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The Algerian Hirak

An historical perspective on a
late "Arab Spring"

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A young Algerian asks his father about the colours of the Algerian flag. He knows that the green stands for Islam and the red for the blood of our glorious martyrs but what does the white stand for? 'The blank pages in our history,' replies the father.

(Algerian joke circa 1996)

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ABSTRACT

English version:

In February 2019, after the announcement of Abdelaziz Bouteflika intention to run for a fifth term, Algeria assisted to the development and intensification of peaceful demonstrations. The people, through these demonstrations, has already requested and obtained the resignation of the now former president Bouteflika, giving a start to a transition period that has led in the last and a half year to the election of a new President and the people scrutiny of a new Constitution through referendum. In the light of these events, the dissertation will propose a contrastive analysis with what happened in the country in 2011, during the so-called period of the “Arab springs”, when numerous countries in North Africa and Middle East were jolted by demonstrations, sometimes violent and changings of regime, while Algeria survived to hit almost unchanged. In the analysis, a particular emphasis has been given to the international perception of the events, in particular the French reactions and the relationship during the first year of Tebboune presidency, a nation whose link with Algeria is still relevant. That is why the core of the dissertation is preceded by an historical research on the French colonial dominion over Algeria, without neglecting the first years of independence and the civil war.

Versione italiana:

Nel febbraio 2019, dopo l'annuncio della quinta candidatura di Abdelaziz Bouteflika, l'Algeria ha assistito allo svilupparsi e all'intensificarsi di manifestazioni di stampo pacifico. Il popolo, attraverso queste dimostrazioni, ha richiesto e ottenuto le dimissioni dell'ormai ex presidente Bouteflika, dando l'avvio ad un periodo di transizione che ha portato nel corso dell'ultimo anno e mezzo all'elezione di un nuovo presidente e al vaglio tramite referendum popolare di una nuova Costituzione. Alla luce di tali eventi, la tesi proporrà un'analisi di confronto con ciò che è avvenuto nel paese durante il 2011, il cosiddetto periodo delle "Primavere Arabe", quando numerosi paesi del Nord Africa e Medio Oriente sono stati squassati da manifestazioni anche violente e cambi di regime, mentre l'Algeria sembra aver superato pressoché immutata quel periodo. Nell'analisi in oggetto, particolare enfasi è stata data anche alla percezione internazionale di tali eventi, in particolare le reazioni della Francia e i rapporti durante il primo anno di presidenza Tebboune, nazione il cui rapporto con l'Algeria è rimasto particolarmente rilevante. Proprio per questo si è provveduto, in maniera preventiva, anche ad un approfondimento di tipo storico degli anni di dominio coloniale francese, senza tralasciare la guerra di liberazione e gli anni di indipendenza.

INTRODUCTION

The aim of this dissertation is to analyse and understand the Algerian protest movement that led to the fall of Bouteflika's regime and for him to be replaced by Abdelmadjid Tebboune in December 2019. The core of the work is the birth of the *Hirak*, how it developed itself during the demonstrations of 2019, and how the political regime reacted to it, trying to avoid being replaced and embarking a pretended evolution of itself. But, as the title suggests, the events are put in an historical perspective, especially with the recent events of 2011, when basically all the other Arab countries faced revolutions, demonstrations, and changes of regime, while Algeria remained essentially untouched by it. To not lose perspective on the international interests in Algeria, mostly for the European Union, and above all for France, the colonial past of the country is considered, along with the first troubled years of independence and the civil war from which Bouteflika came out as a peacemaker.

Therefore, the first chapter is dedicated to the colonial history of Algeria: how and why the French invaded it, and how they governed the territory, continuously changing approach, trying to finally subdue the people. Then the war of independence is rapidly resumed, along with the birth of the *Front de Libération Nationale*, and the outcome of the war: the signing of the Evian agreements.

The second chapter deals with the first years of Algerian independence, briefly explaining the presidency of the first three leaders of the country: Ahmed Ben Bella, and his path towards authoritarianism; Houari Boumédiène, how he came to power, his socialist ideas, and the confirmation of the authoritarian regime; Chadli Bendjedid, and the first constitutional reform, which inevitably led to the civil war, during which the country was mainly led by Liamine Zeroual; in the end, how Bouteflika reached presidency, and reinforced his role as a guide to transform Algeria into a modern country. The initial bibliography for these two sections focused mainly on history books, as the chapters were mainly historical. The content was then integrated with essays and analysis on the civil

war period, which were precious for the aim of understanding the main steps and issues of the decade. The goal was to give a short and clear report of the time and on the socioeconomic situation of the country. For the strictly legal subjects, that is, the paragraph about the Constitution, it has been possible to access the digital archive of the *Journal de la République Algérienne Démocratique et Populaire*, that is, the Algerian Official Gazette.

Next on, the third chapter investigates the events of 2011, and at the same time explains the main events of the first, second and third term of President Bouteflika, along with the Constitutional reform that allowed him to avoid the limit of two terms for the presidency. After having listed the main events, the chapter tries to analyse the aspect of the demonstrations as a structural quality of the Algerian political and social system. The aftermath of the demonstrations is also discussed: the government reaction, and the light reform that took place after it. Consequently, the difficult relationship between State institutions and society is illustrated, along with the lack of trust in the institutions, that causes these repetitive marches and sit-ins. Then the chapter tries to give an insight into the backstage of the presidency, outlining the characteristics of the *Département du Renseignement et de la Sécurité*, the military office with which the President has to share every decision, and of which the support is necessary to secure the endorsement of the High Military Command, namely of the *pouvoir*. And after that how Bouteflika was able to win a fourth term is outlined, despite his worsening health state. To close the chapter, the 2016 Constitutional reform is analysed, and how it helped to further strengthen the presidential powers.

The main question that led the research for this chapter was why Algeria had avoided the falling of its regime, unlike the other Arab countries in the season of the Arab springs. So, the readings switched from history books to essays mainly, of qualified analysts, researchers, and sociologists. The found reports also guided the investigation to deepen the understanding of the events through journal articles, essentially those of the Algerian French-writing press, to be able to find a French translation of the declaration of this or that politician. But comments and points of view of those who were witnessing the events were also the most used: *Liberté*, *El Watan*, *Le Soir d'Algérie*, and the *Algeria Press Service*. For the given data, they were taken from analysts' books, furthermore, to consult also official reports of international institutions and organization was also necessary. With

the aim of understanding the reformed Constitution, the digital archive of the *Constitute project* came at hand and allowed a contrastive analysis between the old and the new document, reinforced by external reports of the analysis of the EU institutions, and articles from the international press.

In the end, the fourth and final chapter, the weightier one, looks into the facts of 2019. It opens with a chronological report of the events, from a mainly political standpoint, describing the steps that went from the Bouteflika's intentions to run for a fifth term, to the elections of Abdelmadjid Tebboune. While this part focuses on the point of view of the political world, the following paragraph explains the reasons of the demonstrators, giving an insight on how the first demonstrations of 22 February started, and how the *Hirak* movement developed, in accordance with the motto of non-violence. The political world and the demonstrators described, the chapter continues with further clarifications on the role of the *pouvoir*, and its choice of Gaïd Salah as its frontman. After having reported his actions and his speeches and declarations, an analysis is given on the various constitutional impasses, contradictions, and violations that the actions of the governing parties and the *pouvoir* provoked. In addition to this, the economic situation of the country is explained, as a possible reason, sided by the choice of Bouteflika to stand for a fifth term, an event seen as unthinkable from many Algerians, who saw the manoeuvre as an assault on their dignity as people. Before describing the first year of the new President, an overview of the reaction abroad is given: the declaration of support from the UNO General Secretary, and the actions of the EU, along with the European Parliament is briefly explained. Nevertheless, the most important external actor researched is France: the explanation follows the specular pattern of the Algerian one. An account of the meetings is firstly given: peaceful meetings of the Algerians living in the continent, of those with a double nationality, and of the exiled to avoid arrest because of their participation in-the *Hirak* demonstrations. Then the political declarations, and the current relationship between the two countries is studied, focusing on the statements of President Macron, and of the Minister for Foreign Affairs Le Drian. Their policy named by journalists of "ni ingérence, ni indifférence" is reported. The relation between the two administrations is further presented, along with the implementation of Macron project for reconciliation through the shared memories of Algeria and France.

To close the dissertation, a report and study of the most recent events is displayed. The first year of Tebboune's presidency, and his goal of a constitutional reform that would respond to all the requests of the *Hirak* cover much of the content of the paragraph. An overview of the reforming and drafting process is given. The previewed changes are again investigated, in comparison with the old Constitution, and the reaction of the political world is analysed. Nevertheless, 2020 was also the year of the CoVid-19 pandemic, a situation that caused a serious threat to the existence, and survival of the *Hirak* movement. An insight on the implications of the pandemic for the movement is detailed: how the movement adapted to the lockdown situation, and how the pandemic was exploited by the government to enhance repression and try to finally silence the movement. The reaction of the movement to the reform is also explained and investigated, to then end with the future perspectives that have been opened to allow a further development of the movement, for it to establish a real change for Algeria.

Being the chapter about the most recent events, the search relied mainly on press articles as primary sources. The articles came essentially from the digital archive of the *Algeria Press Service*, thanks to which it was possible to reconstruct the main chronological events of the political crisis. The archive also furnished the French version of official letters and declarations of various institutions and organizations. But to keep a contrastive sight on the subject, also other Algerian journals were examined, namely *L'Expression*, and *Le Quotidien d'Oran*, in addition to the abovementioned *Liberté*, *El Watan*, and *Le Soir d'Algérie*. To diversify the most the sources, also an external eye on the country was necessary, therefore also news and articles from *Al-Jazeera* and *Jeune Afrique*, gave a helpful point of view, but the former provided mainly with the opinions and debates from various analysts in its program *Inside Story*, available on the YouTube channel of the network. Moreover, articles from the French press were examined, from journals and networks like *France24* and *Le Point*.

The assorted declarations and events that needed clarifications, were explained thanks to the book by Jean-Pierre Filiu, that was used as a critical outline for the chapter. The contents of the book were expanded through essays and reports both of Algerian and foreign analysts and journalists. The French version of official documents was always available on the French version of the Algerian institutional sites. In particular, the website of the *Assemblée Nationale Populaire* for the laws in force; the site of the

Constitutional Council, and that of the *Journal Officiel de la République Algérienne Démocratique et Populaire*. With the aim of accuracy and clarity, for the section about the foreign reactions, the digital transcriptions of the debates at the European Parliament were helpful, along with the on-line archive of the Parliament resolutions. Concerning the section about France, the declarations of President Macron were extracted from the digital archive of *Le Monde*, that was the primary source, enriched with further articles from *Le Parisien*, *Le Figaro*, and *France24*. While for the Foreign Minister, the press section of the institutional site of the French Ministry for Foreign Affairs supplied with all the statements concerning Algeria, and the opinions and reports from Ministerial visits in the country.

The work is configured as a contrastive analysis of various declarations and events, basing the main assumptions on already existing reports and essays. To maintain the scientific perspective, the sources have been diversified as much as possible, by taking into account Algerian journals and analysis, but also foreign points of view. This was fundamental to grasp every aspect of the situation and to be able to differentiate between the manipulated news and the more credible one. Also, the reports of the analysis ranged from independent analysts to those working for private or public Institutes and universities, both Algerian and foreign. Therefore, the main concern has been to have a panoramic on the events as wide and varied as possible, to not be deceived by one point of view or the other. Without the aim of being complete and exhaustive, because of the impossibility to go on place, but also because of the contemporariness of the events, this dissertation hopes to clarify the main stages of the Hirak movement, and above all to raise further question for the reader to deepen in autonomy, or to work on by him or herself.

CHAPTER I

1. From undefined entity to independent State

Even though central and eastern Maghreb possess a millenary history¹, before the XVI century Algeria did not exist as an independent and structured State entity.

1.1 The Ottoman regency and the French expedition:

After the fall of the last Islamic outpost in Grenada, because of the Spanish *Reconquista*, the Spanish crown tried to go to the North African coast and expand its dominions: the Muslims, therefore, called out for help from Khair ed-Din. Famous pirate and admiral of the Ottoman fleet, he was protected and encouraged by the Sublime Porte to which he came helpful to conquer Northern Africa. Through him, the Ottomans created naval bases on the coast, from which they were able to halt the Spanish invasion, but they served also as fortresses to establish their power in the land. After having driven out from Tunis and Kairouan the local dominators, the Hafsids, they finally established the Ottoman regency. Although they were confined in the city-State of Algiers, they progressively expanded to the entire Algeria. The regency will last to 1830, when the French conquered the *beyelik*² of Algiers.

1.1.1 The regency of Algiers

The Ottomans, as vassals far from the capital of the Empire, acted as independent from the Sultan of Istanbul and focused on their activity as pirates faced to the Mediterranean Sea. The administration was based on the exploitation of the indigenous tribes, but despite

¹For the contents of the chapter, cfr. Phillips, J. Evans, M. (2007). *Algeria: anger of the dispossessed*, New Haven and London, Yale University Press, pp 2-67; and Ageron, C. (1964). *Histoire de l'Algérie contemporaine*, Paris, PUF.

²The term identifies a territory under the jurisdiction of a Bey, equivalent in other European societies to a "Lord". (Mohamed Hedi Cherif - Daniel Panzac (1995). *Histoire économique et sociale de l'Empire ottoman et de la Turquie (1326-1960) (in French)*. Peeters Publishers.)

the continuous rebellions of the Arab Berber tribes, the domination of the Sublime Porte kept tightly together the country. With the help of the *makhzen*³, the Empire took advantage of their influence on the brotherhoods and the religious establishments.

At the beginning of the XIX century, the *deys*⁴ chosen by the Turkish militia received the investiture by the Sultan and governed like absolute sovereigns provided that they kept the Capital informed on the developments of the kingdom.

The regency was divided in four territories: the region of Algiers, the province of the East, the province of Oran and the province of Médéa. The region of Algiers was under direct ruling by the sovereign, while the other three were administered by the *beys*, in collaboration with their lieutenants (*khalifa*). In the administrative structure of the territories of the Empire, these provinces were categorized as *beyeliks* governed by a *bey* who, helped by lieutenants, should have delivered taxes to the Capital on a fixed date.

There are many reasons beyond the French invasion in 1830, which can be summed up in four categories: politics, economy, religion, and culture. The political reason, even though it was said to be the diplomatic incident of 1827, it was the weak and unpopular regime of Charles X, from which there was the attempt to divert the attention. The first reason given by the French government when they finally invaded Algeria, the diplomatic accident of 1827, concerned a debt that France had with the Algerian *dey*, which dated back to the Napoleonic wars, a debt that neither Napoleon, nor Louis XVIII, nor Charles X intended to honour. When the *dey* of Algiers, Khodja Hussein at the time, asked the French Consul for a repayment of the loans, he is reported to having slapped the Consul in the face with a flywhisk at his refusal, and shouting “You are a wicked, faithless, idol-worshipping rascal.”⁵

Then, the economic reason is that French traders wanted to expand their markets and take control over greater areas outside of the outposts they had already created in La Calle and Bône. The country was seen as an unexploited place of wealth, a myth fuelled also by the stories of pirates’ treasures hidden in the casbah during three centuries of raids, which at some points were financed by the Algerian government and had forced seven European countries to pay a tribute in order to avoid their attacks.

