intended for the army, state services, and the local market. Current industrial projects involve the manufacturing of military transport vehicles, armoured vehicles, mixed-use vehicles, trucks, electronic equipment, ammunition, explosives, light weapons, textiles, etc. This industrial base was strengthened in July 2019 with the creation of the Technical Systems Development Establishment, a public industrial and commercial entity under the ANP. This entity "is responsible for the studies, design, engineering and manufacture of specific weapons and ammunition systems".[352] The mission assigned to this latest addition to ANP's industrial network seems to reflect an ambition to manufacture more developed weapons systems. The ministry of Defence is also developing a local industry in certain strategic sectors, such as reconnaissance drones to complement the current stock of Chinese-made combat drones. Despite the increased modernisation of the Algerian armed forces, certain segments remain challenging. A case in point is the air force, where several military transport planes have crashes due to outdated equipment. Furthermore, this military industry is still in its nascent phase and it is likely that it will take time before it is capable of delivering more expensive and more complex weapons such as fighter aircrafts or missiles.

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[350] Gaub, Florence and Zoe Stanley-Lockman, "Defense Industries in Arab States: Players and Strategies", *Chaillot Papers,* 141, 2017, p. 65. Available at https://cutt.ly/Sf1nfH3 [accessed 10 September 2018].

[351] These companies are also listed in the decree published in June 2017, i.e. a year and a half after the dissolution of the DRS, which provided for the replacement of the representatives of the DRS on the boards of directors of these establishments by those of the DCSA (attached to the General Staff). Presidential decree n° 17-199 of 15 June 2017 modifying the composition of the boards of directors of public establishments of an industrial and commercial nature falling within the economic sector of the ANP, *Journal officiel de la république algérienne,* 29 June 2017.

[352] Presidential decree n° 19-2000 of 11 July 2019 creating the establishment for the development of technical systems, *Journal officiel de la république algérienne,* 19 July 2019.

It remains to be seen whether the current policy will give the Algerian army a place in the economy comparable to the dominating role that the army plays in Egypt's economy under Hosni Mubarak and Abdel Fattah al-Sisi.[353] While the Egyptian army has benefited from privatisation policies, the army in Algeria is, however, developing partnerships with public enterprises while also taking control of some enterprises on the brink of bankruptcy. According to the ministry of Defence, the military industry is developing in the textile sector thanks to a partnership between the Directorate of Military Industries (ministry of Defence) and publicly driven textile companies saved from bankruptcy.[354] The army's mechanical industrial capacity has also increased following the takeover in early 2020 of the financially troubled SNVI (*Société nationale des véhicules industriels*) by the Directorate of Military Defence Industries[355] in early 2020.[356]

It seems that ANP's takeover of financially troubled enterprises is a way for the army to counter the rising influence of the business and finance "cartel" that is said to have grown strong under Bouteflika's presidency. Already in 2011, Lounici argued that the rising influence on the presidential clan which some businessmen were acquiring under Bouteflika could allow them to grow into a political force capable of replacing the army as president makers.[357] The rise in power of this "financial cartel" based on public money

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[353] For an analysis of the Egyptian case, see Sayigh, *The Owners of the Republic,* op. cit., Zeinab Abul-Magd, *The Army, Business and Revolution in Egypt,* New York, Columbia University Press, 2017. For a comparison of the military's economic involvement in four Arab countries (Egypt, Sudan, Tunisia and Algeria), in connection with economic liberalisation, *cf.,* Khalid Osman Alfeel, "Economic Liberalization Policies and their impact on civil-military relations: selective Arab cases", *Siyasat Arabiya,* 44, 2020, pp. 36-56 (in Arabic). This article, very rich in terms of the Egyptian and Sudanese cases, provides very little information on Algeria, limited to the business world linked to the clans in power, and does not mention the aspects analysed in this chapter.

[354] *Echoroukonline,* 14 March 2018. Available at https://www.echoroukonline.com/ara/articles/551591.html [accessed 15 March 2018] (in Arabic).

[355] *El Watan,* 18 February 2020, available at https://cutt.ly/Tf1nmB5 [accessed 20 February 2020].

[356] It should be noted that the SNVI—once the flagship of the mechanical industry in Algeria—was already a partner of the ANP in the Mercedes project. 51 percent of the capital of this Mercedes vehicle manufacturing company is held by the two Algerian companies, one military (Algerian company of heavy goods vehicles dependent on the Ministry of Defence), the other civilian (SNVI), and 49 percent by an Emirati company.

[357] Lounici, "The Relation of the Military to Politics in the History of Contemporary Algeria", art. cit., p. 64.

and privileges accorded by the president certainly alerted the army. Indeed, it is likely that the army's involvement in the economy as an institution served to reduce the involvement of certain civilian and military officials in the economy. It is worth mentioning in this context, that Gaïd Salah in 2017 did lend support to then prime minister, Tebboune, when he confronted representatives of the "financial cartel", even if the latter prevailed and Bouteflika removed Tebboune from the post as prime minister less than three months after his appointment. Following Bouteflika's resignation in 2019, however, several influential members of the "financial cartel" were arrested and prosecuted as part of the "war" on the "gang" surrounding Bouteflika declared by the authorities. It seems, thus, that the army has become a leading economic actor who will contribute to local job creation and import reduction.

The Military's Structural Dilemma

The role that the Algerian army plays in politics, society and economy forces it to balance between two irreconcilable logics. This was particularly clear in the debates surrounding Bouteflika's candidacy for a fourth (2014) and fifth (2019) presidential terms. The debates revealed a deep divide between two opposing camps in Algeria: On the one hand, one found opposition parties, associations, intellectuals, academics, etc. who called for the application of Article 88 of the constitution to declare Bouteflika unfit to exercise his functions for health reasons. On the other hand, one found members of the president's inner circle, his supporters, and intermediaries in loyalist political parties like FLN and RND, in UGTA, *zaouïas*, associations, and members of the "financial cartel". They defended Bouteflika's right and ability to exercise power and called for respect for the constitutional framework, for a civil state, and for a decreased role of the DRS in political life. These political forces, however, called for the army to play the role of arbiter in their conflict. The former demanded that the army should push Bouteflika to leave. The latter demanded that it should ensure his right to a life-long presidency. In

the absence of democratic institutions and procedures to regulate these conflicts, the army will remain locked in such uncomfortable dilemmas when crisis emerge: If it intervenes, it is accused of usurping power, or of conducting a coup d'état. If it does not intervene, it is criticised for failing in fulfilling its role of guarantor of state institutions—albeit the mere act attributing it a role as guarantor of state institutions provides it with political legitimacy and opportunity.

