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THE "CIVIL CONCORD": ATTEMPT FOR PEACE IN ALGERIA

Abstract: *In 1999, the ratification and implementation of the "Civil Concord" law was a positive initiative, aimed at ending the long-standing "Algerian crisis" and ultimately establishing peace and stability in Algeria. The purpose of the article is to present the political processes prior to the "Law" towards the settlement of the conflict, which later became the basis for the adoption of the "Civil Concord" Law. One of the key issues is to study the positive and negative sides of the "law" and to show the omissions that undermined the legislative initiative of Algerian President Abd al-Aziz Bouteflika. In this regard, we consider it essential to present the inattention, sometimes even neglect, to the problems of ethnic minorities (Berbers, Amazighs) in the process of national reconciliation, which obviously did not contribute to the process of establishing final peace in the country. After a description of the historical context, this article examines the "Civil Concord" law, which had a great impact on the general situation of the country, as Algeria continues to be in a vulnerable situation in economic and social spheres.*

The novelty of this paper is that the Civil Concord was, in fact, the legislative change initiated by the authorities that was supposed to be the basis and become the main tool on the way to achieving public solidarity in Algeria. However, precisely in this respect, the law and its consequences left out the Berbers, who were an integral part of Algerian society. The internal political changes initiated by Abd Al-Aziz Bouteflika, which began with the adoption of the Civil Concord, created a political system that predetermined and shaped the model of the Algerian government system.

Keywords: *Civil Concord, Algeria, Abd al-Aziz Bouteflika, National Reconciliation, Algerian crisis.*

Introduction

The National Reconciliation in Algeria announced by the new president Abd al-Aziz Bouteflika and the adopted law of "Civil Concord" were among the possibilities that would allow to put an end "Algerian crisis" by establishing peace and opening a political period for the country. The National Reconciliation was a long and politically difficult dialogue process aimed at overcoming the Algerian crisis and establishing peace. In 1992, the armed conflict between the authorities and the Islamists, which had disastrous consequences for the Algerian economy and claimed thousands of lives, couldn't be solved only by military force; there was a need for a political solution and dialogue between all parties involved in the conflict.

The armed conflict clearly showed that dialogue, negotiations, and compromise had become the only tools that would enable national reconciliation to be achieved. The National Reconciliation Program was implemented in 1999 with the adoption of the "Civil Concord" law.

The paper outlines the omissions of the Civil Concord Law as well as the political developments that preceded its adoption and had an essential impact on the political atmosphere in Algeria.

The Civil Concord. First steps for peace and national reconciliation

It is notable that, before 1999, several significant attempts had been made to resolve the conflict. Among them were the meetings of Algerian opposition parties¹ held in Rome at the end of 1994 and in the beginning of 1995 through the mediation of the Catholic community of Sant'Egidio (Volpi 2003, 73).

These meetings were landmarks in the political life of Algeria, as a result of which the parties adopted the so-called "Platform of the National Agreement"² which called for the convening of a national conference to create a short-term transitional authority to oversee free and pluralistic elections that would permit the Algerian people to choose a new government under rules established by the constitution of 1989. The Platform also called to withdraw the military from the political field and establish the basic, universal values and principles in Algeria, such as affirmation of basic human rights, popular sovereignty, the rule of law, and the separation of powers.

The platform also affirmed Islam as an important element of Algerian identity while guaranteeing freedom of religion to all. As measures to precede negotiations, it called for the liberation of all political prisoners, including leaders of the "Islamic Salvation Front" (ISF), the restoration of press freedoms, and the reopening of the political field to all parties, including the ISF (Ruedy 2005, 266).