³ The term refers to the central government structures. (*Larousse online dictionary*)

⁴ A ruling official of the Ottoman Empire (*Merriam-Webster online dictionary*)

⁵ Phillips & Evans, p. 2

Concerning religion, the Mediterranean was still depicted as a confrontation zone between Christians and Muslims. When the invasion was formally announced to the National Assembly, the King explicitly justified the enterprise on religious grounds, reviving an imagery of the Crusades and of the spread of Christianity:

*“In the midst of the grave events that have preoccupied Europe, I was obliged to suspend the effect of my just resentment against a Barbary power; but I can no longer allow to go unpunished the grave insult to my flag; the resounding redress that I hope to obtain in satisfying the honour of France will with the Almighty’s help turn to the profit of Christendom.”*⁶

Finally, on the cultural dimension, France saw itself as a coherent Nation State with a superior culture, in contrast to the failed regime of the Ottoman Empire. Concerning the weakness of the Algerian State at the moment of the invasion, it must be said that at the beginning of the XIX century a harsh economic crisis followed by a reduction in production, led the *dey* to increase taxation in the countryside to compensate the shrinking in profits. Even if this practice filled up the State coffers, on the long run it proved to be counterproductive: the regime was despised by the local populations, which revolted more and more frequently – this is why the government collapsed so fast when the invasion began.

Even if the tribe leaders welcomed the French as overthrowers of the Ottoman regime, this does not mean that they wanted them to settle down as rulers and colonizers.

To underline the role of the Ottoman period in the political thought of the XX century, it must be said that during the ‘80s and ‘90s of the century, the Islamists referred to the Ottoman regime as a period in which Algeria was an entity religiously unified, that had been successively contaminated by French ideas. This reference to a unified society, even if under a religious aspect, can be interpreted as a tool to give a sense of nationality to the Algerian people. This often happens in a Nation under formation, and it is recognized by Eric Hobsbawm as one of the three types of “invented tradition”⁷.

⁶ Ruedy, J. (1992). *Modern Algeria: The Origins and Development of a Nation*, Bloomington: Indiana University Press, pp. 47–8, in *Algeria: anger of the dispossessed*, p. 2

⁷ Hobsbawm, E. J. (1994). *L’invenzione della tradizione*, Torino, Giunti Einaudi, pp. 11-13

1.1.2 The Algiers expedition

After the diplomatic accident of 1827, France established a sea blockade towards Algeria for three years. Algeria responded by destroying some French ships and by asking Turkish troops to Istanbul, but the Vizier of Istanbul sent only a diplomat, who ended up being useless in the situation. In August 1829, a French vessel shot with a cannon because the Polignac government had been tempted to open an expedition to conquer the Maghreb under the leadership of the Egyptian pasha. Later, the affair vanished and at the end of January 1830, a military intervention had been organized.

On 14 June, 37.000 men landed on the coast of Sidi Ferruch, ten days later the fortress of Algiers had been taken over and on 5 July the *dey* signed an agreement that guaranteed to all the inhabitants of all social classes respect and defence of their freedoms: of religion, of properties, of commerce and for their women. The aim of the expedition was to push back in Asia the Turkish militia and to put in chief a Moor or Arab prince with a national government. On 26 June, Polignac decided to start to negotiate with the Empire: France would have given back Algiers and its territories to the Sultan, who would have yielded a portion of land from Cape Bougaron to the frontier with the Tunis regency. In the end, the Sultan had to expand the zone of the *Concessions d'Afrique* and to allow the French to occupy Bône. Because the Turkish authorities had been removed, the authorities of the French army had to replace them on the entire extension of the regency: in fact, for the next 40 years, Algeria would have been a private dominion of the army.

1.2 The French dominion

The period right after the disappearance of the Ottoman regime is traditionally remembered as a period of anarchy. In 1834 two sources of power had gained popularity:

- In Constantine, the *bey* Hajj Ahmed had kept the title and pretended to be the successor of the *dey*. He ensured order through violence and proclaimed that he would have negotiated with the French and the Ottomans.
- At West: Abd el-Kader, “Sultan of the Arabs”, a young *marabout*⁸, son of a sheik. El-Kader proclaimed himself *amir al-mu'minin* (Commander of the faithful) and started the first *jihad* against the infidels. While installed in the *bey*'s palace, he decided to accept the peace offered by General Desmichels, the French General in charge at the time, on 26

⁸ Muslim holy man (<https://www.britannica.com/topic/marabout>)

February 1834. The French commander tried to make him his protégé and champion of liberation against the Turkish dominion: he recognised the sovereignty of the Commander of the faithful, granted him a commercial monopoly in Arzew and committed himself to help him with a supply of weapons that allowed to win over the militia of the Turkish *bey* in Meharaz on 12 July 1834. Once Desmichels' plan was discovered by the central government, he was replaced by another General: after some battles, the government decided to put in force the policy of "restricted occupation" (Ageron, 1964), that is to occupy only the maritime establishments. Therefore, they chose to send General Bugeaud to negotiate with el-Kader and they finally signed the Tafna treaty on 30 May 1837: the treaty assigned to el-Kader 2/3 of the Algerian territory and it should have, in theory, put in place a peaceful coexistence between the two fronts. Nonetheless, the slight disparity in territorial possession, made inevitable to go back to war two years later.

At the end of October 1839, Marshall Valée went through the so called "Iron Gates", a mountain pass at the frontier between the French possessions and el-Kader's kingdom. Therefore, he made an act of war and declared the French rights on the region, but he failed in his offensive. Meanwhile, Thiers had become again Prime Minister and decided to replace Valée with Bugeaud, the only man who had beaten Abd el-Kader.

Bugeaud became Governor general for seven years and set up a "total war", with a systematic ravaging and devastation of the unsubdued regions. The immediate successes seemed to justify these methods of conquest that contributed to prolong the war and alienate the Arabs. Abd el-Kader, fought by the French troops allied with the Moroccans, finally handed himself over on 23 December 1847.

The French books crowned Bugeaud as the founding father of French Algeria, the genius that paved the way to colonization. While Abd el-Kader, even if romanticised by the French as an honourable enemy, who built statues to him at the end of the '40s, for the Algerian population, he has always been the symbol of anti-French resistance. This shows, in some sense, that Algeria could already be recognised as a Nation-State at the time, with his own pantheon of heroes⁹.

During the colonization as a private military dominion, roads were built, as well as new villages, centres, and canals. Immigration had risen, thanks to the confiscation of

⁹ Phillips & Evans, p. 31

lands that were sold to immigrant landowners. When Bugeaud left, the Algerian French felt strong enough to be left without the help of the army, but they needed to be granted protection from France. On 15 April 1845, part of the Algerian territory had been annexed to the national regime, and the ordonnance of 28 September 1847 declared the French law in force also in this territory. Even though the advantages deriving from this new status were available only for French citizens, or for European migrants, in France they thought that assimilation would have pushed the Arabs towards their civilization. This *status quo* will characterize the entire history of French Algeria.

1.2.1 The experience of assimilation: the II Republic and the II Empire

The echo of the 1848 Revolution in the colony, meant the end of the military regime and the realisation of the assimilation. The new Republic set universal suffrage and allowed the French Algerians to send four deputies to the Constituent assembly and three to the Legislative assembly. The 1848 French Constitution proclaimed Algeria as an integral part of the French territory and promised that it would have been put under the regime of the national laws. In fact, they tried to connect directly the first civil offices of the colony to the respective Parisian Ministries. In December 1848, the civilized territories of the provinces became three departments divided in *arrondissements* and municipalities, administered by prefects, under-prefects, and mayors. Often, by ignoring the governor general, the prefects reported directly to the Ministries, or to the Algerian service at the Ministry of War.

1.2.2 Randon's Algeria and the Arab Offices

In 1852 Marshall Randon was sent to rule over the colony and his main goal was to favour immigration and the edification of villages. To obtain new lands, the policy of *cantonnement* was exploited, as it had become consolidated: it assumed that the natives possessed more lands than they needed. Therefore, the lands in excess were confiscated and donated to the Europeans, while the natives received a certificate of their right of possession over the remaining portion of land. Randon encouraged the private initiatives and the contribution of private capitals, a policy that is defined as “free colonisation” (Ageron, 1964). They tried to transform Algeria in a supplier of tropical commodities

such as tobacco, cotton, and wheat. The infrastructures were also implemented: trainways, roads and barrages.

During this period, the *Bureaux des affaires Arabes* were created. They acted as the true governors of the tribes because the officers spoke Arabic and were familiar with the local culture, therefore the natives were more at ease in dealing with them. These offices tried to involve the Muslims in this economic progress. They wanted to convince these shepherd-farmers to become sedentary, and to create villages of natives rooted in those lands. Despite the insufficient means, the weaknesses of the resources and the innate conservatism of the poor people, their efforts were not useless. Nevertheless, at the first chance – namely, an attack to a stagecoach – the French administration brought the *bureaux* and the military administration to trial. The campaign against these institutions was popular also in homeland and by accepting the revendications of the colons, Napoleon III dismantled in June 1858 the military regime, but kept the *bureaux*.

1.2.3 The Ministry of Algeria

Except for the religious and education dossiers, which referred to the respective Ministries, all the administrative services were now centralised in the Ministry of Algeria and the colonies. The Governorate General was eliminated and the power over Algeria was handed over to a Minister based in Paris: Minister Napoléon-Jerôme, whose declared objective was to neutralise the Arab population through assimilation and the same policy was carried on by the next Minister.

The *Bureaux Arabes* tried to explain to the Emperor the damages of such a policy, that bothered in a dangerous way the native society: Napoleon III showed up in Algiers on 26 November 1860 to investigate. He went back to France after a short period and decided to cancel the Ministry of Algeria.

1.2.4 Napoleon III policy

The Emperor recentralised the government in Algiers, in the hands of a Governor General, sided by a military vice Governor, a Council of government and a Superior Council. Moreover, in a letter of 6 February 1863, he asked for a real act in favour of the Arabs: to grant their right over their lands. He stated that Algeria had to become for France a

source of strength, not a cause of weakness; then he asked for a perfect equality between the Algerian natives and the Europeans, with a reconciliation of the two races.

« Aujourd'hui il faut faire davantage : convaincre les Arabes que nous ne sommes pas venus en Algérie pour les opprimer et les spolier, mais pour leur apporter les bienfaits de la civilisation. Or, la première condition d'une société civilisée, c'est le respect du droit de chacun. »¹⁰

« Voilà, Monsieur le Maréchal, la voie à suivre résolument ; car, je le répète, l'Algérie n'est pas une colonie proprement dite, mais un royaume arabe. Les indigènes ont, comme les colons, un droit égal à ma protection, et je suis aussi bien l'Empereur des Arabes que l'Empereur des Français. »¹¹

Napoleon had ordered to end the war of the dominators to the natives and to give back to the tribes their lands, unjustly taken. To reassure the native population, on 22 April 1863 the Senate declared the Algerian tribes as owners of the lands of which they had perpetual profit.

On 14 July 1865, the French nationality was officially given to the Muslims, but not the citizenship. Under this definition the Muslims were governed by the Islamic law and justice was left in the hands of the *qadis*, the Muslim judges, rather than being regulated by the French Civil code. By keeping untouched their “personal status”, the Muslim population could access to the civil and military offices, and on request obtain the naturalization, that is the citizenship rights. Because of this manoeuvre, Islam had become an element of discrimination: it is true that they could get the political and civil rights of a French citizen, but they had to renounce to their personal status: it was not an act of apostasy, but by doing so, a believer self-excluded himself from the community, because he could not marry another Muslim woman who still had her personal status. In this way, they avoided a huge spike in citizenship requests, but they caused a religious radicalization: the Algerian national unity was reinforced on the common purpose of chasing the French out of Algeria. Conversely, as Ageron asserts in his book, the official reason for this policy was to help the Muslims to evolve and to not let their patriarchal and tribal system to crystalize¹².

¹⁰ <https://www.philisto.fr/doc-102-lettre-de-napoleon-iii-sur-l-algerie.html> last access: 02 September

¹¹ *Ibidem*

¹² Ageron, p. 37

This new so called “policy of association”, was strongly fought by the civil administration, while it was backed by the *Bureaux Arabes*. To show support towards Islam, new mosques were built and Christian proselytism was banned. Also, Muslim teaching was reinstated, since it stopped because of requisitions, wars, and the migration of teachers. New Arab French primary schools were opened and in 1865 a new school for teachers started in Algiers, to train new teachers.

The new imperial policy put a stop to the development of rural colonization, to which a maximum perimeter of extension was imposed. The natives who had become French, could stand up as buyers for the lands, but the bigger part of the concession was bought by French societies.

The French defeat in Sedan and the subsequent fall of the Empire, contributed to fuel again the desire for independence. On 14 March 1871, the Sheikh el-Mokhrani, a local leader, declared a *jihad* against the French, but the rebellion did not stagger the French domination. Conversely, it became harsher and Islam itself underwent a strong attack: Arab was now officially a foreign language, Koranic schools were put under control and the pilgrimages to Mecca as well. This repression was meant to subdue the natives once and for all, but also to get lands and money to go on with the colonisation process, through war fines, forced drawings, and seizures of lands.

1.2.5 The Code de l'indigénat (1881) and the policy of Francization

In the name of assimilation, the Algerian people was subdued to all the laws that were already in force in the mainland. The north regions were now formally divided in three French departments, while the Sahara and the south territories were kept under military control.

In 1881 the *Code de l'indigénat* was promulgated: it consisted in 41 special rules for the natives, that were reduced to 21 in 1890. The *Code* was supposed to be temporary, and its aim was to give the civil administrators the repressive powers that were already in the hands of the officials, to impose themselves even more on the non-subjected tribes. The Code ended up being periodically renewed until 1946.

Moreover, a policy of Francization was applied: the name of the cities and villages were changed, and in 1882 even the Civil Status was modified and imposed new patronymics

of French origin to the Muslims. Towards Islam was implemented a policy that was supposed to be of tolerance, with the declaration of freedom of religion. The reality was that Islam was barely tolerated (Phillips and Evans, 2007): Koranic schools were strongly limited, on a first stance in the name of assimilation, then of laicism. That is why the religious class began to get smaller, and Arabic knowledge was now regressing. Religious practices were tightly supervised: local functions and pilgrimages were permitted, but to Mecca, they were rarely allowed.