Without the *Hirak* movement the army is likely to not have pushed Bouteflika to resign. The General Staff was in favour of Bouteflika's candidacy, and a military intervention would have been difficult to justify internationally. Furthermore, the army had for several years been aiming to professionalize, modernize and withdraw from political life. It remained unprepared to challenge its own narrative and tarnish the image it had carefully built of itself as a modern army. Bouteflika was aware of this, counted on it. The attempt by Bouteflika and his entourage to assume full power and to secure a lifelong term for the president was, however, another major factor behind the army's return to the forefront of the political scene. Finally, Bouteflika's illness made the task easier for his opponents in the wake of the *Hirak* movement. As paradoxical as it may seem, the *Hirak* movement put the army back at the centre of the political game.

The Weight of History

Despite criticism for interfering too much in political life or, on the contrary, not doing enough to help the country out of its crises, it seems that the Algerian army continues to enjoy a good reputation among Algerians. Until recently there were no credible surveys to help researchers assess the level of confidence that Arab citizens had in their institutions (government, army, justice, police, intelligence agencies, etc.). This lack was addressed in 2006 with the publication of the *Arab Barometer*,[358] and in 2011, with al-*mu'ashir*

[358] The Arab Barometer (https://www.arabbarometer.org) has been carrying out broad opinion polls in the Arab world since 2006.

al-araby (*Arab Opinion Index*), launched by the *Arab Center for Research & Policy Studies* (Doha).[359] The various editions of the *Arab Opinion Index* show that the armed forces enjoy unparalleled confidence among Arab citizens. In 2019-2020, 88 percent of Arab respondents generally declared that they trusted their armed forces.[360] The results of the *Arab Opinion Index* and the *Arab Barometer* surveys are close. As for Algeria particularly, they were practically identical in 2016: 76 percent of Algerian respondents responded having confidence in the army according to the first, and 74 percent according to the latter.[361]

The *Arab Opinion Index* surveys furthermore reveal that confidence in the army has been high in Algeria across time,[362] with a noticeable drop in 2012-2013 when trust reached its lowest level at 55 percent. This rate subsequently returned to its usual high levels, reaching 81 percent in 2014. The substantial deviation in 2012-2013 can probably be explained by the beginning of the Arab Spring and its aftermath. Possibly, Algerian citizens feared a forceful intervention of the army in the case of a popular uprising as was the case in Egypt. But with the unrest that followed in Libya, Syria and elsewhere, the level of confidence rose again. Put differently, it was the regional context that prompted the Algerian respondents to regain confidence in the army. In addition, the army enjoys record levels of trust, unlike other institutions (government, intelligence agencies, police force, etc.). The army leads substantially, followed by the intelligence services, which also enjoy high

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[359] It is an annual field survey covering various political, economic and social issues, carried out in Arab countries, the first of which dates back to 2011 (sample of 16,192 respondents spread over 12 countries). The sixth survey was conducted between December 2017 and April 2018 (sample of 18,830 persons from 12 countries) and its results were published in 2019. See https://www.dohainstitute.org/ar/ResearchAndStudies/Pages/Arab-Index2017-2018-FullReport.aspx [accessed 20 September 2020] (in Arabic). The seventh survey was conducted in 2019-2020.

[360] Results of the *Arab Opinion Index* 2019-2020. See https://www.dohainstitute.org/ar/Lists/ACRPS-PDFDocumentLibrary/Arab-Opinion-Index-2019-2020-Inbreef-Arabic-Version.pdf [accessed 7 October 2020] (in Arabic).

[361] "How do Algerians assess public institutions and to what extent are they interested in politics?" (www.arabbarometer.org). Available at https://cutt.ly/ShcRew7 [accessed 15 October 2020] (in Arabic); Results of the *Arab Opinion Index* 2019-2020. The author thanks the *Arab Center for Research and Policy Studies* for making its reports available.

[362] Results of the *Arab Opinion Index* (2011, 2012-2013, 2014, 2015, 2016), Arab Center for Research and Policy Studies.

levels of trust—the highest of which (69 percent) was recorded in 2014. The following year it fell to 56 percent. These rates indicate that Algerian respondents trusted their intelligence services and thus were inclined not to support Bouteflika's confrontational policy towards them. In comparison, the government enjoys far less trust that the security institutions, even if its level of trust rose from 34 percent in 2012-2013 to 64 percent in 2014. In 2016, however, this had dropped again and now 76 percent of respondents said they trusted the army, 56 percent trusted the intelligence services, and 46 percent the government. Although this data cannot be taken at face value, it does provide an indication of the general attitude of Algerians towards the armed forces.

The attitude of Algerian interviewees can partly be explained by the history of the armed forces especially during the crisis of the 1990s. It is also, however, the result of a historical narrative that for decades has shaped the policy of the Algerian regime which informs and shapes the collective imaginary of the Algerians through school textbook material and mass media.

By forming a narrative that skips part of the historical evidence and highlights other, the ANP has defined itself as the "worthy heir" of the ALN.[363] This position has, in turn, allowed the ANP to justify and legitimise its power. Analysing the history of the Algerian revolution as conveyed in Algerian mass media and school textbooks, Lounici concludes that the regime has neglected accounting for the political struggle and the diplomatic action that supported the quest for independence: Instead it presents the revolution as a purely armed struggle and merge the history of the country with that of the militant revolution: "The objective of all this is to give the military institution historical and revolutionary legitimacy", or even a sacred character, Lounici observes. As a result, the Algerian people consider that they owe their survival to the army, which liberated the country without distinguishing between the interior mujahedin and the border army.

[363] The declarations emanating from the military command and the ministry of Defence refer to this expression used in the preamble of the constitution.

Drawing on Marcel Gauchet's research on the notion of the "debt of meaning",[364] Lounici concludes that in Algeria: "the people do not have the right to hold it [the army] accountable since they owe it their survival, the country's independence and well-being".[365] The constitutional amendment of 2016 introduced a new passage in its preamble, which alludes to this "debt" of the people to the army: "worthy heir" of the ALN, the ANP "takes up its constitutional mission with exemplary commitment (...) whenever national duty so requires. The Algerian people nourish a pride and a legitimate recognition in the locus of its People's National Army, for the preservation of the country against any external threat, and for its vital contribution to the protection of citizens, institutions, and property, against the scourge of terrorism, all of which contribute to strengthening national cohesion and the consecration of the spirit of solidarity between the people and their army".