The second attempt for reconciliation were the secret negotiations in 1995 between the high command of the army and the leadership of the "Islamic Salvation Army" (armed wing of the "Islamic Salvation Front")³, as well as the "clemency" law adopted in 1996 (MacQueen 2009, 98) by president Liamine Zeroual⁴. It made

¹ "Islamic Salvation Front", "Algerian League for the Defense of Human Rights", "Movement for Democracy in Algeria", "Trotskyist Workers' Party", "Contemporary Muslim Algeria" and "al-Nahda". Ruedy 2005, 266.

² Or otherwise, "Rome Platform".

³ The armed wing of "The Islamic Salvation Front": Le Sueur 2010, 67. The secret negotiations in 1995 were a direct consequence of the opposition's meeting in Rome. Lamine Zeroual categorically rejected the decisions of the "Rome Platform," wanting to start the negotiations on his own terms.

⁴ From January 31, 1994 to April 27, 1999, Liamine Zeroual served as Algeria's sixth president.

changes in the Algerian criminal code, particularly regarding the definition of the crimes committed by terrorist groups and the punishments provided for them. This law was meant to restore peace, stability, security, and respect for the law and the state; it was also supposed to put an end to the bloodshed. It should be noted that the law was the first legal document of the political dialogue on reconciliation and served as the foundation for the subsequent processes of resolving the political crisis. It is also necessary to note that the adoption of the "clemency" law had a positive effect on the negotiations with the ISF, as a result of which it was possible to reach a ceasefire with the ISF in 1997 (Volpi 2003, 77–78). This was rightly an important event, as it gave new impetus to the process of achieving civic solidarity.

The process of political settlement of the Algerian crisis, which began during the administration of Liamin Zeroual, continued under Abd al-Aziz Bouteflika, who was elected president of Algeria in 1999 (Jacob 2015, 24), promising almost impossible peace to Algeria. The ongoing armed conflict between extreme Islamists and the government since 1992 has had irreversible consequences for all sectors of the country and almost destroyed civil society. However, the military managed to retain power despite heavy losses and huge wastage of resources. The tactics and strategy chosen by the latter weakened their influence for obvious reasons and directly had an effect on the reputation of the army and the soldiers. The most influential and prestigious Islamic organizations had also lost their old strength and power, but many new volunteers continued to join their ranks. Foreign powers, in turn, put pressure on the Algerian authorities, expressing concern about the danger of Algerian terrorism spreading beyond the borders of the country.

All these circumstances created a unique political atmosphere in which Bouteflika had to fulfill his campaign promise to achieve political and civil solidarity. Algeria's newly elected president began implementing a "Civil Concord" law with a number of generals, most notably Larbi Belkhair (Werenfels 2007, 56). Thus, Abd al-Aziz Bouteflika, in fact, continued the process of reconciling his successors, this time headed by a civilian figure, albeit with a military background.

The "Civil Concord" law, which was essentially a positive initiative aimed at securing Algeria's peaceful future, nevertheless also had its opponents and critics, and the most influential of them were the military personnel.

Bouteflika's decision to resolve the conflict peacefully led to military resistance, as expected. Many high-ranking military officers who had been fighting against Islamist terrorists for a long time opposed Bouteflika's initiative. Bouteflika, who had not yet been strengthened in his new position and was aware that he would be unable to prevent possible military coups, considered it important to secure broad public support, which would enable him to mitigate criticism and strengthen his position (Le Sueur 2010, 78).

In this context, it should also be noted that there were also contradictions between the newly elected president of Algeria and the high-ranking military over the appointments to strategically important positions. Bouteflika initiated unprecedented and significant personnel changes in the ranks of the high-ranking military in the early 2000s, with the goal of strengthening his political positions. That is why the Algerian president put the approval of the law he initiated to a national referendum, thus bypassing the opposition of the military (Werenfels 2007, 58–59).