1.3 Algerian Nationalism

At the mid-1930s, four distinct nationalist movements could be found in Algeria:

1. The movement of young Algerians: inspired to the movement of the young Turks. Their 1912 Manifesto asked for the abolition of the *Code de l'indigénat*, equal taxes, enlargement of suffrage to the Muslims and representation in the National Assembly.
2. *Fédération des Elus Indigènes* (1926): it asked for representation in Parliament, abolition of the *Code de l'indigénat* and concession of full rights of citizenship to all the Algerians.
3. Association of Algerian Muslim Ulemas: founded in May 1931 by the Sheik Abdelhamid Ben Badis. Under the motto “Islam is our religion, Algeria our motherland, Arabic our language”, they gave new sense to words like *wa'tan* (motherland – direct translation of the French *patrie*) and *al-umma al djaza'ira* (Algerian Nation), which began to be used more often. The action of Ben Badis is generally considered as the first formalisation of Salafism into an organic doctrine in Algeria. According to the need, they referred to Al-Afghani, Abduh or Rida, but Ben Badis discourse generally proclaimed a new Renaissance for Islam, and therefore was identified as a form of cultural nationalism¹³.
4. *Étoile Nord-Africaine* (ENA): founded by Messali Hadj and with connections to the French Communist Party. It asked for the abolition of the *Code*, press freedom, the creation of an Algerian National Assembly, the withdrawal of all the French troops and immediate independence, in addition to the seizure of lands to give

¹³ Amghar, S. “Le salafisme en France : de la révolution islamique à la révolution conservatrice”, *Critique internationale*, vol. 40, no. 3, 2008, p. 97.

them back to the Algerian people and the nationalisation of all the industries. The ENA was officially banned by Parisian authorities in 1929.

The American landing in Normandy, in 1942 revealed the weakness of the French, who lost their aura of invincibility. Moreover, it made the Algerians discover the concepts of the Atlantic Chart, and they began to have a federal conception of the relationship between France and Algeria. After the request of General Darlan and Giraud for a Muslim military effort in the War, Ferhat Abbas, leader of the *Union Populaire*, answered with the Manifesto of the Algerian people, in which he asked for a new Algerian statute¹⁴. The Peyrout government, to facilitate the military mobilization, accepted it on 31 March 1943, and created a Commission for Muslim studies. The Muslim delegates to the commission presented a precise political program, which scheduled the election by all the Algerians of an Algerian Constitutional Assembly, to transform Algeria into an independent State at the end of the war. This political project was entirely rejected by the new Governor general.

In 1944, Abbas tries to put together a united front with Messali Haj and they founded the *Association des amis du manifeste et de la liberté* (AML), with the aim of making popular and familiar the idea of an Algerian Nation and of a Constitution for a Republic federate to France. The masses radicalized and after the deportation of Messali, from 25 April, a series of violent demonstrations took place, above all in Constantine (8-13 May). These demonstrations faced a total and violent repression, which also brought many of the protesters in front of the Marshall Court.

In 1947, the Algerian Parliament took on the task of defining the new Algerian statute: the colony was now a group of departments with legal personality and financial autonomy. The Muslim deputies rejected these dispositions and withdrew from the debates: the articles that promised an effective innovation kept being hindered by the political process.

¹⁴ Rainero, R. "Il Movimento Nazionalista e la situazione dell'Algeria dal 1940 ad oggi.", *Oriente Moderno*, vol. 34, no. 11, 1954, p. 461

1.4 The Front de Libération Nationale and the war of liberation (1954-1962)

To prepare the way to an armed insurrection, the *Comité Révolutionnaire pour l'Unité et l'Action* (CRUA) was created in 1954. The CRUA met regularly, and its members became more and more confident on their task, also thanks to the ongoing process of decolonization, which had led to the French defeat in Indochina in May.

The CRUA was then officially renamed *Front de Libération Nationale* (FLN) on 10 October 1954. They stated that the nationalist movement had finally reached its realisation and they declared the fight for revolution, with the goals of dismantling the colonial system and gaining national independence for the restauration of the Algerian State. They therefore organized an insurrection for November 1st, 1954: it is a religious holiday, so the colonial authorities were expected to be on low guard. The plan was to concentrate most of the armed forces on Aurès, in coordination with other attacks through the entire country to give an idea of strength. This was the beginning of eight years of war.

In war period, the FLN imposed itself as the sole nationalist force, and it made clear that all the other parties had to dissolve and join them: everyone did so, except for Messali Hadj, who rejected their predominance and opened a rival organization, the National Algerian Movement.

To reassure the French colons, the Prime Minister Mollet stated that the ties between France and Algeria were unbreakable, and he underlined that he would have opened discussions with the Algerian deputies. In this way, the National Assembly granted him special powers to bring back law and order in Algeria: the Resident Minister in Algiers now had dictatorial powers.

During 1956, the FLN intensified his military and political activity. Apart from the guerrilla operations, they achieved some political successes: indefinite student strikes, desertions by soldiers and officials, creation of trade unions.

Meanwhile, the Suez Crisis had changed France's position internationally, moreover, the FLN was intensifying its actions of terrorism: especially Algiers faced some bloody attacks. In this occasion the government gave police powers to General Massau, with the order of breaking FLN: final success was achieved in October 1957, when Ali la Pointe, the last FLN leader, was blown up in his hiding place in the casbah.

1.4.1 The Evian agreements and final independence

On the 13 May 1958, a new protest was the opportunity to occupy the Governorate Palace. Meanwhile the Mollet government had fell, and De Gaulle had been asked to form a government by President Coty: on 1 June, De Gaulle was given the task to draft a new Constitution for the V Republic, which was approved by referendum four months later.

On 16 September 1959, De Gaulle proclaimed that after the return to peace, the Algerians would have had the right to self-determination. He gave three possible choices: secession, francization, or autonomy in association with France. Algerian authorities chose autonomy, with the main aim of ending the colonial regime: on 28 September 1959, the provisional government declared to be open for negotiations, given the insurance to have national unity and territorial integrity preserved.

The negotiations for what came to be known as “The Evian agreements” were complicated and focused on the issues of the truce, the statute of the French Algerians, and the rights on the Sahara. The desert had suddenly become extremely valuable due to the discovery of natural gas and oil. Even though the Algerian government affirmed that it was part of the nation, they had some difficulties in presenting their historical rights on this land of nobody. During the negotiations, that took place on French soil, in Algeria the situation was escalating quickly: the French public opinion was more and more pressuring to put an end to the acts of terrorism, and therefore asked for an immediate peace. The French government had to renounce to an organic cooperation between the officers of the two States.

At the second conference of Evian, on 18 March 1962, the agreements and the ceasefire were signed. A referendum for self-determination took place on 1st July and on 3rd, after 130 years of French presence, Algeria was finally an independent Arab State.

CHAPTER II

2. Independent Algeria

Algerian sovereignty¹⁵ was finally established after seven years of war, that culminated in summer 1962. In the last months of war, it was not a question of *if* they would have won, but *when*. And above all, who would have received the merits of this victory: The *Front de Libération Nationale* (FLN) had been acclaimed in 1960 as the political projection of the aspiration of the people to gain freedom. In 1958 they had created a provisional government (GPRA) in Cairo, which underwent a reshuffle by the National Revolution Council (CRNA) in 1959 during a Congress in Tripoli. From then on, the real power was in the hands of an interministerial committee (CIG), and a new general staff of the Army (EMG) under General Houari Boumédiène control. But internal divisions of the party had not been taken into account: above all, the fight between Ben Khedda, the President of the Council, and Ahmed Ben Bella.

2.1 Ahmed Ben Bella: the first President of Algeria (1963 – 1965)

Ahmed Ben Bella was a revolutionary Minister of the GPRA, who did not accept its ideology. In front of the CRNA, reunited in Tripoli in June 1962, he attacked its President, Ben Khedda, and put him in a position of minority. When they both went back to Algeria, Ben Bella created in Tlemcen a Political Office to take control of the country; on the other side, Ben Khedda affirmed the legitimacy of the GPRA based in Algiers. The conflict soon became armed, but it did not last long. The resistance had been weakened by seven years of war, while the Army of the frontiers was well equipped and trained: when Boumédiène's troops entered in Algiers on 10 September, resistance was already over.

¹⁵ For the contents of the chapter, cfr. McDougall, J. (2017). *A history of Algeria*, Cambridge, Cambridge University Press, pp. 235 – 328; Phillips, J.; Evans, M. (2007). *Algeria: anger of the dispossessed*, New Haven and London, Yale University Press, pp 67 - 102; Ageron, C. (1964). *Histoire de l'Algérie contemporaine*, Paris, PUF

When the National Assembly, on 25 September 1962, declared the birth of The Democratic and Popular Republic of Algeria, it asked Ben Bella to form a government. The new Constitution appointed the FLN as the only national party, that had to educate and guide the masses: the vehicle through which revolution had to be reached and socialism created¹⁶. The Republic was officially oriented “in conformity with the principles of socialism and the effective exercise of power by the people”¹⁷. No separation of powers, no institutionalization of divergent views and programs: the National Assembly was not a legislative sovereign organ, but an organ to confirm decisions taken elsewhere.

This does not imply that there were no opposition parties: they were many, but they were also systematically banned and repressed. The founders were often forced to exile or arrested and sentenced to death: Ben Bella’s police was acting a real purge of the opposers. After two and a half years, it looked like the country had reached a new stability. Ben Bella preferred to capitalize on personal popularity, since he had a fragile support at the State summit. He counterbalanced his lack of favour from the Army Generals, with the popular enthusiasm for independence.

In addition to his exploitation of popularity, Ben Bella begun to centralise on him all the prerogatives of the other ministers: he survived until 1965 in a constant and volatile balancing of factions. In June 1965 Ben Bella was organising an Afro-Asian conference in Algiers, that should have begun on 22 June, when Colonel Zbiri entered in Villa Joly followed by an armed unit and arrested him. After the arrest, a radio announcement declared that “the instability, the demagogy, the anarchy, the lies and the improvisation”¹⁸ of Ben Bella’s government had finished.

After a proper coup, orchestrated by Boumédiène and the other Generals, a Council of the Revolution was created. It became the supreme authority of the State under Boumédiène Presidency and dominated by the Army, while Parliament and Constitution were suspended. The Council officially accused Ben Bella of cult of personality, but the

¹⁶ “La Costituzione Della Repubblica Democratica e Popolare Algerina (10 Settembre 1963).” *Oriente Moderno*, vol. 43, no. 10/12, 1963, p. 653. *JSTOR*, www.jstor.org/stable/25814604. Accessed 23 Sept. 2020.

¹⁷ *Ivi*, p. 651

¹⁸ Boumédiène, H. “Proclamation du conseil de la révolution, 19 juin 1965” (accès libre, octobre 1965) // <https://www.monde-diplomatique.fr/26873>. Accessed 23 Sept. 2020

reality was that the powers that had supported him until then, did not like anymore his demagoguery, and above all, his centralization of power¹⁹.

2.2 Houari Boumédiène (1965 – 1978)

Under Boumédiène regime, Algeria saw an immediate recalibration of the political agenda. The more Marxist tones were eliminated, in favour of a more specific socialism: Algerian and Islamic, rather than atheist and scientific.

To give legitimacy to his power, in 1975 he ratified a new National Charter and announced new legislative and presidential elections for December 1976. Boumédiène ran for presidency and won, so he was now an officially elected President, even though he was the only candidate for the position.

In the Army and bureaucracy, he was able to impose himself as the supreme arbiter among the different factions inside the system, something that Ben Bella had not been able to do. After the putsch, he had to handle different opposition parties: he resorted to violent repressions, arrests, torture, and forced exile. Even if it is not proven, some of these leaders are probably beyond the organisation of the assassination of April 1968, to which Boumédiène survived.

On the political level, he strengthened the centralization of powers began under Ben Bella, while on the economic field, his achievements are confirmed by the GDP growth. The economic growth of the country was boosted by industrialization, huge foreign investments, and economic aid, and thanks to natural gas and oil a big national industrial sector was created²⁰.

Through a better access to education, for those who could afford it, the ruling class gained more trained Algerians, who had completed also an upper cycle of education and had had professional training as well.

The world economic crisis that hit the country in the 70s, caused a decrease in oil export, so Algeria had to rise its foreign debt. In the countryside there were less jobs, and unemployment was rising in the desert regions. Because of this situation of instability, the agrarian revolution was handled with prudence: it was based on a system of

¹⁹ McDougall, p. 251

²⁰ Ageron, pp. 119-121

cooperatives and the nationalisation of the unused or abandoned lands, while limiting the extension of big properties.

Boumédiène died on 27 December 1978, after a six-weeks coma. His successor was not decided through open elections, but in the diversified ranks of the FLN two candidates were designated: Abdelaziz Bouteflika for the right wing, who had been Minister for sport and youth under Ben Bella and Foreign Minister under Boumédiène; and Mohamed Salah Yahiaoui for the left wing. In the end, both were excluded in favour of a compromise choice by the board: the Commander of the second military legion, the 50 years old Chadli Bendjedid.

2.3 Chadli Bendjedid (1979 – 1992)

Since the beginning of his presidency, he deliberately abandoned Boumédiène's project and interrupted the Islamisation of the country. Despite his rapid moves to consolidate his position just as he was declared President, his greatest weakness was that, unlike Boumédiène, he had not been able to become that recognised arbiter during factional conflicts. Therefore, his regime faced many internal conflicts and social and economic crisis.

Firstly, he changed his entourage: most of Boumédiène's counsellors had already left, but those remaining were soon replaced with trusted people. While on the social and cultural field, he tried to co-opt and contain the Islamist pressure, and at the same time he repeated the political monopoly of the regime by cancelling any sign of the Marxist current that had supported the previous government.

During the '80s, the opposition began to grow, especially from the younger generations, asking for more freedom and to suppress the authoritarian regime and wipe out corruption. At the same time, the major weakness of the country became clear: its dependence on hydrocarbons. From 1974 the huge injection of money deriving from the hydrocarbons market, was fundamental to cover systemic debts, but at the same time Algeria was not capable to absorb that quantity of money in a productive way. Therefore, the money ended up nurturing also the circuits of corruption and clientelism that were growing around the State monopolies²¹.

²¹ McDougall, p. 279

Before the FLN congress of 1988, Bendjedid tried to stabilize his position, with a speech that warned the enemies of the reforms. Two weeks later the speech – on 4 October – demonstrations took place, and the Army shot on the protesters and killed a hundred. After having confirmed his third presidential term in December 1988, in February of the next year, Bendjedid started the works on a new Constitution, that implied new elections and a multiparty politics. It was a move to try to handle the protesters and stop the crisis, but it worsened, and demonstrations spiked. The project was to go back to the 1954 situation, transitioning from an FLN as a unite front of different political families, to political pluralism. But the actual effect was the creation of numerous parties through the entire political spectrum: from the Islamists to Trotskyist leftists.