Conclusions and Perspectives

The present examination of the political role of the army in Algeria, and of civil-military relations more broadly, allows us to draw some general conclusions. *First*, in contrast to what many seem to believe, the primacy of the military over the political has no absolute validity in Algeria. Rather, it is a phenomenon that occurs more pronouncedly in times of crisis. While we cannot deny the preeminent role of the army, nor can we reduce all politics to the making of the army: The army, for instance, does not control public policies. *Second,* the outcome of rivalries and power struggles between the presidency and the military are primarily determined by rivalries within the army regardless of whether it is a civil or a miliary person who serves as president. *Third, i*n the conflicts between the presidency, the General Staff

[364] See Gauchet, Marcel, "La dette du sens et les racines de l'État – politique de la religion primitive", *Libre,* 2, 1977, pp. 5-43. Gauchet returns to this notion in his work *La condition politique,* Paris, Gallimard, 2005.
[365] Lounici, "The Relation of the Military to Politics in the History of Contemporary Algeria", art. cit., pp. 69-70.

and the military intelligence, alliances are fluid and far from permanent. *Fourth*, political calculations are thwarted by the complexity of events that no one can control or predict. While Bouteflika seemed convinced that he had neutralised the military, learned during the *Hirak* movement that the regime is more than the person who directs it. Indeed, the General Staff's attitude towards the *Hirak* has fluctuated as time passed: Initially it rejected the *Hirak* and its demands calling for respect for the Constitution and the state institutions. Then it strongly supported the movement's immediate demand of ousting Bouteflika in the name of the same Constitution it had invoked to rebuff the *Hirak* in support for Bouteflika and his plan for a fifth presidential term. In the end, however, the General Staff imposed its own agenda: Bouteflika's resignation; non-dissolution of parliament; election of a president from within the ranks of the system; and fresh amendments of the Constitution. This begs the question whether there will be a consensus within the military command on the withdrawal of the army from the political sphere after the current "internal transition" to a regime run by president Tebboune who after his election on December 12, 2019, thanks to the support of the General Staff and its then leader Gaïd Salah, presides with historically low levels of public support and legitimacy. This can only continue if the military high command, now formally represented by the successor of Gaïd Salah (who died in December 2019) chief of General Staff, Lieutenant-General Saïd Chengriha, reaches a consensus on the short and medium terms strategy. The army cannot sustain a role of supporting the current president the way that the two ruling parties, the FLN and the RDN, did for Bouteflika. These two parties are currently considered as undesirable, even if they both voted in favour of the constitutional amendment bill in parliament prior to its adoption on 1 November 2020, in a popular referendum.[366]

[366] Constitutional Council, Proclamation of 12 November 2020, bearing the final results of the referendum of 1 November 2020 on the draft revision of the Constitution, *Journal officiel de la république algérienne,* n° 72 of 3 December 2020. The *Journal officiel de la république algérienne* is available in French and Arabic at www.joradp.dz. Only the Arabic language version has official status

The army is likely to return to its practice of exercising power indirectly—a practice interrupted by Gaïd Salah by occupying an important media space, and politically exposing the army. Moreover, this rupture which he had induced is not unrelated to the *Hirak*'s demand for a "civil and non-military state". However, we must not forget that power in Algeria is collegial, and questioning it affects the cohesion of the army. If rivalries within the army have always existed, their visibility to the public in 2004, in 2013-2015, and again in 2019, testifies to the lack of consensus among the military about who to select as the regime's "candidate", or even on a possible withdrawal of the army from the political arena. After it was challenged in 2004, the consensus about supporting the presidency of Bouteflika in 1999, has not been restored. Given the complexity of the events following the *Hirak*, Bouteflika's resignation, and Tebboune's election as well as the uncertainties about the architecture of the "transition" within the regime, the consensus question remains relevant, especially as changes at the head of the structures of the army have continued after the election of Tebboune. Together, these factors testify to the inability at present to stabilise the alliances necessary to reach a viable consensus.

In addition, we must consider the renewal within the ANP with the departure of "historical" officers giving way to young officers trained in major military schools in the country and abroad and who have not known the liberation war. This sociological transformation of the army can strengthen the process of its professionalisation, considered as the best guarantee against the intervention of the army in the political field and for its subordination to the civil authorities.[367] In this sense, state authority is likely to experience further changes. But at the time of writing, with a president suffering from lack of legitimacy, the role of the army remains important, for

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and is authentic. The adoption of this constitution (by 66.8 percent of the votes cast) was marked by a record abstention (76.3 percent).

[367] See Huntington, Samuel P., *The Soldier and the State: The Theory and Politics of Civil-Military Relations,* Cambridge (MA), Harvard University Press, 1967 [1st ed 1957].

its cohesion, for that of the regime and especially for avoiding a situation in which it would have to directly take the reins of power.

In conclusion, we can say that the centrality of the army, as important as it is, should not prevent one from wondering about the role civilians play in reproducing the military's stranglehold on power. The dispute between Bouteflika and the military did not relate to the establishment of a democratic state. Rather it was about the establishment of a civil state in which authoritarianism had changed from military-civil power sharing to purely civil. Bouteflika's civil state is an authoritarian state freed from the stranglehold of the military and whose powers are concentrated in the hands of a president for life. Apart from the 1989-1991 interlude, there is still no "normal" situation of sufficient duration to enable us to assess the attitude of the army vis-à-vis a complete political transition. In this sense, the *Hirak*, as a manifestation of a political crisis, does not represent a shift. Rather, it put the army to the test, especially as it forced Bouteflika to resign. The *Hirak* certainly prevented a split within the army over the fate of Bouteflika's presidency. However, by putting the army face to face to at least part of the population, the *Hirak* paradoxically offered a historic window of opportunity to the army to settle the question of democratic openness, after putting it, reluctantly, at the centre of the political game.

CHAPTER SIX

The Rentier Economy Faces "the New Algeria"

Luis Martinez

Abstract

The government of Abdelmajid Tebboune, which took power in 2020, has wowed to renew the Algerian economy and diplomacy. This article argues that this quest will prove very difficult. Over the past two decades, Algeria has seen its diplomatic prowess, in terms of human and information resources, dwindle. While the obstacles are staggering, there is a strong need for fundamentally transforming a country, which since the 1980s has not been able to free itself from its dependence on its rentier economy.