A referendum was held on September 16, 1999, and the “Civil Concord” law was approved by a majority of voters (Stora 2001, 47). The results of the referendum thus once again confirmed the president's high reputation and reaffirmed that Bouteflika had chosen the exact political direction. The public perceived him as a wise political leader who would manage to put an end to the “Algerian crisis”. At the same time, the adoption of the law and the expected peace, albeit temporarily, distracted Algerians from many internal problems. Thus, in September 1999, the “Civil Concord” Law came into force, which particularly states: “This law is a part of a broader program to reestablish civil solidarity, which aims to take special measures to exempt from standard punishment those who participate in or are involved in terrorist or divisive acts. Those who willingly wish to stop their criminal activities are given an opportunity to realize that intention by becoming a part of society again. The above-mentioned persons, in order to benefit from the provisions of this law, must inform the relevant authorities that they are ceasing any terrorist activity and report to these authorities. The law further states that the persons referred to in Article 1 may be subjected to three different punishments: exemption from criminal prosecution, probation for a term of three to twelve years, or imprisonment for a term not exceeding ten years. The law requires the release of all previously imprisoned persons to whom the provisions of the law apply. The adoption of court decisions was handed over to regional and state departments. The law specifically refers to several types of crime. 1) murder; 2) rape; 3) permanent disability; 4) mass murder and 5) use of explosives in public places or in a large crowd of people. For the last two crimes the perpetrators are subject to the death penalty according to the criminal code” (Journal Officiel de la République Algérienne, N 46).

It should be noted that the legislation of the “Civil Concord” law did not have the expected results. Bouteflika's plan did not get a response from extremist Islamist groups. The latter were not going to lay down their arms and surrender. At the same time, as we have already mentioned, the implementation of the law caused the anger of the military commanders, who had previously expressed their support for Bouteflika. In addition, the provisions of the law were unacceptable for a considerable part of the Algerian population, especially for the families of the dead and missing, who found the provisions of this law unacceptable, as it effectively deprived them of

any opportunity for justice and did not address the problems of the victims of hostilities (MacQueen 2009, 101).

Despite the fact that the "Civil Concord" law came into force in September, terrorist acts and massacres continued. As Benjamin Stora notes, relying on the information published by the Algerian press, only in October 2000, more than 250 people were killed (Stora 2001, 48) as a result of the terrorist activities of armed groups operating in Algeria. In January-February, 2001, 500 people were killed (Dolgov 2004, 194).

The "Civil Concord" law and the amnesty for rebels who laid down their arms had to become a stable basis for the establishment of peace in Algeria. However, only the "Islamic Salvation Front" benefited from the amnesty, which, by the way, stopped his fight in September 1997¹. However, by the deadline for implementation of the law (January 13, 2000), about 5,500 fighters had surrendered. Later, about 5,000 prisoners convicted of "divisive and terrorist activities" were released (Ruedy 2005, 277; Le Sueur 2010, 80).

As we have already mentioned, a significant part of Algerian society and the political and public opposition forces didn't support the adoption of the "Civil Concord" law. The latter considered this move a sign of the weakness of the administrative apparatus. At the same time, there were opinions that the Algerian government, due to a lack of resources, can no longer continue the struggle and is forced to compromise with the Islamists (Vidâsova, Orlov 2008, 215-216). Obviously, one cannot disagree with such statements, especially considering the fact that the long-lasting "Algerian crisis" had a negative impact on the socio-economic condition of the country and caused thousands of human losses. However, if one agrees that the crisis reduced the government's power, then the same claim can be applied to the Islamists and the Islamic Salvation Front in particular.

Abd al-Aziz Bouteflika, wanting to show the positive results of the "Civil Concord" law as well as give new momentum to the peace process in the country, took as an example some of Liamin Zerual's steps. Being an experienced politician, Bouteflika guided the Islamic movement into the political arena, involving them in the reforms of the cultural and educational sectors initiated by the government. In addition, some conservative figures occupied high political positions.