From this situation, rose the *Front Islamique du Salut* (FIS) that gathered people on the dissatisfaction of Bendjedid government, and came out victorious from the municipal elections of 1990. The party was organised around the local mosques and it provided with a second path to the impasse created by the FLN system. Consequently, it rapidly became the new political expression of a vast social movement, and in April 1991 it called for a national strike, under the lead of its founder: Abassi Madani. The goal of the strike was the fall of the regime, as Chadli Bendjedid was seen as the source of corruption that had ruined Algeria. Madani hoped to create a mass movement that would have forced the President to resign, but the strike was joined only by 1.5% of State workers and virtually nobody of the private sector²². So, FIS popularity was already fading in 1991 and the sit-ins were scattered with violence: many were killed, and the leaders imprisoned.

The violence with which the FIS demonstrations were handled, fuelled the image of the members of the party as persecuted and oppressed martyrs and the FIS regained popularity. A few weeks before the 1991 elections, the FIS announced that it would have run too, and it won the majority of the seats.

Recognised his defeat, and lost the support of the Army, Bendjedid dissolved Parliament and resigned. The following day the elections were annulled, and a High State Commission (HCE) was created, to safeguard the Republic. On 9 February, the state of emergency was declared, and the Generals of the Army took the lead of the government, deciding to keep in place the system and to handle the society through violence.

²² McDougall, p.288

2.4 A transactional period: 1992 – 1999

The FIS quickly became the biggest Algerian Islamist movement, even if it was unsure about its own position on elective democracy. The militants of the party based their political doctrine on the moral leadership of the Prophet, as written in the Qu’ran. Not only they saw the French colonial government as immoral, but also the post-colonial one: they affirmed that it had betrayed the struggle for independence, and its immorality was confirmed by the continuous French interference in Algerian affairs. Their program included the application of the Islamic morality, therefore, as moral authority on the matter, the FIS charged itself to take place in the political process.²³

The hierarchs of the Army and of the national security beyond the stepping down of President Bendjedid in 1992, were commonly known as *janviéristes*. They guarded over the situation, in order to keep their positions and in 1997 were able to get back to elections with a new regime beyond a multiparty curtain. The hard-core of the group came all out from similar backgrounds, many from the long protection and support from Bendjedid. They surely served their own interests and those of the system for how they perceived it, but it is important not to assume that it was a group kept together by the same interests, nor an instrument for a neo-colonialist plan. After the constitutional modifications in 1989, the Army stated that they could not stay neutral in front of what their Generals saw as a threat to the nation’s destiny.

In 1992, after having brought back the old principle of collegial leadership and having assumed presidential powers, the HCE needed a credible face for the new government. After some debates, they decided to invite Mohamed Boudiaf back to Algeria from his exile in Morocco, to become President. The 73-year-old veteran of the revolution, who represented honesty, according to the commission, as he lived far from the corruption of 1962. Unhappy to be a façade for the real deciders beyond power, he nevertheless arrived in Algiers on 16 January 1992. After a short period in charge, many of those who opposed both to the FIS and the putsch of the Generals began to think that Algeria could have been saved from total destruction. But on 29 June 1992 Boudiaf was killed by one of his own bodyguards while he was talking at a meeting in Annaba. The assassination was seen by

²³ Heristchi, C. (2004) “The Islamist discourse of the FIS and the democratic experiment in Algeria”, *Democratization*, Vol.11, No.4, August 2004, pp.111–132

many as a killing under commission from the *janviéristes* that had already regretted their choice and did not want to submit to him and allow him to bypass them.

After Boudiaf assassination, there was an escalation of terror and violence. In summer 1992, the Islamic Armed Group (GIA) was founded: an umbrella association for the units of Islamic guerrilla. It included followers of Sayyid Qutb, but also those who exasperated the concept of *takfir*, seeing everyone who did not follow their same interpretation of the Qu'ran as apostates. Also, many claims have been made, that the GIA was heavily infiltrated by top agents of the Algerian Intelligence. In fact, the organization has been called by Fouad Ajami in 2010 as “a bastard child of the encounter between the Islamists and the security services of the regime”²⁴. While John Schindler stated that “much of GIA’s leadership consisted of DRS agents, who drove the group into the dead end of mass murder”²⁵.

Until 1999, the situation in the country was extremely unstable: the GIA, alongside with the Islamic Salvation Army (AIS) spread fear through indiscriminated attacks to trains and buses, car bombs and attacks to civilians in the cities. GIA also exported its action in France with terrorist attacks and based its main directorial board in London, where the bulletin *Al Ansar* was published, to spread GIA ideals²⁶. In the mid ‘90s, international commentators started referring to this period as “The Second Algerian war”, sometimes asserting that this new anger was born from the unhealed wounds of the old struggle²⁷. In the period 1992-95, the HCE gained ground over the insurgents: with the aim of beating and terrorizing them, from 1992 thousands of suspects started disappearing in undocumented detention, where torture by the guards was routinized and extreme. The supporters of the HCE stated that the committee had respected the announced end of its mandate: in 1994 the Commission named General Zeroual, 53 years old, as President for a transaction period of three years.

²⁴ Ajami, F., “The Furrows of Algeria”, *The New Republic*, 27 January 2010 (<https://newrepublic.com/article/72807/the-furrows-algeria>)

²⁵ Schindler, J. R., “The Ugly Truth about Algeria”, *The National Interest*, 10 July 2020 (<https://nationalinterest.org/commentary/the-ugly-truth-about-algeria-7146?page=1>)

²⁶ Kepel, G. (2003) *Jihad. Expansion et déclin de l’Islamisme*, Paris, éditions Gallimard, pp. 389 - 419

²⁷ McDougall, p. 313

In February 1995, Zeroual tried to renew the attempt of the regime to open to dialogue with the guerrillas, by stating that it was the only possible solution to the crisis, and it had to include the participation of political and social forces at a national level, without exceptions²⁸. In November 1995, presidential elections confirmed Zeroual in office, and a constitutional revision the following year reinforced the presidential powers by creating a higher chamber, the Council of the Nation; the presidential terms were also limited at a maximum of two, lasting five years each. The Islamist moderate parties of Hamas and al-Nahda, now had seats in the National Assembly with the FLN and other fringes of political representation, ready to accept to enter in the system under the rules of the regime. And just as the situation seemed to be under control, violence intensified abruptly: Zeroual held on for another year, until 11 September 1998, when with a message to the nation, two years after having been confirmed in office, he announced his resignation. New presidential elections took place in April 1999.

2.5 After the war: Bouteflika reaches presidency

In April 1999 Abdelaziz Bouteflika had been chosen by the *janviéristes* to succeed to Zeroual, as the candidate that promised peace. The other six candidates renounced the day before the elections, as a sign of dissent against the imminent fraud. In remembrance of the Boumédiène's era, for whom he had served as Foreign Minister, Bouteflika enjoyed a good share of popularity. His diplomatic profile and good international connections made him the most logic choice to make Algeria stand out in the international scene: indeed, he passed most of his first term travelling.

Bouteflika managed to reach peace with the guerrillas through the so-called "Civil concord": the document was submitted to referendum in 1999 and again in 2005, but it was said to have consolidated peace, without resolving the conflict. The civil concord sacrificed truth and justice, in the interest of *realpolitik*²⁹, above all after the amendment made in 2005, that granted amnesty to many of the actors of the massacres and made almost impossible the juridical attribution for the events of the war. Government did not show any kind of attention for the families of the victims disappeared during the 90's,

²⁸ *Ivi*, p. 316

²⁹ Phillips & Evans, p. 264

and this indifference provoked a growing sense of anger against the entire process of transition.

In 2001 there was indeed a diffused dissatisfaction towards Bouteflika, who could not find the right formula to succeed, ahead of the belief that liberalization would have brought to Algeria the benefits of globalisation through a trickle-down effect.

His first term also experienced the insurrections in the Kabyle region, where a young man, Massinissah Guermah, had been taken into custody by the police after a gang fight and shot dead. Police tried to cover up by saying he was a 26-year-old hooligan, arrested for burglary, but Guermah was an 18-year-old student. In the entire region demonstrations started, against the abuse of power of the police, social injustice, and lack of freedom. Bouteflika asked for calm, but at the same time he did nothing to retain the police: no one was fired and no order to stop shooting on the masses was given. The harsh repression isolated again the country on the international field, who had to face new pressures on human rights, especially from the EU, which wanted to call the government to account for the abuses in the Kabyle region. What would have saved again the regime, were the attacks of 11 September 2001: after the declaration of a global war against Islamist terrorism, Algeria was now seen as a champion for security against these attacks and taken as a model to imitate³⁰. Therefore, Bouteflika had now the military and economic support of the Bush administration, that warmly welcomed his re-election in 2004, with 83% of the votes. One of his opposers, Ali Benflis, denounced the fraud, but was silenced by a declaration of the State Department that affirmed that it was the first real democratic election in Algeria³¹. This external legitimisation reinforced Bouteflika, that took the advantage on the international stage to reinforce the country relationship also with the UK and in general, as his trip to London in 2006, and his participation to the 2007 G8 meeting testifies.

On the internal stage, in preparation for the already mentioned referendum on the national concord of September 2005, Bouteflika created a system of tight censorship to silence the debate and put an end to war in judicial and social terms. Also, despite his attempts, he was also lacking legitimation from the younger generations: they were struggling in a society in which, in 2007, a quarter of the population was living below the poverty line,

³⁰ McDougall, p. 321

³¹ Phillips & Evans, pp. 288-289

and unemployment was attested at 12%, but was probably around 40% and higher in people under 30 years old³².

During his second term Bouteflika also showed the first signs of illness: in autumn 2005 he was rushed to France for treatment, but in January 2006 he was already back to Algeria to get back to business.

2.5.1 The constitutional reform and the third term

In 2006 Bouteflika disclosed his plans for a new Constitution³³, in a speech in which he stated that the old one, written in 1996 under Zeroual ruling, was no more able to satisfy the needs of a country that was no more at war. But the Algerian newspapers believed that he was taking inspiration from the other Arab leaders to modify the Constitution with the aim of prolonging his staying in power.

Before the speech, he had already begun to make his first moves: in May 2006 he dismissed the Prime Minister Ahmed Ouyahia, who was replaced by Abdelaziz Belkhadem, since the former had already opposed to some Constitutional amendments. Ouyahia and his party, the Rally for National Democracy (RND), were part of the three-party alliance that supported the President since 2002, along with the FLN and the Islamist Movement of Society and Peace (MSP). After the speech, many social and civic associations, like the General Union of Algerian Workers, the National Union of Algerian Peasant, and the National Organisation of War Veterans, affiliated to these parties declared themselves in favour of the amendments.

In June 2008 Ouyahia came back as Prime Minister and gave total support to the reform, and to a third candidature of Bouteflika.

Beyond the regime campaign, there had not been much of a public debate on the issue of the Constitutional changes, even if the presidential alliance acted as if it was taking place. The only party that publicly declared itself against the reforms was the Rally for Culture and Democracy (RCD), the party of Berber inclination, guided by Said Sadi.

³² McDougall, p. 324

³³ For this paragraph cfr. Aghrout, A., Zoubir, Y. "Introducing Algeria president for life", *Middle East Research and Information Project*, 1 April 2009 (<https://merip.org/2009/04/introducing-algerias-president-for-life/>)

Nevertheless, all the parties of the presidential alliance accepted the modifications to the Constitution without referendum³⁴: on 29 October 2008, Bouteflika announced the amendments that were confirmed 30 days later:

- The two-terms limit is removed, asserting that the people would have somehow democratically showed to want again Bouteflika as President. According to the Algerian Constitutional council, the revision of article 74 is not unconstitutional³⁵.
- The presidential powers are further amplified: he can now appoint and dismiss the Prime Minister whenever he wants. The Prime Minister must present the presidential program to the Parliament that can reject it, even if this option is highly unlikely to happen, since the entire legislature is pro-regime. Moreover, the Prime Minister does not need to be chosen among the ranks of the majority parties, but at simple discretion of the President. It is supposed that the presidential program should naturally prevail, since it got popular support at the elections.

In short, the government needs to account only to the President, who gets his authority from the people through the electoral process. He acts both as a Head of State and Head of government, and the cabinet must implement his program. The Ministers and the Prime Minister have the task to coordinate the action among the ministries and the President has the faculty to appoint one or more vice Prime Ministers, to assist the task of the Prime Minister in the implementation of the presidential program.

After the amendments were passed, the President announced his third candidature in Algiers. During his speech, he made three promises for his future legislation:

- To keep on promoting national reconciliation.
- To keep on fighting terrorism with any means.

³⁴ According to art. 176 of the 1996 Constitution, the President of the Republic can directly promulgate the law of constitutional revision, without submitting it to a popular referendum if it gets the $\frac{3}{4}$ of the votes of the Members of the two chambers of Parliament. (*Constitution de la République Algérienne Démocratique et Populaire*, in « Journal Officiel de la République Algérienne Démocratique et Populaire », n° 76 – year 35).

³⁵ As stated by the President of the Constitutional Council: ‘The project of constitutional revision [...] does not attempt to the general principles that govern the Algerian society, to the rights at freedoms of the man and the citizen, and does not affect in any manner the fundamental power balances of powers and institutions’ (*Journal Officiel de la République Algérienne Démocratique et Populaire*, n° 63 – year 47)

- To implement a new 150 billion dollars economic plan, to revive the economy of the country over the next 5 years³⁶.

In April 2009 Abdelaziz Bouteflika was then appointed President of the Algerian Republic for a third term.

³⁶ “Après 10 ans au pouvoir, Bouteflika brigue un troisième mandat”, *France24*, 12 February 2009 (<https://www.france24.com/fr/20090212-apres-10-ans-pouvoir-bouteflika-brigue-troisieme-mandat->)

CHAPTER III

3. The Arab Spring

Between 2010 and 2012, Morocco, Tunisia, Egypt, and Libya witnessed a troubled period³⁷ of revolts which led to a change of regime in some cases, while in others to a constitutional reform. By November 2011, while the Egyptians were demonstrating against the post-Mubarak regime, Tunisia was presiding over the formation of a new Constitutional Assembly and leftists and Islamists had joined the government coalition. In the same period, in Morocco new elections were held, after which, as a consequence of the revision of the Constitution, the widest Islamist party came to power, the Party for Justice and Development (PJD), which was preparing to form a government.

In Algeria life was going on as usual, and in the context of the Arab Springs, a lot of people thought to have avoided the turmoil.