Introduction

In 2020, Confronted with a triple shock—the collapse in crude oil prices per barrel, starting in 2014; the *Hirak* protest movement, and the Covid pandemic—Algeria is facing the risk of economic and financial bankruptcy with devastating political and social consequences for the political regime.[368] As it is, around 90 percent of the country's external revenue comes from the sale of hydrocarbons. To maintain spending and guarantee imports, its authorities have resorted to drawing on foreign exchange reserves, which have fallen from 180 billion USD in 2014 to 42 billion USD in 2021. In 2020,

President Abdelmadjid Tebboune admitted to the “vulnerability” of the Algerian economy “due to our decade-long failure to diversify away from oil income.” He invoked "the imperative to put an end to bad practices during periods of financial ease, such as waste, laziness, and overconsumption.” In January 2020, at the meeting of the Council of Ministers, he called for the adoption of “a solid and diversified economic model (...) freed from bureaucratic obstacles, which generates wealth and absorbs unemployment.” Faced with falling wealth, the president announced that “the state will be on the side of the middle class and the most vulnerable in society, to offer them a dignified life and increase the purchasing power of all citizens with the abolition of the ‘low income tax’.” Like in the 1990s, the regime once again faces challenges to its stability. While in the short term the regime seems to have succeeded in neutralising the revolutionary potential of the *Hirak* movement and in managing the Covid pandemic, the risk of a collapsing Algerian economy and concomitant deleterious effects at the social level persists.

A Rentier Economy at the Service of Crony Networks

While rich in hydrocarbons, Algeria counts many unemployed young people, graduates or otherwise, who pay the price for the country's failed economic development.[369] While poverty levels dropped considerably in 2020, high unemployment and a weak welfare state have resulted in an overall insecure situation for many. Between 1970 and 2000 Algeria saw a demographic explosion, with weak economic growth curbing the absorption of high numbers of newcomers into the labour market. The causes are known: poor governance, corruption, a sclerotic banking system, an economy dependent on the sale of hydrocarbons, lack of economic development strategies, and

[369] According to the International Monetary Fund, in 2018, the Algerian population reached 42 million while its GDP in constant dollars represented 165 Billion USD. The unemployment rate was 12 percent (30 percent among young people and 20 percent among university graduates).

weakness of the private sector and the education system.[370] The policy choices made in this era raise the question of the general interest, which is the source of much criticism levelled at the state. Among the grievances expressed since the 1980s are a lack of consideration in public policies for general interest. In fact, the state is accused of everything that goes wrong and absorbs the people's resentment and frustrations for actions that are always perceived as acts that are contrary to their interests or to their well-being. Far from pursuing the general interest, the state is accused of protecting and enriching the "clans" that control its functions and its resources. In the wake of independence in 1962, Algeria did prioritise democracy, given the challenges of underdevelopment, the building of a strong state, and the recovery of an identity purportedly lost due to a violent colonisation. Violent riots against the regime broke out in Algiers in October 1988. The violence became symbolic of the unease of a young population angry at a regime led by a single party, the FLN (*Front de Libération Nationale*) and frustrated by a controlled economy incapable of producing goods and basic services.[371] The army intervened to restore public order at the cost of hundreds of lives. Political reforms were implemented, and, in 1989, a multi-party system was installed. Algeria entered an uncertain political transition process that was halted by the army following the surprise victory of the Islamist party, the FIS (*Front Islamique du Salut*), during the 1991 legislative elections.[372] Between 1992 and 1999, Algeria erupted in a devastating civil war: its economy and finances collapsed, resulting in an overwhelming drop in wealth for the whole population. In 1994 the authorities reluctantly entered an International Monetary Fund (IMF) structural adjustment plan in exchange for financial assistance, which enabled the army to hold out and then defeat the Islamist armed groups.[373]

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[370] Goumeziane, Smail, *Le mal algérien : économie politique d'une transition inachevée, 1962-1994*, Paris, Fayard, 1994.
[371] El-Kenz, Ali, (ed.), *L'Algérie et la modernité*, Dakar, Codesria, 1989.
[372] Ait Aoudia, Myriam, *L'expérience démocratique en Algérie (1988-1992*). Paris, Presses de Sciences Po, 2015.
[373] Martinez, Luis, *The Algerian Civil War, 1990-1998*, London, Hurst & co, Paris, Karthala, 2000.

At the end of the 1990s, Algeria was a sad spectacle of a crumbling political arena, a civil society fractured by violence, and an economy in tatters. It was not until 2002, thanks to a rise in oil prices, that Algeria regained financial leeway, skilfully exploited by A. Bouteflika. Against the backdrop of economic growth and replenished state coffers (GDP per capita increased from 1.600 USD per year/capita in 1999 to 4.593 USD in 2010, not to mention a massive reduction in unemployment rates, from 30 percent to 10 percent). Oil income helped create a middle class that enjoyed rising living standards until 2014. With the collapse of crude oil prices, this middle class started to mobilise, worried about impoverishment, and denouncing, through the *Hirak* movement, a corrupt state that enriches the richest.

The stability of the political regime under A. Bouteflika (1999-2019) was essentially based on two pillars: the redistribution of abundant oil income, and the loyalty of interest groups. Between 2003 and 2013, when the price of oil was high (100 USD per barrel on average), the government spent half the oil income on social transfers (770 billion dinars) or about 13 percent of GDP, to correct the deleterious effects of the preceding oil 'counter-shock' (1986-2001).[374] The financial abundance (2003-2013) allowed for the restructuring of networks essential to the stability of the regime. The political apparatus created by Abdelaziz Bouteflika, on which the interest groups relied, was considerable: political parties such as the FLN and RND (*Rassemblement National Démocratique*), the UGTA (*Union Générale des Travailleurs Algériens*),[375] and the veterans' lobby, along with the *Association des moudjahidin* [veterans association], obtained a near tripling of transfers from 900 million USD in 2000 to 2.3 billion USD in 2013. The Business Leaders Forum offered powerful support for the president. The reasons for this are simple: 97 percent of economic entities (businesses and shops) have fewer

[374] Algeria's external debt in 1998 amounted to $30.47 billion, representing 63.2 percent of GDP. In 2008, after early repayment, it amounted to 4 billion USD and represented only 2,39 percent of GDP. See *Economist Intelligence Unit*, "Algeria Country Forecast," 1 July 2008.

[375] The Algerian state is the largest employer with two million employees, and public spending is estimated at 500 billion USD.

than 9 employees. They are mainly family structures, which, in 76.6 percent of cases, were created under the Bouteflika presidency, and which, for the most part, benefited from state aid, either through the ANDI (*Agence nationale de développement et d'investissement*), or through that of the ANSEJ (*Agence nationale de soutien à l'emploi des jeunes*). As for the managers of companies with more than 250 employees, their dependence on public authorities was even greater because of the non-transparency of public procurement. In addition to the regime's engagement in the political, administrative, labour, and societal spheres, the army, police and security services play an essential role. Military spending rose from 2.7 billion USD in 2000 to 11 billion USD in 2012. Between 2006-2010, Algeria became the eighth largest purchaser of arms in the world.