The Algerian authorities tried to pave the way and facilitate the integration of various Islamic political forces into the political life of Algeria by involving moderate Islamists in various sectors of the country. In this context, great importance was given

¹ Willis 2014, 187. The cause and result of the cessation of the armed struggle against the Algerian regime were the armed Islamic groups' continued fragmentation. The emergence of the Islamic Armed Group created both strategic and ideological tensions with the "Islamic Salvation Front," leading to armed clashes between the two factions in the mid-1990s.

to the Arabic language as an important factor in uniting Algerians, on which the cultural and educational reforms announced by the state were based and built.

It should be noted here that the policy of achieving civil solidarity by reaching an agreement with the Islamists, had its opposite side. The newly elected president of Algeria saw the only guarantee of ending the crisis in the pacification of the Islamists, while ignoring another important factor in the country: the rights of Algeria's ethnic minority, the Berbers. Although Bouteflika managed to make some progress with Islamists, these policy (especially the establishment of Arabic in the Constitution as the official and national language) angered the Berber political forces.

At the same time, a considerable part of the Algerian society was deeply disillusioned with the country's leaders. Unlike the war of independence, which united society around a common goal and ideology, the "victory" over the extreme Islamists had left most of the population, tired of the long-running conflict, in a desperate state. The lack of a unified ideology and accusing attitude toward the ruling elite, sometimes even open disregard, had a direct impact on the society's aspirations.

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In the spring of 2001, this frustration and alienation exploded with new force. It is no coincidence that the main hotbed of the public's wrath became Kabylia. The motive for the Berber rebellion was the killing of an eighteen-year-old school student by the police on April 18 (Maddy-Weitzman 2011, 185). The Berber uprising soon spread from Kabylia to the mountains of Ares, Annaba, and Biskra. 60 people were killed by the police and hundreds were injured during these events (Ilahiane 2006, 29). Security forces widely used disproportionate force against protesters, torturing those arrested and executing them without trial. These tragic and bloody events became known as the "Black Spring".

These events showed one important fact. Algeria was still far from establishing real civil solidarity, although due to Bouteflika's policy, it became possible to stabilize the country's internal political situation to a certain extent.

Conclusion

Thus, the study showed that there were a number of fundamental reasons for the adoption and implementation of the "Civil Concord", the most important of which was a political and not a military solution to the long-standing "Algerian crisis", which would enable peace and stability in the country. In addition, the adoption of this law was highly valued by Abd al-Aziz Bouteflika himself, as the promise to approve gambling was his election pledge, and its implementation had a direct impact on his authority and power.

Thus, it should be noted that the application of the "Civil Concord" law and the political steps taken by Abd al-Aziz Bouteflika managed to mitigate and ease the existing tension in Algeria to a certain extent and to establish a situation close to peace. This was accompanied by the surrender of a number of Islamist groups, which also reduced terrorist activities, but they did not stop.

The implementation of the "Civil Concord" law was not a political solution as a result of the negotiation process with the opposition forces; it was more of a security measure that was to be ensured thanks to the amnesty. The law was formulated and implemented without a public discussion process. It was a document full of ambiguity and given to the public in plain language for ratification by a referendum. At the same time, the law, which provided amnesty for the Islamist attackers, bypassed and ignored the rights and demands of the families of the conflict's victims, excluding a just solution to their problems and, in fact, depriving them of any possibility of compensation for the damages they suffered. The law and its consequences generally express the political views and position of the Algerian political elite, clearly showing that the government does not want and is not going to consider alternative theories. Instead, the government forced and insisted on the choice of the state as the only correct and acceptable option.

The Law of "Civil Concord" and the subsequent legislative regulations resulting from it should have led to the establishment of national solidarity; however, the direction of solidarity and agreement chosen by the Algerian political elite did not include the protection of Berber's (Amazigh) rights, which in our opinion could not have a lasting positive impact on Algeria and on peaceful development. Thus, the "Civil Concord" law, with all of its positive aspects, had a destructive effect on the formation of the country's internal political model, which had a great impact on the general situation of the country.

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