3.1 December 2010 – March 2011

In late December 2010 and early January 2011, many poor neighbourhoods in different Algerian cities rose into riots. The main reason that was given, was the rising of the costs of life, namely the removal of some subsidies that caused the rising in price of primary goods, like sugar and oil, and therefore they came to be known as the *zzit wa sukkar*³⁸ riots. On 6 January, youth demonstrations had spread in almost half of the 48 Algerian prefectures: on the following day, the government announced that they would remove the taxes on oil and sugar. On 10 January, the protests had dissolved as fast as they had appeared. It must be said that they still focused on mainly economic issues. From their position, the opposition parties and the trade unions were unprepared to the intensity

³⁷ For the contents of this chapter cfr. McDougall, J. (2017). *A history of Algeria*, Cambridge, Cambridge University Press, pp. 328 – 342; Parks, P. (2012). “Algeria and the Arab uprising” in *The Arab spring – Will it lead to democratic transition?*, New York, Palgrave MacMillan, pp. 101 – 125; Roberts, H. (2015) “Algeria: the negotiations that aren’t” in *Negotiating in the shadow of the Intifada*, University of Georgia press, pp. 145 - 181

³⁸ Oil and sugar

with which the riots had risen. Reunited in the National Coordination for Change and Democracy (CNCD), it took them ten days to choose a common date for a united reaction. The CNCD guided the risings of February and March, after having declared its existence on 21 January. Even though its leaders stated that they wanted to be a framework for the young protesters of January, its own explicit political request was the removal of the state of emergency, a request that meant nothing for the rioters. On 21 January, they called for a manifestation on 12 February. On 3 February, Bouteflika announced a new plan for a further democratisation of the country and forbade the manifestation of the 12th, which ended up being a complete failure. After the announcement of the removal of the state of emergency for the first time since it was applied in 1992, the CNCD split up and lost its grip on the people. While the movement was still unsuccessful, larger portions of society were engaging with the State: not less than 70 demonstrations of social protest took place during March 2011. They were non-violent and essentially ordinary, since they were particular occupational groups, which were all asking the State to listen to their requests (wage, working conditions and correlated issues, rather than political goals). In putting the government under pressure, they did not question the nature of the State, but they were asking it to play its distributive role in a more equal manner.

But payment was not the only issue at stake. A lot of manifestations were pointing at many controversial decisions taken higher up in the hierarchy of power without properly consulting the corresponding Minister. And on these issues and other similar, the regime could not simply buy out the silence of the concerned people and was less inclined to comply with their requests. They were lawyers against intimidatory articles of a new draft law to regulate the profession; doctors and health workers that denounced the dispositions of a draft law on health; university students protesting the new regulations on their degrees, and against the authoritarian management of universities by rectors appointed by the government; support teachers asking for a regularized position and to put an end to temporary employment.

These issues were managed with no particular round of negotiation: both the university students and health workers won their point, respectively on the regulation of the degrees and the statement that no law on health regulation existed, while the other categories had to simply go on with the protests³⁹.

³⁹ Roberts, p. 157

The following marches attracted less and less people, maybe also because of the speech of 15 April, in which the President announced diffused constitutional reforms.

3.2 Riots as a structural feature

These “micro-riots” or *jacqueries*, were considered as normal since the disorders in Kabyle in 2001. This kind of protest concerned mainly accommodations, water suppliance, electricity, etc. They had become a structural event: the only way to be heard in a country where the State is still and deaf to the requests of parts of society⁴⁰.

According to Roberts, a pattern has been identified in the process, from the riot to the response of the government, that is more or less always the same. An eruption of violence that happens without any kind of particular request that can orient the behaviour of the rioters, followed by the attempts of the opposition parties or dissident groups to canalise the requests towards some political aim. The process has two main implications: firstly, after the initial rising, the following attempts to capitalize on the discontent of the masses, rarely lead to some kind of new and politicized demonstration, as the action of the CNCD has shown, because the rage of the mob has been already expressed and the energies are extinct. Secondly, there is reason to believe that this pattern is caused by a series of deliberate decisions of the State, and that is the State, through some apparatuses, to make the events follow this course⁴¹.

The author divides the course of the events into four stages:

1. *Riot* – the eruption of violent protests, that often involves attacks or occupation of government buildings. Therefore, an absence of order and the break of the implicit pact with the State.
2. *Political competition* – the organized political actors begin to manoeuvre and at this point there are two main issues to analyse: how to respond to the rioters that is, with what specific measures, and who will be accounted for them, therefore who will exploit them politically in the competition with their rivals.

In 2011 the government promptly intervened by giving money to the young unemployed. Nor the CNCD, nor the opposition had nothing to offer apart from pure rhetoric. The regime acted in a vigorous way to neutralize the movement, by

⁴⁰ Parks, p. 115

⁴¹ Roberts, p. 163

victimizing its top leaders and making clear its intentions to monopolize the management of the problems of the Algerian youths.

3. *Manoeuvring* – the regime starts to work to delegitimize the interlocutors that it does not want to recognize and to give strength to those with which it prefers to deal with because they do not represent any kind of threat.
4. *Dialogue* – the regime dialogues with the representatives that the regime itself has chosen. The unwritten rule of negotiation considers that you negotiate only with your peers. In a State founded on an armed struggle and dominated by military officers since the independence, the precondition to be respected is to have strength. Therefore, in Algeria, the dispositions to negotiate are fundamentally circumscribed by the continuous hegemony of the militaries toward the State and this limitation has formed the political look of the opposition, as well as the dissident movements inside society.

In the end, it can be added that the riots of 2011 had the characteristic of moving from the centre towards the periphery, while it usually moved the other way around. The principal actors of the disorders were young unemployed from the poorest districts of the big cities and other centres throughout the country. Their protests showed two main features: the total absence of any kind of request, and the destructive nature of their actions. As a result, instead of attracting the interest of the middle class, they repelled it⁴².

3.3 Why no Arab Spring?

The discourse has usually focused on four main points, that is the rent of hydrocarbons and the redistribution of profits, the events of October 1988 and the civil war, Islamism, *le pouvoir*.

From a strictly economic point of view, Bouteflika decided to implement the same strategy he had already implemented during the 2004 electoral campaign, the so called *arrosage*. It consists in buying the electorate quietness by injecting money in the economy from national reserves of foreign currency. Since in 2011 the Algerians were not acting in direct opposition to the State, but they were asking for a State, and for the public goods that a State should distribute, in the short run these measures could be met. A rising in

⁴² Roberts, p. 148

public salaries was approved, between 30 and 100%⁴³, often retroactively of various months. Salaries rose also in the private sector and micro-finances were accorded to more youths: with 170 billion dollars of attested reserves of foreign change in 2012 and revenues for almost 50 billion dollars each year, the regime had more than enough means to buy social peace. Nor Mubarak, nor Ben Ali were equipped with these resources: this money came essentially from the revenues of natural gas and oil. These measures were taken because the majority of the demonstrators were young people of less than 30 years of age. So, it is that part of the population, born and grown up during the political crisis and the armed violence. They are often excluded from economic life and the only chance for them is to turn to illegal immigration. Conversely, the older generations are usually kept away from the demonstrations, because they would have lost economically speaking.

Concerning the civil war argument, the violence of the 1990s was still a fresh memory in the Algerian populations. Terrorist attacks were still very much present, to remember to people that the political crisis born from the annulation of the FIS victory at the 1992 elections was still unresolved. In those years, the country knew a moderate press freedom and of associations, along with some economic reforms, aimed at putting an end to socialist dirigisme. This caution also explained the failure of the political manifestations in February 2011. Even if harshly critical toward their rulers, many parts of the population accused the parties that had tried to bring people in the streets, to put in danger a civil peace always fragile.

3.4 The speech of 15 April

On April 15th Bouteflika announced in a speech new political reforms⁴⁴ and the organisation of transparent election, that would have taken place on 10 May 2012, while the new National Popular Assembly would have passed from 389 to 462 deputies. For the regime, this manoeuvre answered to two different objectives: meeting every ambition of political contestation and prove to the western partners that the country was still stable, while the rest of the Arab world was inflamed because of the Islamist agitations. By

⁴³ “La fonction publique reste en ébullition”, *Liberté*, 2 November 2011 (<https://www.liberte-algerie.com/dossier-economique/la-fonction-publique-reste-en-ebullition-98466>)

⁴⁴ “Des réformes politiques sans calendrier”, *Liberté*, 16 April 2011 (<http://www.liberte-algerie.com/actualite/des-reformes-politiques-sans-calendrier-91143>)

addressing the young people, Bouteflika tried to encourage them to enter the political field and make their reasons be heard, without going on the streets. For Algiers, the most catastrophic scenario saw the rebellions spreading in the entire country before or after the scrutiny⁴⁵.

3.4.1 The premises of the reform and the elections of 2012

The announced reforms would have been promulgated before the legislative elections of 2012, but the constitutional revision would have been discussed after the elections. What was particularly meaningful was that none of the parties and organizations that declared themselves as “democratic”, seriously challenged the premises of Bouteflika’s speech. The President stated that Algeria was already a democracy because there was party pluralism, and the presence in 2011 of more than 30 parties was the proof of it. Therefore, what the country needed was not a radical transformation of the Constitution to transform an authoritarian State in a democratic one, but simply a further development of a democracy that was already in place⁴⁶. By being themselves the principal beneficiaries of the formal pluralism, the parties could not dispute the premises of the reform, while the FLN and RND had no interest in doing so, as parties that supported the government.

The reform process was conceived as a consultation process, to which everyone had been invited and that had been handled by a commission formed by Abdelkader Bensalah, the speaker of the Council of the Nation⁴⁷; Mohamed-Ali Benzaghrou, a presidential adviser; and the retired Major-General Mohammed Touati, also a presidential adviser, seen as the army’s guarantor in the proceedings⁴⁸. The commission held its first meeting on 21 May 2011 and received a list of personalities, among which the leaders of the FLN and RND and eight smaller parties; former defence minister Major-General Khaled Nezzar; human rights lawyer Miloud Brahimi; former Prime Minister Smail Hamdani; notables representing the Tuareg of southern Algeria; the president of UNFA (*Union Nationale de Femmes Algériennes*); war heroine Meriem Benmihoub Zerdani;

⁴⁵ Bekraid, A. (2012) “L’Algérie, une exception en marge du « Printemps Arabe »”, *Le Cahiers de l’Orient*, n°107, p. 149

⁴⁶ Roberts, p. 159

⁴⁷ The higher chamber of the Algerian Parliament

⁴⁸ Roberts, p. 160

veteran human rights and democracy campaigner Hocine Zehouane; Zohra Drif- Bitat; representatives of the Sufi orders; former general secretary of the FLN Abdelhamid Mehri; representatives of the teachers unions, representatives of the employers' organizations, and a number of university professors and researchers. In addition, former member of the High State Committee Ali Haroun and former prime minister Belaïd Abdesselam submitted their ideas in written memoranda⁴⁹.

When the legislation was finally voted in November/December 2011, it had been almost entirely shaped by the executive section of the State, and in particular by the Interior Minister. On 12 January 2012, six new laws were promulgated, after having been voted by the Council of the Nation. These six laws put an end to the announced program of political reforms:

1. A new electoral law.
2. A law concerning cases of incompatibility with parliamentary mandates.
3. A law that promoted women participation in the elections.
4. A new law of information.
5. A new law on political parties.
6. A new law on associations.

3.4.2 The legislative elections of 2012

Another great uncertainty was indeed the scrutiny: the FLN and the Democratic National Rally (RND) should have been united to avoid the ascent to power of the Movement of Society for Peace (MSP), that is the former Hamas party.

Meanwhile, in Egypt and Tunisia, the Islamist movements, once banned, had now won the post-revolution elections, while the PJD had took the lead in Morocco. By following the regional trend, many had predicted the same for the Algerian elections of 10 May 2012. And indeed, close to the elections Algeria saw a proliferation of Islamist parties that seemed to show a new interest in political Islam. Five parties gained access to Parliament: the "Green Alliance" formed by the Movement for Society and Peace, al-Islah and Ennahda, sided in 2012 by the new Front for Justice and Development and the Front for Change.

⁴⁹ Roberts, p 160

After the actual voting, electoral manipulation could be excluded: the regime was extremely worried to be able to announce an appreciable improvement compared to the 2007 scrutiny and it could not have done that by authorizing any kind of reduction of valid votes for the other parties⁵⁰. The FLN acquired a significant raise in its share of seats, thanks to the proliferation of parties, in combination with the implementation of the new electoral law. A lot of lists were not able to reach the electoral threshold of 5%: therefore, from that moment on, their votes would have been eliminated and no more calculated. This allowed the FLN to rise their seats, while their vote percentage was falling: their final result was 45% of the seats in the National Popular Assembly, with 14.18% of valid votes and the votes of roughly 6.12% of the electorate. By refusing to legalize any more parties since 1999, the regime had now legalized not less than 23 new parties before elections. Consequently, at a national level, 2036 electoral lists were contending the districts: that is, approximately 39 lists for each *wilaya*. Many of them did not go through the threshold so, despite their votes were counted for the final result, they were not considered for the distribution of seats.

The Islamist block managed anyway to collectively win 61 seats in the new Parliament: one more than 2007; and the European Union's Electoral Observation Mission declared the election as "satisfactory"⁵¹. Unlike the Tunisian and Egyptian situation, in Algeria the Islamist party was legal since the political opening in 1989 and 1995, when the regime had adopted a measured policy to include the Islamists and to partially share the power, even if in a limited way. The strategy seemed to have fragmented the movement into many different parties, and they all called for the same electorate, every day narrower.

Even before the elections, there had been a growing disaffection for political Islam, as it was clear for the descending curve of the results for Islamist block in the Algerian National Assembly⁵² in the last 15 years. In 1997 they had won collectively 27% of parliamentary seats, then they lost a 6% at the 2002 election, and then fell again at 16%

⁵⁰ Roberts, p. 169

⁵¹ For further information cfr. the complete report of the mission:
https://eeas.europa.eu/archives/eueom/missions/2012/algeria/pdf/rapport_final_05_08_2012_fr.pdf

⁵² The lower chamber of the Algerian Parliament.

in 2007. The Islamist politicians were known personalities: far from having the political mysticism of the Muslim Brothers in Egypt, they were seen as part of the system⁵³.

The Libyan situation had for sure benefitted the FLN at the moment of the elections: at the beginning in the country there was sympathy for the rebellion against Ghaddafi's regime, as there was for the risings in Tunisia and Egypt. When the electoral campaign started in 2012, the evolution of the events in Libya had started to work in favour of the regime since some months. Above all, how the breakdown after Ghaddafi's fall had worsened the crisis in the Sahel region and the problem of safety at the southern border of Algeria. Bouteflika suggested, during a speech at Arzew on 24 February 2012, that these elections were as much important as the declaration of the independence war on 1st November 1954⁵⁴. Even though it was clearly an hyperbole, it well transmitted the anxiety for the geopolitical situation and the indecision on if to mobilize the nationalist reflexes. Then, the complexity of the Libyan situation had been exploited to dissuade the population to revolt. The UNO military intervention in Libya for sure helped to avoid the worst scenario, but in Algeria it awakened a strong nationalist feeling. Among its ranks many were sure that the Arab Springs were only a plot of Europe and USA, in order to take down the regimes no more manageable and open the doors to a new round of colonization. In Algeria they feared that questioning the regime would have brought back the violence of the '90s, and even cause a foreign intervention, an unthinkable event, especially while the country was preparing to celebrate its fiftieth anniversary of independence. The Algerian democrats were influenced by what had happened in Egypt and Tunisia: the victory of the Islamists at the first free elections after the fall of Mubarak and Ben Ali, the ascent to power of the Salafists, but also the incapacity of the modernist and laic forces to wight over the course of the events, were an enough reason to be careful while criticizing the regime. The consent of the opposition is to privilege a democratic transition process, mediated with the power. This seems to explain why the government made some concessions, such as the removal of the state of emergency.