The vertiginous drop in income from hydrocarbons sale following the collapse in oil price (112 USD per barrel in June 2014 to 31 USD in January 2016) raised anxiety in a country already very concerned about the health of President Bouteflika and therefore of his succession: Was the country heading towards financial bankruptcy as in 1994? Was its stability threatened by violent social riots like in Venezuela? In March 2014, the Algerian authorities believed they had overcome the main danger: the Arab revolts. Former Prime minister Abdelmalek Sellal affirmed, on 15 March 2014, that: "The Arab Spring is a mosquito that we will eliminate with Fly Tox." In order to contain the revolts, the government spent lavishly: almost all social demands were met: increased salaries for civil servants and pensions. At that time, no one imagined the political and social fallout of collapsing oil prices. How to maintain the stability of the regime and national cohesion? Weakened since a debilitating stroke in 2013, Abdelaziz Bouteflika defied all medical prognoses by staying alive. His survival forced Algeria to maintain an absurd political system, where everyone awaited the death of the President to finally conceive of and come up with changes. His election to a fourth five-year term in 2014 already elicited much criticism as the head of state seemed unable to perform his duties. The trauma of the civil war still

haunted Algerian families who did not wish to engage in political protest for fear of returning to the violence that they had known in the past. The Algerian authorities skilfully exploited this fear and the examples of war in Libya and Syria.

But the announcement on 10 February, 2019 of A. Bouteflika's candidacy for a fifth term provoked widespread peaceful popular protests, on an unprecedented scale, causing the president to relinquish his candidacy. Yet in January 2019, representatives of the president's networks such as Abdelmadjid Sidi Said, the UGTA head, declared "in the name of the workers and the retirees (that) A. Bouteflika is our candidate." At the end of the month, Ali Haddad's FCE (Forum des Chefs d'Entreprises - Forum of Business Leaders), the parties of the presidential alliance, FLN, TAJ (*Tajammu' Aml Al-Jaza'ir*), the RND and the MPA (*Mouvement Populaire Algérien*), the *Association des Moudjahidin* and the army chief of staff, Gaïd Salah, welcomed the candidacy of the president. Only the opposition parties, the RCD (*Rassemblement pour la Culture et la Démocratie*) and the FFS (*Front des Forces Socialistes*), announced a "massive, active and peaceful" boycott. On the other hand, the leader of the moderate Islamist party, the MSP (*Mouvement de la Société pour la Paix*), Abderrazzak Makri, announced his candidacy for the presidential election while specifying, in February, that the candidacy of A. Boutefkika "is not in his own interest, but in that of those who profit from this situation. They will take full responsibility for what will follow and the dangers that threaten the country." There is no denying the radical change that occurred in 2019: Algerian society unreservedly and collectively expressed its sense of humiliation, shame and anger at the attempt to impose again, for a fifth term, a seriously ill president who had been out of the public eye since 2013. Forced to give up his candidacy, the president still announced major political reforms with the aim of "renewing the state" and establishing a new Republic. An inclusive national conference was to be held, with "all the prerogatives of a Constituent Assembly", chaired by Lakhdar Brahimi, for leading to a new constitution subject to a

referendum. To lead this transition, Noureddine Bedoui was appointed Prime minister and Ramtane Lamamra, Deputy Prime minister, promising a "broad dialogue with youth and opposition political forces." But it was too late. Hundreds of thousands of demonstrators were calling for fundamental changes to the political system. After twenty years, Algeria awakened, stripping away the veneer of a deceptive calm.

With the emergence of the *Hirak* movement, the fragile balance put in place by Bouteflika over the years collapsed, dismantling its networks and imprisoning hundreds of politicians, officials, and directors of state-owned companies for corruption and embezzlement of public funds.[376] In response to collapsing oil prices, the Algerian government put in place measures to curb spending and reduce deficit. The two-point increase in VAT (from 7 percent to 9 percent and from 17 percent to 19 percent depending on the product) is one example.[377] Faced with a steep trade deficit (45 billion USD in 2017), the government had taken certain measures, including the symbolic ban on importing some 900 products. Other structural reforms were announced, like raising the age of retirement beyond 60. But faced with the scale of the mobilisation and the fear of a social uprising, the government backtracked.

Rigid and overly dependent on hydrocarbons, the Algerian economy has once again become truly dependent on volatile oil prices. Under A. Bouteflika, no structural reforms were implemented to diversify the country's rentier economy.[378] Despite its retrograde effect on investment, he maintained the cap on foreign direct investment that required Algerian companies to hold majority controlling ownership. The non-hydrocarbon economy struggled to attract investors, entrenching Algeria's dependence

[376] According to economist Abdelrahmi Bessaha, capital flight between 2000 and 2019 is estimated at 160 billion USD ("40 percent under-invoicing of exports, 50 percent overbilling of imports, and 10 percent transfers"). See https://www.algerieinfos.com

[377] Algeria, IMF report, 01 June 2017.

[378] "Economic advantages and disadvantages", La Documentation Française, *Questions Internationales*, n° 81, 2016.

on hydrocarbons (90 percent of export revenue; 60 percent of the state budget). But what worried Algeria most was the discovery and exploitation of mega-gas fields in the eastern Mediterranean (Egypt, Cyprus, Lebanon, and Israel). As the EU's third largest gas supplier, Algeria, already worried by the liberalisation of the gas market, fears becoming the EU's adjustment variable.[379] In February 2017, a report published by the American Enterprise Institute, an American think tank, rightly points out that "Algeria is today in a situation very similar to that of Libya, Tunisia, and Egypt in 2010. With high youth unemployment, a corrupt banking system, unsustainable social protection programmes and an ossified ruling class presided over by a struggling dictator, Algeria is ripe for collapse."[380] The story of an Algeria that is rich in hydrocarbons under A. Bouteflika has disappeared under that of an Algeria on the verge of collapse. Many observers fear and expect the country to implode.[381] The violent repression, on 3 January 2018, of a gathering of more than 15,000 health workers in Oran[382] was seen as a sign of panic from the government in the face of growing social discontent. The emergence of the *Hirak* movement in February 2019, Algeria's victory in the African Cup, and the subsequent Covid pandemic, removed the spectre of a violent social explosion comparable to that of 1988. Considering these threats, "L'Algérie nouvelle" [The new Algeria] by A. Tebboune announced structural reforms and a new mode of governance.

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[379] "The Europeans want a free market: to buy gas when they run into trouble with regard to Russian supplies. But when the situation is more favourable, they no longer want our gas," decries Abdelmoumen Ould Kaddour, CEO of Sonatrach. *Maghreb Emergent*, 1 February 2018.