⁵³ For the abovementioned data cfr. Roberts pp. 169-170

⁵⁴ Benachour, D. "L'enjeu de la participation au cœur du discours de Bouteflika: La peur de l'abstention." *El Watan*, 25 February 2012 (<https://www.elwatan.com/archives/actualites/lenjeu-de-la-participation-au-coeur-du-discours-de-bouteflika-la-peur-de-labstention-25-02-2012>)

Nevertheless, these factors explain why civil groups and political parties, along with activists have not been able to seize the moment that these revolts had created, rather than describing why an Arab spring has not happened.

3.5 The State/society relationship

The relationship between population and State institutions must be considered on one side, and that with political parties and civil groups on the other. The absence of political, economic, and social platforms had caused a general disaffection towards the political bodies from the inside or from the opposition. This fact was not unexpected, since Parliament had a minor role in shaping the policy of the ruling government: it was mainly a job of the FLN and RND, that supported the social and economic policy of the President by adapting it to the public and then focusing on how to get the consensus that those policies generated. Meanwhile, the opposition parties were stuck on identity issues: like the incorporation of Shari'a in the State law, or the creation of a bilingual State that considered the Berber minority. The fact that they were still involved in a system that relegated them outside of the possibility of legislating was seen by the common people as being subdued to the system itself, but also to pay more attention to the interests of their own parties, rather than to those of the citizens.

The Algerian associations were in front of a similar dilemma: on paper, Algeria had a florid civil society, with nearly 94.000 registered associations. But at a closer look, the majority were religious, parental, or sport associations, and since they had to rely on the State for financial support, they were strongly limited in their chances of criticizing politics, both local and statal. The traditional mechanisms linking the citizen to the State seemed to have broken in Algeria⁵⁵: the lack of trust both in civil intermediaries and in the political ones, had taken out the Algerians from the traditional political channels. They usually preferred to express their dissent in the streets: in 2011 the protests did not happen at a city level, but rather of neighbourhood, if not of specific road segments.

However, this loss of trust towards the institutions is not to be misinterpreted as political apathy since even if in a sporadic way, the requests of the rioters could reunite in demonstrations of National level: this can be considered as awareness of a political

⁵⁵ Parks, pp. 113-114

system, a system defined as “politics of riots”⁵⁶. Even though the demonstrations, until then, had not yet pushed the government to the breaking point, they could have been used as a map to identify the needs of the population, both by the government and the opposition. Algerians all over the Nation were protesting, demonstrating, and striking basically once a week, and this situation had been going on for years, but no opposition movement strong and unitary enough had emerged from this multitude. Apart from the CNCND, but it lost popular traction fast: they were not able to find enough echo in the national population.

More important were probably some basic differences between Algeria and his neighbours both in terms of structure of the public sphere and management of the regime, but also in the nature of the opposition and social protest. Unlike Tunisia, Egypt, Libya and Syria, the Algerian presidency had probably become a for life office, but it was not a family issue yet. The population was aware of the multiple centres of power and did not see Bouteflika as the embodiment of the system, as it was with Ben Ali and Mubarak. The energy of the opposition was dispersed for lack of a single focus, a dispersion enhanced by a considerable space to absorb the stress of the system: a façade multiparty political field, and the proliferation of private owned newspapers, both in French and Arabic, that were able to express any shade of opinion⁵⁷.

Even more crucial is the fragmentation of the opposition and the fact that it was not designed as a unitary block against *le pouvoir*, but as a disjointed series of protests that was actually working for the regime and not against it. The organisation of protests by professional organisations, unions, and neighbourhoods, meant that each one could be silenced or repressed according to the requests of each situation. Under *le pouvoir* there was a robust and resilient society, a system of interactions between the society and more local instances of State, that remained functional, even though episodic, and informal. Informal mechanisms of influence and arbitrage were still in place, formalized in old means of local consultation. At these local levels of political life, the Algerian

⁵⁶ Parks, p. 117

⁵⁷ After Bendjedid’s promise of a Constitutional revision in 1988, when it was finally completed the country witnessed the end of the single party policy and an expansion of civil and political rights. In the three following years, moreover, a series of independent publications, to which was permitted a certain degree of freedom from censorship and criticism towards the regime.

authoritarianism was not so present as it could seem: it was flexible, resilient and able to respond to the popular requests, even if in a selective way.

There was no connection between the protests that were crossing the national political landscape because each revolt, sit-in, or demonstration, even if it shared something with the other events, was considered both by the demonstrators and the authorities as a local protest, for local reasons. These were usually resolved or blocked by local mediation or by the local deployment of national resources. There was no risk for a bigger conflagration, not because the Algerians had been collectively traumatized by the events of the 1990s, but because the fear of a return to violence was counterbalanced by a generalized political mobilization of the people. The Algerians are not frightened of speaking, but more likely disgusted by the political situation. If there were not connections between the endemic social protests and an anaemic political opposition, this was because in the latter there was not even the least interest towards the former. This difference is more evident by looking at the protests of January 2011 and the attempts of mobilization for change in February.

3.6 The manipulation hypothesis

In Algiers, the riots originated in the neighbourhood of Bab El Oued, where an exchange between rival football fans evolved into a riot and the police was involved when the quarrels spread in the near neighbourhoods. It is at this point that a tie was born between the demonstrations and the faction rivalries inside the regime⁵⁸.

They were exploited by particular interests, threatening to destabilise the country, and were accused to be the result of some sort of manipulation: an article from *L'Expression* posed the rhetoric question: “À qui profite le crime?”⁵⁹. The manipulation hypothesis was inserted also in some editorials and evoked by the Minister for youth and sport Hichemi Djar, during a call for calm⁶⁰.

This hypothesis was controversial, and different and discordant versions were presented. One of these was that the young people had been manipulated by the wholesalers of the

⁵⁸ Brown, J. (2011) “Algeria Midwinter Uproar”, *Middle East Research and Information Project*, 20 January (<https://merip.org/2011/01/algerias-midwinter-uproar/>)

⁵⁹ Aggad, K. (2011) “L’augmentation des prix de l’huile et du sucre menace la paix sociale”, *L'Expression*, 6 January (<http://www.lexpressiondz.com/nationale/attention-ca-flambe-86161>)

⁶⁰ Roberts, p. 148

informal sector of the economy⁶¹, to put pressure on the government to get the new rules on commerce abrogated. The popularity of this version testifies the diffused perception that the informal sector of the Algerian economy was grown and had reached enormous and threatening dimensions, partly as a result of badly structured economic policies, while the formal sector was in crisis together with the State as a unicum.

The thesis could be plausible in some way, but it was also true that the risings in prices were expected and had been announced.

3.7 Bouteflika President for life?

In some cases, during the dissents of December 2010/March 2011, the protesters joined the slogans of Egypt and Tunisia with the motto “Boutef, dégage”⁶². In his defence, Bouteflika affirmed that he had been in power for a much shorter period of time in comparison with his homologues Ben Ali in Tunisia, Ghaddafi in Libya and Mubarak in Egypt. He was 74 years old and had suffered for years of a disease whose symptoms were more and more visible when he showed himself in public. He had also been hospitalized in November 2005 and again in April 2013 because of a stroke, and when he came back, he was on a wheelchair. His fastening to the presidency was mainly a problem of not being able to handle a transition to a possible successor: through the amendments of 2008 he had been able to get a third term, by reviewing the dispositions of 1996, that set a maximum of two terms.

The 2014 electoral campaign was not a project of Bouteflika alone, but an opportunity for *le pouvoir* to address the national systemic malaise, too. It was not only a problem of secret police (DRS) against Bouteflika’s supporters, but also of internal division in the DRS itself. *Le pouvoir* had become a fragmented and polycentric system since 2010, because of a limited generational turnover. Also, the core of the regime was no more under the *janvieristes*, the majority of which were now out of games. In 2011 only two men of power were left in Bouteflika’s circle, both after negotiations with the President: Abdelmalek Guenaizia and Mohamed Touati. Apart from these two figures, Bouteflika seemed to have gotten rid of all those who had made him President in 1999.

⁶¹ It is called “informal sector” all that branch of the economy that is not regulated by legal norms or contracts. It is opposed to the formal sector, that is regulated and covered by work legislation and collective conventions. (Wikipedia)

⁶² McDougall, p. 329

3.7.1 *The Département du Renseignement et de la Sécurité (DRS)*

The party and the DRS had cooperated for most of the time: Mediène was the crucial support for Bouteflika's success in 2004 and to secure him a third term in 2009. But the two often had different priorities and were often in competition: they regularly had some conflicts. And one of these conflicts seemed to be in place just before the riots. During 2010, Mediène's DRS intervened to weaken the presidency in various ways: the Minister for Energy Chakib Khelil had to resign after the corruption scandal at SONATRACH, the State owned company for hydrocarbons. Khelil's fall caused the government to lose control over the most important source of revenue.

A second defeat for Bouteflika has been the mysterious assassination of Ali Tounsi, the Chief of National Police forces. The Minister of Interior, Nouredine Zerhouni, a powerful Bouteflika ally, managed to avoid his successor to be nominated by the National Police, and the position was instead given to a senior army officer. After this move Zerhouni was degraded to vice Prime Minister, a purely honorary title.

Then the factional conflict moved to a different field, that of the major party that supported the government coalition at the National Assembly: the FLN. At stake there was the control over the party at local and national level, by looking at the selection of candidates for the legislative of 2012, but the long-term goal had to do with the next presidential elections. Active support from the FNL had always been fundamental to the candidate of the regime to be elected⁶³. The FLN had always supported Bouteflika and in 2004, when Ali Benflis, secretary general of the party and former Prime Minister, raced against Bouteflika, the party organized an internal rebellion to expel him and take back control over the situation, and Belkhadem replaced Benflis as secretary general of the party.

The agitations in the party were mainly about the competition to control the FLN apparatuses at municipal level (*kasma*) and of regional federation (*mouhafadha*), with Belkhadem struggles to replace some officers with others of his own choice, that met a certain opposition. They finally achieved the renewal of the framework of the party and by the end of November 2012 Belkhadem position seemed to be sure. But after a short

⁶³ Djabi, N. "Le soutien du FLN reste demandé et nécessaire pour le candidat du système.", *El Watan*, 7 November 2010(<https://www.elwatan.com/archives/actualites/le-soutien-du-fln-reste-demande-et-necessaire-pour-le-candidat-du-systeme-07-11-2010>)

period, a faction of the party took control over the *mouhafadha* of Annaba and got enough signatures on a petition for the removal of Belkhadem, with names from all the seven *kasma* of the *mouhafadha* of the *wilaya* of Tlemcen. Two days later the conflict shifted to government level.

On 20 December 2010, during a debate in presence of the Prime Minister Ahmed Ouyahia, the vice-President of the Council of the Nation, Zohra Drif-Bitat, questioned the general policy of the party and posed extremely pointy questions to the Prime Minister himself. Among others, the situation of the *harraga*: the young Algerians who were leaving the country in order to reach Europe as illegal immigrants:

*'Among the harraga there are young unemployed, young graduates, women with their children. This is not normal! The phenomenon must be dealt with at its root, by eradicating its causes and, to begin with, by giving back to the young people the hope they have lost'*⁶⁴.

By raising this issue, Drif-Bitat signalled that the competition for the political alliance of the youth was at stake in the game of faction. She also questioned the handling of the al-Qaeda in the Islamic Maghreb in the south of the country, and in the Sahel region, an issue that has always been fundamental in Mediène's DRS policy.

3.7.2 A fourth term for an ill President

Despite his health problems and the occasional conflicts with the DRS, Bouteflika was determined to stay President, and the entire Algerian oligarchy was ready to follow him in a moment in which the phenomenon of "President for life" was being violently eradicated in the entire Arab world. In Algeria, the process called "presidential elections" were not actually elections. They were held only to ratify the decision taken by the military oligarchies that were holding power. The role of the other candidates was simply to give someone to vote to those less inclined to go to the polling station and that did not want to vote for the candidate already chosen by the regime, and therefore to favour the pluralist façade. The decision of the oligarchies to continue with Bouteflika was one of two options that they had, and the final choice had been the product of internal conflict and external pressures.

⁶⁴ Roberts, p. 152

In December 2004 Bouteflika had already put an end to the historical legitimation, the main source of legitimation to a high political office since 1962, namely the participation to the war of independence⁶⁵. It seemed like he had seen himself as the last President of the revolutionary generation, but even if it was true, he had not paved the way for a successor chosen in the ranks of the post-revolutionary generation, in a way that would have proved consistent with the revolutionary principle of building a sovereign Algerian State.

But the military deciders had two alternatives to Bouteflika: the former Prime Minister Mouloud Hamrouche and former President Liamine Zeroual. Choosing Hamrouche would have meant choosing a President that would have ratified controversial reforms in a delicate moment when the worries for National security made more inclined to opt for a cautious conservatory policy. While calling back Zeroual would have meant making President a man with a pronounced nationalist profile, that Paris would have never approved. Nevertheless, no matter the choice, the help of the political branch of the army, Mediène's DRS, was needed to organize everything to pave the road to the chosen candidate. But this possibility had been eliminated in 2013, with a massive restructuration of the intelligence services at the expenses of Mediène.

To justify these moves there was a clear alliance between the President and the Army General Staff, guided by Gaïd Salah. Salah had visited Bouteflika in Paris and had met him multiple times in September. After the government reshuffle, Bouteflika had appointed him vice-Minister of Defence, and had allowed him to also keep the lead of the General Staff. This meant that he should have answered to Bouteflika for the direction of the intelligence service under his authority⁶⁶. To this, was added the decision of the President to adopt a policy of courting towards France, in order to gain his favour and avoid external destabilizations.

⁶⁵ "Bouteflika : finie la légitimité historique!", *Liberté*, 2 December 2004 (<https://www.liberte-algerie.com/actualite/bouteflika-finie-la-legitimite-historique-17372>)

⁶⁶ Tlemçani, S. "Un compromise entre Bouteflika et l'armée", *El Watan*, 19 September 2013 (<https://www.elwatan.com/archives/actualites/un-compromis-entre-bouteflika-et-larmee-19-09-2013>); and Kamel, A. "Les attributions du vice- ministre de la défense nationale fixées par décret: les nombreuses 'précautions' de Bouteflika.", *Le Soir d'Algérie*, 10 October 2013 (<https://www.lesoirdalgerie.com/articles/2013/10/10/article.php?sid=155311&cid=2>)

In addition, the developments in the Sahel region and at the eastern frontier of Algeria, followed by the falling of the Ghaddafi regime, had caused many problems to the management of the Algerian security interests by the DRS on those fronts.