[380] "Algeria's choice: Reform or collapse", 16 February 2017, available at, www.aei.org/publication/algerias-choice-reform-or-collapse

[381] "When Bouteflika goes, Algeria will probably implode. The Islamists who have been kept at bay by his iron fist will exploit the vacuum. Tensions buried since the civil war will re-emerge. And then Europe could be overwhelmed by another great wave of refugees from North Africa," announced *The Spectator*. "How Algeria could destroy the EU", 3 December 2016. Available at https://www.spectator.co.uk/2016/12/how-algeria-could-destroy-the-eu/

[382] Benchiba, Lakhdar, "Algérie, une capitale interdite de manifestation", *Orient XXI*, 15 January 2018. Available at https://orientxxi.info/magazine/algerie-une-capitale-interdite-de-manifestation,2216

A New Economic Governance?

In the long run, diversifying the economy, reducing the share of hydrocarbons in GDP, and developing Algeria's attractiveness to investors are essential. Such reforms take time and the trust of society. But today the government has neither. The government needs to urgently reorganise the political sphere (reform of the Constitution, organisation of early legislative elections, territorial reforms, and municipal elections), and implement its action plan to address collapsing oil prices and the ongoing pandemic. The government has drawn on the country's foreign exchange funds to make do but reserves are running low and there will not be much left to support spending in 2021 and 2022 as the budget deficit grows. To be sure, an effort is being made to increase ordinary tax revenue (broadening of the tax base and improved collection), but this is clearly insufficient in view of an "ocean of needs." Since 2018, the authorities have been striving to reduce operating and equipment expenditure (-20 percent) and limit imports. However, the authorities cannot afford to go too far. According to some economists, the public sector represents 45 percent of added value creation. More than 400 public entities (state companies) are supported directly, which makes it difficult to end these public subsidies. These cyclical measures are insufficient and the likelihood of the government negotiating new loans, acquiring new debt to compensate for the depletion of foreign exchange reserves, seems increasingly likely.[383] Until now, President Tebboune has ruled out contracting loans from the IMF: "We prefer to borrow, he says, from our citizens... Debt undermines national sovereignty," without explaining how citizens could be brought to lending to the state. Politically, the government is forced to maintain public spending at all costs so as not to plunge Algeria into a social crisis with consequences and effects feared more than the democratic demands of the *Hirak* movement.

[383] Algeria's external debt is very low, at 2 percent of GDP, internal debt is estimated at 45 percent of GDP.

The budget adopted for 2020 was 64 billion USD while estimated revenue amounted to 51 billion USD. The government announced the expected reduction of imports from 41 billion USD to 31 billion USD in 2020; the end of consultancy contracts (7 billion USD) with foreign offices, and the reduction of operating costs for the Sonatrach group from 14 to 7 billion USD. To defuse the "revolutionary" potential of the movement, the authorities are now turning the "moralisation of political life" and the transformation of the state into focal points of government action. Like the government of reformers after the tumultuous riots of October 1988,[384] the authorities concluded that the anger on the street originated in the "excesses" of the state, which should be corrected, while the army hoped that it would not be forced to intervene again to correct the "inability" of civilians to transform the state while preserving its interests.[385]

Moralising Public Life?

In March 2020, the government presented an action plan to the ANP (*Assemblée Populaire Nationale*). The document states that the foreign service will "benefit an overall policy of national renewal and the building of a new republic." At the economic level, Algeria's foreign policy will be oriented towards a "win-win" approach with foreign partners. On the brink of financial collapse due to the fall in oil prices, the Algeria of President Abdelmadjid Tebboune deems it "imperative to put an end to the bad practices adopted during the period of financial affluence, such as waste and a spirit of laziness and overconsumption."[386] The Government's Action Plan is a political response to the demands of the *Hirak* movement, incorporating the observation of the necessary "moralisation of public life" as a prerequisite for financial reforms and economic renewal. The feeling that corruption and

[384] Hidouci, Ghazi, *Algérie : La Libération inachevée*, Paris, La Découverte, 1995.
[385] In 2020, the army's budget was 10 billion, representing 25 percent of the overall budget.
[386] AFP, 11 April 2020.

incompetence reign in Algeria is an old grievance denounced by all political parties since the 1980s. Are President Tebboune and the army ready to open the Algerian economy today?

The "Government Action Plan" is instructive because it starts from a necessary "moralisation of public life" as a prerequisite for financial reforms and economic renewal. The feeling that public life is tainted by corruption and incompetence is an old grievance denounced by all political affiliations since the 1980s.[387] In the early 1990s, the reformers attempted to break "the system". Taking advantage of the financial bankruptcy following the collapse of oil prices, they promoted a structural reform of the Algerian economy. Two schools have since debated reforms. For some, the crisis is cyclical; one needs only to wait for oil prices to rise again. For others, the crisis is structural, revealing economic fault lines that can only be mended by an in-depth transformation of the rentier economy. But it seems difficult to change the hydrocarbon sector, as it continues to inspire. During the 1970s, with the increase in revenue from the sale of hydrocarbons, it enabled external revenue to rise from 0.2 billion USD in 1970 to 12.5 billion USD in 1980. However, with annual revenue maintained at around 5 billion USD between 1986 and 1990, the state can no longer support current expenditure without resorting to incurring massive debt. Between 1985 and 1988, the country's overall debt doubled to 26 billion USD. Debt payments led Algeria to the brink of bankruptcy in the early 1990s; with debt servicing absorbing most of the hydrocarbon revenue. In 1989, a government of reformers finally set itself the objective of "bringing about irreversible institutional and economic changes," with discrete support from the IMF. There was a great deal of resistance to the project from beneficiaries of the state's benevolence, as well as from those who, during the crisis, were accused of benefitting through corruption and embezzlement.

[387] Hadjadj, Djillali, *Corruption et démocratie en Algérie*, Paris, La Dispute, 2001.

Under the presidency of Abdelaziz Bouteflika, a new coalition came to power, heavily influenced by “energy-focused” pro-Western elites and modelling its actions on the rentier economies of the Gulf. It was no longer a question of reforming the economy but of increasing the performance of the energy sector. While Bouteflika's Algeria did not aspire to become Malaysia, it clearly showed a desire to link up with other emerging countries. Thus, the third oil shock helped the liberal coalition succeed in marginalising the “Arab socialists”, representatives of the “military-industrial complex” influenced by the Soviet economic model and benefiting from the support of military institutions. For this “energy-minded” group, oil nationalism is no more, never again to be thought of as an ideological weapon. For these new elites, the convergence of interests (energy market) and concerns (war against terrorism) after 11 September 2001, constituted a historic opportunity. The liberal coalition felt capable of transforming Algeria into a market economy in order to join, albeit belatedly, the category of emerging countries like Morocco, Tunisia, Egypt and especially the rich monarchies of the Gulf. The hydrocarbon sector, the pride of 1970s nationalists, no longer seemed to be the key to development. President Bouteflika declared to the James Baker Foundation:

“We resolutely opt for the lifting of monopolies and the establishment of market rules which guarantee fairness and transparency for all national and foreign operators.”[388]

But when the Khélil bill on the “privatisation” of state-owned oil and gas company Sonatrach was debated, it elicited emotional protests from an older generation who saw things differently: “Hydrocarbons constitute the heart and blood of the economy. The privatisation of the hydrocarbon sector is tantamount to putting in other hands the circulation of the blood in one's

[388] Quoted by Rebah, A, in *Sonatrach, une entreprise pas comme les autres*, Alger, Casbah, 2007, p. 227.

own heart."[389] In fact, Sonatrach had established itself as the largest and most lucrative oil company on the African continent in 2008. In May of the same year, the Minister of Energy, Chakib Khalil, announced that the company would invest 45 billion USD in the coming years to produce 2 million barrels/day and 85 million cubic meters of gas. In 2020, Sonatrach was producing one million barrels/day.

Presidential speeches have regularly been contradicted by the facts. Contrary to announcements, the country started imposing a right of scrutiny on foreign companies' assets and disposals tightening legislation on conditions for foreign investment and capital transfers. A foreign group could not hold more than 49 percent of the capital of any project. It was thus obliged to team up with national investors. Bouteflika's Algeria failed to open its economy, generalising, instead, a system of corruption. Under Bouteflika, Parliament remained an empty shell, while the Court of Auditors was paralysed. Only the General Inspectorate of Finance seemed encouraged to act. This meant that the use of oil revenue always escaped rigorous and transparent control, to the great despair of the people. Faced with increasing corruption cases in the hydrocarbon sector, Chakib Khelil, Minister of Energy and Mines since 1999, was forced to resign on 28 May. He was replaced with Youcef Yousfi. After public works and hydrocarbons, it was the turn of the port of Algiers to make headlines with the arrest of the main leaders of EPAL (*Entreprise Portuaire d'Alger*). In a period of uncertainty, in particular due to the president's illness since 2013, the omnipresence of his brother Said, the appointment of Yazid Zerhouni, Minister of the Interior and close to the President, as First Deputy Prime Minister, fuelled speculation about the end of the Bouteflika era. Since 1999, with the exception of debt repayments, Algeria has not been able to make itself less dependent on energy exports. Rightly concerned about national reconciliation, the President implemented

[389] Benachenhou, M, "Dix arguments contre la privatisation de la Sonatrach", *Le Jeune Indépendant*, 3 November 2001, and A. Belaid*, Le Jeune Indépendant*, 24 February 2000, quoted by A. Rebah in *Sonatrach, une entreprise pas comme les autres*, op. cit., p. 227.

a policy of amnesia, which worked. The tragedy of the civil war is imprinted in the collective memory, with a tacit agreement not to bring it back. The fear facing the shared responsibility for the violence and destruction paralysed yesterday's protagonists. It is a wound that was closed without having been disinfected. The president's desire to make history the "saviour" of Algeria after the civil war (1992-1999) hid his inability to build legitimate political institutions during this period. The revival of cronyism functioned briefly thanks to oil revenue. But problems remain, among which dependence on oil, weak institutions, unemployment, corruption—all ingredients that undermine future stability.

Algeria's main European trade partners decry a retrograde business climate and hope for far-reaching economic reforms capable of enabling this country of 40 million inhabitants to become attractive to investors. Algeria's main supplier is China, which maintains first place with 4.869 billion USD (nearly 18.7 percent of Algerian imports), up 18.37 percent, followed by France with 2.513 billion USD (9,65 percent), Spain with 1.938 billion USD (7.44 percent), Germany with 1.933 billion USD (7.42 percent) and Italy with 1.867 billion USD (7.17 percent). Each oil crisis (1986-1990, then 2000-2003) raises the question of necessary reforms for Algeria's rentier economy. Each time the price of a barrel of oil starts to rise again, the authorities favour redistribution over investment and diversification. However, ideas are not lacking. The Nabni centre of the *Hirak* movement has produced numerous ideas,[390] many of which have been adopted by the government's action plan; a catalogue of projects in education, a "tourism and film industry", a "modern agriculture and fishing" model, to name but a few examples.[391] But

[390] Notre Algérie Bâtie sur de Nouvelles Idées (Our Algeria Built on New Ideas, see www.nabni.org. "Titanic Syndrome: the urgency to start the diversification of the economy... The urgency of diversification is dictated by the prospect of the end of hydrocarbon exports".

[391] In his orientations to members of the Government, the Head of state insisted on "the imperative of a profound reform of our tax system with all that ensues in terms of the regulation of tax incentives for the benefit of companies, in particular of startups and SMEs, by ensuring tax relief for companies that generate jobs". The President of the Republic insisted, in his orientations to the Government, on the importance of establishing a link between universities and the professional world of work so that they can be "the locomotive for building a solid national economy, whether in

Algeria remains 20 years behind Morocco in these sectors. Do Algerian authorities really want to reform Algeria? Is the economic level, Algeria's foreign policy wants to orient itself towards a “win-win” approach with foreign partners? Moreover, the document underlines a diplomatic initiative aimed at “using our diplomatic and consular network for the construction of a strong and diversified national economy, generating inclusive growth and creating jobs and added value.” On the brink of financial collapse with falling oil prices, Tebboune’s Algeria aims to harness Algerian diplomacy to “take full advantage of the economic spaces it takes part in, particularly the African continental free trade area and the large Arab free trade area.” For the first time, the authorities wish to promote Algeria as a tourist destination: in this sector as well, Algeria lags thirty years behind its Tunisian and Moroccan neighbours.

An Economically-Oriented Foreign Policy?

In March 2020, the government presented an action plan to the People’s National Assembly.[392] The document stated that the diplomacy of the “new Algeria” will be “at the service of a global policy of national renewal and the building of a new Republic”. The Algeria of president Tebboune pays particular attention to Africa and its regional neighbourhood, the Maghreb, and the Sahel. Criticised for its lack of interest in regional institutions, the document nonetheless underlines that Algeria will “have to invest fully and as a priority in the promotion of the dynamics of cooperation, association and integration in all the groups to which Algeria belongs—which are the Maghreb, the Sahel, Africa, the Arab world, the Islamic community, and the Mediterranean area.” In a fundamental shift, Algeria intends, like Sisi's Egypt,

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the traditional economy or in the knowledge economy, and this through the creation of university centres of excellence.” Algérie Presse Service, January 2020.