So, it was a series of factors that influenced the decision of the oligarchy to go on with Bouteflika as President at the 2014 presidential elections. A crucial consequence of this decision was the problem of the succession that remained unresolved, with no clear indication on the issue. This problem was sided by a problem of succession in the DRS: Mediène needed a replacement. In the end, the Algerian oligarchy found itself with a double succession problem that would have played an important role in the fourth term of an ill President.

3.8 Another constitutional reform

In constitutional theory, a constitutional assembly is created when a nation decides to adopt a new Constitution for the first time or wants to write a new one in order to replace the older, as a result of a substantial change of political regime in the aftermath of a revolution or a putsch.

The regime was aware of the risks it was taking after the fall of the authoritarian regimes in Egypt, Libya, and Tunisia. By anticipating popular protests that would have led to the same consequences, the authorities put in action a process of constitutional reform⁶⁷ inside the already existing constitutional framework, therefore avoiding the creation of a new institution, as they had already done many times. The Algerian Constitution had already been amended in 1976, 1986, 1989, 1996 and 2008.

The constitutional reform had been announced by Bouteflika at the beginning of 2011, but the draft of the new document was finalized only on 5 January 2016 and voted in Parliament on 7 February 2016. The entire consultative process was designed by a small group of the regime élite with Bouteflika presiding over the works. The participation had been limited to the experts that had written the draft and to the members of Parliament

⁶⁷ For this paragraph cfr. Boubakri, A. (2018) “Constitutional Reforms in MENA Countries in the Aftermath of the Arab Spring” in *Taiwan Journal of Democracy*, volume 14, No. 2, pp. 173-182; Lebovich, A. (2016) “Algeria: The stirrings of change?” in *Five years on: a new European agenda for North Africa*, European Council on Foreign Relations, pp. 39-50; Entelis, J. P. “What does an amended Constitution really change about Algeria?”, *Washington Post*, 19 January 2016 (<https://www.washingtonpost.com/news/monkey-cage/wp/2016/01/19/what-does-an-amended-constitution-really-change-about-algeria/>)

who had voted, while the civil society and other important actors had been excluded by the process of constitutional revision. With a very small input from the civil society, the constitutional commission had unitarily defined what was necessary to articulate a democratic document without altering the balance of power. The main personalities present in the commission were General Ahmed Gaïd Salah; the Minister for the State and presidential counsellor Ahmed Ouyahia; Prime Minister Abdelmalek Sellal; the Minister for justice Tayeb Louh; the Interior Minister Tayeb Belaiz, and presidential counsellor Boualem Bessaïeh. Before presenting the document to the Parliament, they had certified it unilaterally in a private meeting on 14 December 2015.

Therefore, a particular characteristic of this process of reform was the short period accorded to the revision process. Nevertheless, this did not impede to many opposition groups to boycott the reform: while the delay could be blamed on the regime reluctance, the opposition parties refused to open a discussion on the Constitution without a fixed path to follow for a political transition. This declaration had allowed the opposition parties to not look as if they were looking for a compromise with an administration that they despised but had also softened the pressure on the government for a reform. It must also be said that the main aim of this reform was to contain the popular protests rather than reform the existing political regime.

The amendments were essentially of procedural nature and others had the goal of improving the transparency and the efficiency of the economy. The most radical changings were of political nature even though they were presented as culturally and linguistically inspired. The new Constitution had added protection for individual freedom and political opposition, and officially recognized the Tamazight Berber language. To legitimize the new status of official language, the Algerian Academy of Berber Language was created. Equality of employment was recognized for men and women, youth was stated as a dynamic force in the development of the country, freedom to protest and of press were clearly added. A very heated debate took place over article 51⁶⁸, because of

⁶⁸ Former article 51, in the new Constitution became article 63: “All citizens shall have equal access to functions and employment in the State, without any conditions other than those stipulated by law. Exclusive Algerian nationality shall be a prerequisite for access to senior executive positions in government and in politics. The law shall determine the list of the abovementioned high office and political positions” (https://constituteproject.org/constitution/Algeria_2016.pdf?lang=en)

the restrictions it imposed over the Algerians with double nationality that were occupying higher position in State administration.

In Algeria, one of the main problems was that of the presidential term, because of the removal of the two-terms limit in 2008, a limit that was now reinstated (art. 88⁶⁹). The President has the power to appoint the Prime Minister inside the Parliament majority party, and to also appoint the Ministers after consultations with the Prime Minister. Then an electoral independent commission was created, to monitor all the elections in a transparent and impartial way, the *Haute Instance Indépendante de Surveillance des Elections*. With articles 202/203 new anticorruption bodies had also been created: these constitutional bodies would have contributed to improve the governance by limiting the powers of the executive branch, that before the reform was benefitting of too much power. Anyway, the independence of these bodies was not always granted since the head of the executive branch was still maintaining the power to appoint the members of the constitutional bodies and to force them to resign.

Moreover, the Constitution had disappointed the expectations of many Algerian analysts in not creating a Vice President. This meant that the rules for succession would have remained the same.

Even if present, the opposition was still weak and limited in its impact: figures, like Ali Benflis, former Prime Minister, were once part of the system. This reduced their opportunity to gather high levels of support⁷⁰. The Algerian Islamist parties still had structure and supporters throughout the country, above all in the north, and some longstanding opposition parties like the *Front des Forces Socialistes* (FFS) had in the previous months made considerable efforts to expand their support and power of mobilization. In addition, movements like those of the unemployed, that were guiding protests against the high costs of life and the absence of perspectives of work, were representing a continuous agitation against the government politics and in particular the management of the economy.

⁶⁹ “The presidential term shall be five (5) years. The President of the Republic may be re-elected once” (https://constituteproject.org/constitution/Algeria_2016.pdf?lang=en)

⁷⁰ Lebovich, p. 41

In conclusion, the revolts of January 2011 have illustrated in a dramatic way the numerous characteristics of the modern relationship between State and society: the alienation and misery of the young Algerians, the dangerous dimension of the informal sector of the economy, the weakness of the government policies, and the actions against the powerful informal lobbies and the networks of influence. Moreover, they have made clear the extreme weakness of the political parties in Algeria. Parties that were totally irrelevant for the population and were not able to act as intermediaries between the government and the population as a unique body. And this applies both to the opposition and the pro-regime parties.

CHAPTER IV

4. The Hirak

After his stroke in 2013, which left his body functions severely damaged, Bouteflika was clearly no longer able to govern the country and the population expected him to step down in 2019 and not to run in new elections. Everything changed when on 10 February 2019 Abdelaziz Bouteflika announced his intentions to run for a new term. This event caused the people to go on the streets to protest. The demonstrations will become a weekly appointment under the name of *Hirak*: an Arab term which translates into “set in motion”, rather than simply “movement”⁷¹.

4.1 From a fallen President to new elections

As previously underlined in chapter III, Bouteflika was hospitalized in 2013 because of a stroke, which left him on a wheelchair and unable to speak. He won anyway another term in 2014, but after that he was expected by the population to step down, since the 2016 Constitution had reinstated the limit of two terms for the presidency. But on 10 February 2019, he speaks to the Nation through a written message in which he declares himself very conscious of his state of health but determined to continue with his mission as head of State, pushed forward by his ‘unbreakable will to serve the country’⁷². In response, the population took to the streets with peaceful demonstrations all over Algeria, asking the President to renounce to the candidacy for the fifth term. In addition to Algiers, demonstrations are reported also in Annaba, Constantine, Batna, Tizi-Ouzou and more, but no accident is reported, confirming the pacific nature of the events. In the Capital, the

⁷¹ Filiu, J.P. (2019). *Algérie, la nouvelle indépendance*, Paris XIX^{ème}, Éditions Seuil, p. 15

⁷² “Présidentielle 2019: message de candidature de M. Abdelaziz Bouteflika (texte intégral)”, *Algeria Press Service*, 10 February 2019 (<http://www.aps.dz/algerie/85308-presidentielle-2019-message-de-candidature-de-m-abdelaziz-bouteflika-texte-integral>)

meetings take place despite the 2001 decree still in force that forbids any kind of gathering.

The government decides to let the manifesters continue and many politicians and parliamentary figures compliment with them for their maturity. In particular, the Prime Minister Ahmed Ouyahia declares on 25 February that the demonstrations will not be suppressed, since the freedom of expression is granted by the Constitution⁷³. But he invites the manifesters to be vigilant against those who want to divert the goal of these protests and he declares that the presidential elections, scheduled for 18 April, will be an occasion for these people to make their choice ‘in full freedom and sovereignty’⁷⁴. Nevertheless, the protests continue and the President, on 3 March speaks to the Nation with a new written message⁷⁵ in which he engages himself in organizing early presidential elections if he is elected on 18 April. Moreover, he exposes six steps for a transition towards a “new” Algeria, in accordance with the requests coming from the hirakists:

1. Organizing early elections to which he will not be eligible as candidate, therefore organizing his own succession.
2. Right after the elections he will create an independent and inclusive national conference, to prepare the necessary reforms.
3. The drafting and adoption by popular referendum of a new Constitution.
4. The quick enforcement of public policies that would guarantee a fair redistribution of the national wealth, the elimination of social exclusion and marginalization, including putting an end to the phenomenon of the *harga*⁷⁶, and strengthen a serious national mobilization against any form of corruption.

⁷³ “Freedom of peaceful assembly shall be guaranteed to the citizen within the framework of the law stipulating the modalities of its practice.” Art. 49 of the 2016 Algerian Constitution (https://constituteproject.org/constitution/Algeria_2016?lang=en)

⁷⁴ “Ouyahia: la Constitution garantit au citoyen le droit de manifester pacifiquement”, *Algeria Press Service*, 25 February 2019 (<http://www.aps.dz/algerie/86090-ouyahia-la-constitution-garantit-au-citoyen-le-droit-de-manifester-pacifiquement>)

⁷⁵ “Présidentielle : texte intégral du message du candidat Abdelaziz Bouteflika”, *Algeria Press Service*, 4 March 2019 (<http://www.aps.dz/algerie/86376-texte-integral-du-message-du-president-bouteflika>)

⁷⁶ “Harraga is an Algerian neologism created from the Arabic word “harga,” meaning “burn” or “those who burn” the borders. It is used to describe irregular North African migrants who attempt to leave for Europe by boat.” From Ghafar, A. A. (2019). *The European Union and North Africa: Prospects and Challenges*, Brookings Institution Press, p. 48

5. Bringing back the youth into public life and involve them at any level of the economic and social development.
6. Revising the electoral law with the creation of an independent mechanism of organization of the elections.

But not even this act stops the demonstrations: and the marches continue, until 11 March, when with a new message⁷⁷ Bouteflika announces his intention to withdraw his candidacy and leaves a road map to follow in the next days: after having withdrawn and having cancelled the presidential elections, he has reshuffled some top positions in order to respond to the requests of the protests. In addition, an Inclusive and Independent National Conference is created: it will be provided with all the necessary powers to draft and adopt any necessary reform useful to transform the nation State. The Conference will have to end his mandate by the end of 2019: his main task will be to issue a new Constitution that will be confirmed by a popular referendum; it will also set the date for a new presidential election, to which Bouteflika will not be able to participate. The elections will be organized and held under the authority of an exclusive Independent National Electoral Commission, whose task, composition, and mode of operation will be set by a specific law, which will take inspiration from the consuetudinary international practices.

From this moment on, a government of national competence will be in power, in order to supervise on the tasks of public administration and security services, it will grant full collaboration with the electoral commission. Finally, Bouteflika invites all the structures and members of the State to cooperate to complete this roadmap, then after the resignation of the Prime Minister Ouyahia on the following day, he appoints Noureddine Bedoui as new Prime Minister charged with forming a new government. Bedoui takes up his duties on 12 March 2019.

On 26 March, Gaïd Salah, the Chief of staff of the Army, evokes the application of art. 102⁷⁸ of the Constitution and warns about the demonstrations: there might be intruders that aim at manipulating the protesters for their own benefits.

⁷⁷ “Le Président Bouteflika adresse un message à la nation annonçant le report de l’élection présidentielle”, *Algeria Press Service*, 11 March 2019 (<http://www.aps.dz/algerie/86748-le-president-bouteflika-adresse-un-message-a-la-nation-annoncant-le-report-de-l-election-presidentielle>)

⁷⁸ “When the President of the Republic, because of a serious and lasting illness, is totally unable to perform his functions, the Constitutional Council shall meet de jure and, after having verified the reality

On 30 March, Salah invokes again article 102, but this time along with art. 7 and 8⁷⁹ and two days later, Bouteflika finally announces that he will resign on 28 April, the final date of his executive term, in order to grant the continuity of the State and favour the transition⁸⁰. After the Council of the Nation and the National Popular Assembly (APN) reunites on joint session to start the procedure of art. 102, the President of the Council of the Nation assumes his duties as interim Head of State.

As the session ends, Abdelkader Bensalah, the interim Head of State, declares⁸¹ himself willing to work to achieve a new step in the life of Algeria: he will watch over the situation for it to stay inside the Constitutional framework and with the main goal of allowing people to decide with full sovereignty their next President who will lead the country, adopt a new political program, and define the contours of a new Algeria. He then

of the impediment by all appropriate means, it shall propose, unanimously, to Parliament to declare the state of impediment.

Parliament, convened in a joint session of both Chambers, shall declare the state of impediment of the President of the Republic, by a majority of two thirds (2/3) of its members and assign, as an acting Head of State, for a maximum period of forty-five (45) days, the President of the Council of the Nation who shall exercise his prerogatives in accordance with the provisions of Article 104 of the Constitution.

If the impediment continues at the expiry of the period of forty-five (45) days, there shall be a declaration of vacancy by a resignation de jure, in pursuance to the procedure referred to in the paragraphs above and the provisions of the following paragraphs of this Article.

In case of resignation or death of the President of the Republic, the Constitutional Council shall meet de jure and declare the permanent vacancy of the Presidency of the Republic.

It shall immediately communicate the act of declaration of definitive vacancy to Parliament, which shall meet de jure.

The President of the Council of the Nation shall assume the function of the Head of State for a maximum period of ninety (90) days, during which presidential elections shall be organized.

The Head of State, so designated, may not be a candidate for the Presidency of the Republic.

In case of coincidence of the resignation or death of the President of the Republic with the vacancy of the Presidency of the Council of the Nation, for any reason whatsoever, the Constitutional Council shall meet de jure and declare unanimously the permanent vacancy of the Presidency of the Republic and the incapacity of the President of the Council of the Nation. In this case, the President of the Constitutional Council shall assume the function of the Head of State, in pursuance to the terms provided in the preceding paragraphs of this Article and Article 104 of the Constitution.