[392] 6 February 2020, *Government Action Plan for the implementation of the programme of the President of the Republic*. A 60-page document in French.

to deploy its foreign policy in the region first. After the Arab revolts of 2010, the rhetoric of Algerian authorities has focused on threats and plots against the territorial integrity of Algeria. Seen from Algiers, the overthrow of the Qaddafi regime was a worst-case scenario: jihadist groups spread throughout the region, with the Sahel becoming the theatre of a French-led war. Under Bouteflika, the authorities became convinced that a plot was underway against Algeria; one that France was somehow involved in. Instead of taking advantage of the "vacuum" in the Sahel caused by the end of Qadhafi's regime, the Algerian authorities focused their attention on the internal situation. A media offensive associated the protesters of the "Arab Spring" with agents aiming to destabilise the region. Algeria's major challenge since independence has been safeguarding its territorial integrity. Territorial fragmentation across the Arab world puts this concern in a new light: from Libya to Iraq, Syria and South Sudan, separatist threats are a political reality. The document recalls that Algeria's doctrine has not changed: "respect for the sovereignty, independence and integrity of states, non-interference in the internal affairs of states, respect for the rules of good neighbourliness, the peaceful settlement of disputes and support for just causes". In short, Algeria will not intervene militarily in the Sahel alongside France. Concretely, France's then Minister of Foreign Affairs, Jean-Yves Le Drian, made two trips to Algeria to revive France's hopes and expectations for a more open Algeria economically speaking (reform of investment laws) and more committed at the regional level as underlined by his remarks to the press: "President Tebboune has expressed an ambition for Algeria; in-depth reforms to strengthen governance, the rule of law and freedoms; and also to revive and diversify the economy in accordance with the aspirations that Algerians have expressed for over a year."[393] The participation of Abdelmadjid Tebboune in the Berlin Conference on Libya and the 33rd Summit of the African Union illustrates the desire for a diplomatic renewal. On 23 January, at Algeria's initiative, a meeting in Algiers brought together

[393] See Algerie Med Info: https://algerie-medinfo.dz/

foreign ministers and diplomats from countries neighbouring Libya (Tunisia, Egypt, Chad, Niger and Sudan) with the aim of reinitiating a political solution. Unfortunately, the initiative failed.

Does the president Abdelmadjid Tebboune bring policy changes at the regional and international levels? Contested by the *Hirak* movement, the Algeria of Tebboune nevertheless aspires to assume its role of "regional power" and "balancing power".[394] The political weakness of the new president affords him little space at the internal political level. Conversely, the new president and the army have calculated that Algeria's engagement on the regional and international scenes can help minimise internal criticism from civil society. However, it should be remembered that the accession of Abdelaziz Bouteflika to the presidency in 1999 also raised hopes for the revival of Algeria's foreign policy after a decade of civil war (1991-1999). Under Abdelaziz Bouteflika, former Minister of Foreign Affairs under president Houari Boumediene (1965-1979), Algeria turned in on itself, aware of its internal weaknesses. During his twenty-year-long presidency (1999-2019), except for cooperation in the international struggle against terrorism, no major foreign policy doctrine was developed. Algeria reluctantly ratified the partnership agreement with the European Union in 2002, expressing little interest in the EU.[395] Algeria has not engaged in any initiative under the umbrella of UMA (*Union du Maghreb Arabe*) for the implementation of regional integration. Unlike Morocco, Algeria has invested very little in Africa, except for the fight against terrorism (Caert, Afripol, Cissa, Cemoc), and the 2015 Algiers agreements on the crisis in Mali, which the Algerian authorities has never followed up with implementation, to the dismay of the French authorities frustrated with the French army's stalemate in its war in the

[394] https://www.aps.dz, 10 February 2020.

[395] According to the president of the National Association of Algerian Exporters, Ali Bey Nasri, Algeria imported 283 billion USD (240 billion EUR) of goods from the EU between 2005 and 2017. However, for the same period, exports amounted to only 12 billion USD, mainly petroleum derivatives. Kamel Rezig, Minister of Commerce, deplored that "the trade agreements signed by Algeria maintained, for years, the national economy in a state of dependence and continuous consumption of everything that is imported," *AFP*, 10 August 2020.

Sahel. Relations with Morocco have deteriorated. Finally, on the Libyan conflict, Algeria has remained focused on the principle of an intra-Libyan political solution, steadfast in its refusal of foreign interference without the ability to enforce it. In fact, Algeria has maintained good relations with Putin's Russia, becoming the third-largest buyer of Russian arms. After years of absence, Algeria aims to play its role of “balancing power” in its immediate neighbourhood, in Libya and Mali. Beyond this close neighbourhood, Algeria intends to consolidate its relations with China and Turkey[396] at the economic level, and with Russia at the military level. Contradictory European and American policies in Libya, Syria and Iraq have sown serious doubts among the Algerian authorities regarding the reliability and loyalty of the Western powers. Weakened by the *Hirak* movement, the regime is aware that it must develop a foreign policy capable of preventing any international support for the demands of the *Hirak*.

Conclusion and Perspectives

The planned economic and diplomatic renewal in Algeria will be very difficult to implement. Staring at an economic and financial crisis, Algeria has few means at its disposal; over the past two decades, Algeria has seen its diplomatic prowess, in terms of human and information resources, dwindle. The fact remains that this difficult situation constitutes a welcome opportunity to fundamentally transform a country, which since the 1980s has not been able to free itself from its dependence on its rentier economy. In the short term however, authorities are hoping for a rise in oil prices to escape looming financial bankruptcy. But such a short breath of air would be illusory: while hydrocarbon income made it possible after independence to fuel economic nationalism during the Boumediene regime (1965-1979),

[396] Algeria and Turkey are discussing a free trade agreement. 1200 Turkish companies are in Algeria. Algeria is Turkey’s second largest trading partner in Africa.

Algeria has struggled thereafter to transform its burdensome and costly heritage.[397] In a founding document, the website of think tank Nabni imagines the desired Algeria as follows: “The Algeria we dream of, the one we want to build, will be a more prosperous, more just, more egalitarian country, in which each Algerian will be able to become a true citizen, participate in the development of his country, live in security, and find his place in a harmonious society open to the world; receive a quality education, find a job that allows her or him to build their life, found a family, educate their children, access quality public services, access quality healthcare at an affordable cost, live in a state of law, and to be listened to by institutions and protected from their arbitrariness.” It will take much time and patience before the “new Algeria” of A. Tebboune matches the *Hirak* movement’s “dream Algeria”.

[397] Martinez, Luis, *The Violence of the Petro-Dollar Regime. Algeria, Iraq and Libya*, London, Hurst publishers, 2013.

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