He cannot be candidate for the Presidency of the Republic.” Art. 102 of the 2016 Algerian Constitution (https://constituteproject.org/constitution/Algeria_2016?lang=en)

⁷⁹ “The people shall be the source of all powers. National sovereignty shall belong exclusively to the people.” Art. 7; “The constituent power shall belong to the people. The people shall exercise their sovereignty through the institutions they establish. The people shall exercise this sovereignty by means of referenda and through their elected representatives. The President of the Republic may have direct recourse to the expression of the will of the people.” Art. 8 of the 2016 Algerian Constitution (https://constituteproject.org/constitution/Algeria_2016?lang=en)

⁸⁰ “Le Président Bouteflika notifie au Conseil Constitutionnel sa décision de mettre fin à son mandat”, *Algeria Press Service*, 2 April 2019 (<http://www.aps.dz/algerie/87598-le-president-bouteflika-notifie-au-conseil-constitutionnel-sa-decision-de-mettre-fin-a-son-mandat>)

⁸¹ “Bensalah appelle à accélérer l’amorce d’une étape où le peuple décidera de son destin”, *Algeria Press Service*, 9 April 2019 (<http://www.aps.dz/algerie/87864-bensalah-appelle-a-acceler-l-amorce-d-une-etape-ou-le-peuple-decidera-de-son-destin>)

engages⁸² into the creation of a National Institution, sovereign in his decisions, with the task of creating the necessary condition for the organization of the elections in an honest and transparent way.

On 11 April, elections are set on 4 July 2019, meanwhile the government is instructed to take care of current affairs and State continuity.

After the communique⁸³ of 4 June of the Constitutional Council that announces the rejection of the only two application files for the presidential election, Bensalah is obliged to cancel them: according to the Constitutional dispositions there are not the right conditions for the elections to take place. Even though, technically the interim will end on 4 July, Bensalah will see his staying in power prolonged *sine die*. He therefore commits himself to guarantee new presidential elections in the shortest possible delay, and for these elections to be democratic, fair, and transparent.

On 7 June, a Conference of the civil society takes place. The participants come from three main environments: the Confederation of the autonomous trade unions, the Civil forum for change, and the Collective of the civil society, that counts numerous associations and organisations for the human rights. The Conference is structured in four meetings, during which the different parties try to share with each other their own point of view. The Conference is open to any political party, provided that they had nothing to do with the old system. According to the participants of the Conference, those parties have been the direct cause of the present crisis and cannot be part of the solution: they consider it a logical exclusion, since the Hirak asks for a new Republic and a breaking point with all the symbols of the old system.

The final proposal of the Conference, scheduled to be discussed with the presidency or with the Republican institutions, is a transitional period to create a new State based on the respect of the law, the separation of powers, and the fight against corruption. The debate cannot be framed by the actual Constitution, which is one of the

⁸² “Le chef de l’état s’engage à mettre en place une institution nationale souveraine pour la tenue des élections”, *Algeria Press Service*, 9 April 2019 (<http://www.aps.dz/algerie/87883-le-chef-de-l-etat-s-engage-a-mettre-en-place-une-institution-nationale-souveraine-pour-la-tenue-des-elections>)

⁸³ *Communiqué du Conseil Constitutionnel*, 1 June 2019 (<http://www.conseil-constitutionnel.dz/index.php/fr/116-categories-all/langue-fr/articles-fr/1178-communique-du-conseil-constitutionnel-du-02-juin-2019>)

causes of the political crisis: it is time to modify it, according to the declarations⁸⁴ of the coordinator of the Confederation of the autonomous trade unions.

On 17 June, Salah states⁸⁵ that the postponement of the elections has reached the maximum delay. In the same occasion he underlines how he considers ‘unthinkable’ to defer the Constitution, as fundamental law approved by the people through referendum.

After a month, on 3 July, Bensalah after consultations with Prime Minister Bedoui, in a speech⁸⁶ to the nation, explains his plans for the period leading to new presidential elections: a Panel will be created, to which the State will not participate in any of its roles, nor the military institution, to avoid any misinterpretation. The people in charge of this Panel will have complete collaboration of the State, for every instrument that is needed, and will debate on the necessary conditions for the elections to be held. The election must take place in the constitutional framework and in the shortest possible delay. A new organ for the electoral process will be created: it is the Panel that will establish its configuration, missions, and composition.

The announced Panel is finally formed on 25 July and it exposes⁸⁷ its plan for the following period: they will hold a series of private meetings with representatives of the civil society, the political parties, national personalities, young hirakists, and representatives of each wilaya. Proposals to overcome the crisis will be discussed, and each one will be debated with the other representatives, to draft a final proposal to present to a National sovereign conference. The Panel has then reaffirmed to be independent and to not be subdued to any influence from any political party.

The meetings end on 2 September 2019, when Mr. Younes, the coordinator of the Panel gives a public declaration⁸⁸ on their results. From all the meetings, the Panel has

⁸⁴ “Conférence de la société civile : 500 participants pour une sortie de crise”, *Algeria Press Service*, 7 June 2019 (<http://www.aps.dz/algerie/90327-conference-de-la-societe-civile-500-participants-pour-une-feuille-de-route-de-sortie-de-crise>)

⁸⁵ “L’élection d’un président de la République est une « priorité », les délais ayant atteint leur limite”, *Algeria Press Service*, 17 June 2019 (<http://www.aps.dz/algerie/90744-l-election-d-un-president-de-la-republique-est-une-priorite-les-delais-ayant-atteint-leur-limite>)

⁸⁶ “Texte intégral du discours du chef de l’état à la nation”, *Algeria Press Service*, 3 July 2019 (<http://www.aps.dz/algerie/91393-texte-integral-du-discours-du-chef-de-l-etat-a-la-nation>)

⁸⁷ “L’instance de dialogue et de médiation dévoile son plan d’action pour la prochaine étape”, *Algeria Press Service*, 28 July 2019 (<http://www.aps.dz/algerie/92582-l-instance-nationale-de-dialogue-et-de-mediation-devoile-son-plan-d-action-pour-la-prochaine-etape>)

⁸⁸ “Karim Younes annonce deux propositions sur la révision de la loi électorale et l’instance indépendante pour l’organisation de la présidentielle”, *Algeria Press Service*

understood that the main common suggestions are two: the revision of the electoral law and the creation of another independent institution, to be charged of the organization and the surveillance of the electoral process.

On 15 September, the new elections are officially announced by the Head of State Abdelkader Bensalah, consequently, according to the constitutional rules, the vote will take place on 12 December. On the following day, the Parliament passes the two necessary laws⁸⁹ for the new electoral regime and the creation of the Independent National Authority for the Election (ANIE). In the former law are added the dispositions that consecrate the regularity, transparency, and neutrality of the following elections. The national and foreign electoral body are now under the safeguard of the ANIE.

The assembly confirms the nomination of five candidates for the presidential elections: Abdelmajid Tebboune, Ali Benflis, Abdelaziz Belaid, Azzedine Mihoubi, and Abdelkader Bengrina.

The elections take place regularly on 12 December, and the following day Tebboune is declared winner with almost 5 million of expressed votes, that is a result of 58.15% of valid votes, according to the preliminary counts of the ANIE. The victory is collected with a participation rate of 39.83% of the voting people. During the electoral campaign, he promised to do everything in order to fulfil the requests of the Hirak, by presenting 54 engagements for the creation of a new Republic. He has planned a new development policy, with a new economic model based on growth differentiation and the economy of knowledge. On the theme of work, he has promised to reduce the unemployment rate, above all among young and women. In the end, he has stated that he will continue the fight against corruption.

(<http://www.aps.dz/algerie/93927-karim-younes-annonce-deux-propositions-sur-la-revision-de-la-loi-electorale-et-l-instance-independante-pour-l-organisation-de-la-presidentielle>)

⁸⁹ *Journal officiel de la République algérienne démocratique et populaire*, 15 September 2019, “Loi organique n° 19-07 du 14 Moharram 1441 correspondant au 14 septembre 2019 relative à l’autorité nationale indépendante désélections”, pp. 6-11; “Loi organique n° 19-08 du 14 Moharram 1441 correspondant au 14 septembre 2019 modifiant et complétant la loi organique n° 16-10 du 22 Dhou El-Kaâda 1437 correspondant au 25 août 2016 relative au régime électoral”, pp. 13-22 (<https://www.joradp.dz/FTP/JO-FRANCAIS/2019/F2019055.pdf>)

4.2 The point of view of the manifesters

The announcement of a fifth term for Bouteflika is seen as an unbearable provocation, that launches an Hirak that does not simply want to change a single authority but demands the renewal of the entire political class. Hundreds of thousands of people get into the streets to protest with the main slogan “silmiya, silmiya”⁹⁰, and from 1 March on, the processions rise in participants.

The hirakists organize themselves during the marches, without any previous plan, but always with the commitment of non-violence. The Friday route is rapidly defined: they usually occupy the central places, like Grande-Poste square in Algiers, 1st November square in Oran, or Piramyde square in Constantine. They rapidly accept the interdiction to enter in some official buildings and, above all, they work to avoid the provocation coming from the police and the security forces. That is why some militants wear an orange jacket: they work as buffer forces; while those with a green bracelet are charged for the first aid.⁹¹ The Hirak meets every Friday on the streets and this weekly rhythm protects them from a more sustained mobilization, which risks becoming more violent. Moreover, the hirakists learn to arrive not too early to avoid “preventive arrests”, to elude the barrages at the entry of big cities, and to bring with them the necessary protection against tear gas. The non-violence of the Hirak literally disarms the army, which would take advantage of any kind of violent provocation to scatter the protest. In response to this, the demonstrators chant since the very beginning of the movement, that ‘the army and the people are brothers’⁹² as a message of conciliation with the military institution.

The pacific nature of the demonstrations ends up exposing the manifesters to arrests for crime of opinions, and generally to humiliations from the policemen, like the usage of water cannons or tear gases⁹³, from which the manifesters learn to protect themselves as best as they can.

According to Filiu, such a collective discipline feeds, from one Friday to another, a feeling of fierce and power, with strong statements of respect and public spirit that want to

⁹⁰ “Peaceful, peaceful.”

⁹¹ Filiu, p. 46

⁹² “Des marches imposantes à Alger et dans plusieurs wilayas appelant au changement profonde”, *Algeria Press Service*, 1 March 2019 (<http://www.aps.dz/algerie/86301-des-marches-imposantes-a-alger-et-dans-plusieurs-wilayas-appelant-au-changement-profond>)

⁹³ “Amid protests Algeria’s Bouteflika vows to run for last time”, *Al-Jazeera*, 3 March 2019 (<https://www.aljazeera.com/news/2019/03/03/amid-protests-algerias-bouteflika-vows-to-run-for-last-time/>)

become a model for everyone. The festive atmosphere of these meetings is a fundamental component: the joy of occupying together the public space is communicative, and this happiness gives the Hirak the title of ‘the smile revolution’⁹⁴, in which humour works as a weapon against the regime. As reported from an Aljazeera article⁹⁵, humour is also how the Algerians have reacted to the President’s absence since the protests began in February: on Facebook, a campaign was launched to call the hospital in Geneva, Switzerland, where Bouteflika was believed to have been for “routine medical checks”. The hospital itself has reported hundreds of phone calls from Algeria, saying things like: “Please tell Mr. Bouteflika that the Algerian people are worried about him”, as it can be heard in a record posted on YouTube.

YouTube is one of the main platforms used to spread videos of the demonstrations, while Facebook has come helpful in mobilizing the Hirak. The regime, on its side, prefers to turn to private channels that easily broadcast ultranationalist messages. But in mid-June, with the excuse of avoiding frauds during the State exams, Internet is blocked nationally, so they equally try to bend the spirit of the Hirak by turning down social media.

Filiu assumes⁹⁶ that the demonstrations taking place on Friday, right after the pray, is not a way to Islamise them, but rather a way to underline the non-violent and inclusive dimension of the processions. The slogans in favour of a civil and not military State, stand also as a dismantling of the calls for an Islamic State. More present and diffused is rather the assertion for a novemberist Algeria, referring to its Arab identity and its Islamic faith.

The Chief of staff then tries to divide the manifesters between Arabs and Berbers, French speakers and Arabic speakers, and thinks about the possibility of trying the same tactic between Islamists and progressists. The threat of chaos is regularly raised, above all on the issue of identity: never so many Amazigh flags had been displayed along with the Algerian ones, that is why Salah decides⁹⁷ that after 19 June only the Algerian national flag is tolerated during the demonstration in the name of all the martyrs that died to defend

⁹⁴ Filiu, p. 47

⁹⁵ Baala, H., “Armed with memes, Algerian students join anti-Bouteflika protests”, *Al-Jazeera*, 5 March 2019 (<https://www.aljazeera.com/news/2019/3/5/armed-with-memes-algerian-students-join-anti-bouteflika-protests>)

⁹⁶ Filiu, p. 201

⁹⁷ “Gaïd Salah met en garde contre ceux brandissant des drapeaux autres que l’emblème national”, *Algeria Press Service*, 19 June 2019 (<http://www.aps.dz/algerie/90828-gaid-salah-met-en-garde-contre-ceux-brandissant-des-drapeaux-autres-que-l-embleme-national>)

it. On the following Friday, 21 June, the Amazigh colours are displayed⁹⁸ as much as possible as a direct challenge against the diktat of Gaïd Salah, including in some cities with a tiny percentage of Berber citizens. The divisive tactic then becomes counterproductive and causes the detention of dozens of Berber flag displayers, liable to heavy penalties for “attack on the integrity of the National territory”⁹⁹.

But the protesters on the streets are not alone: in campuses the first meetings against a fifth term begin on 26 February, that is the first Tuesday after the first Hirak demonstration. In response, the authorities seal the campuses when possible, so that the students manifesting do not pour into the cities. Tuesday becomes the day of university demonstrations, that take on the same route of the Friday ones. The government then decides to anticipate the Spring break from 20 to 9 March, and to double their length. The manoeuvre has the aim of emptying the campuses, but it enflames the most mobilized among the students, that take control of the buildings backed up by the more politicised teachers. During this period, they organize gatherings to discuss about civic education, classes on constitutional law and critical thinking.

The decision of changing the schedule for the Spring break has also the consequence of postponing the end of the academic year to late July, therefore universities become a privileged base to rebound the protests.

4.2.1 The non-violence and the evolution of civil society

The mass protests have indeed amazed mainly for their characteristic of non-violence, a feature that has been spread fundamentally through social media. The *pouvoir* would have preferred violent protests, so that violence as an answer would have been justified, along with the imposition of the State of emergency.

The civil society comes out as extremely powerful from the Hirak, with developed skills of non-violent organization. With the passing of time, the movement becomes also more politicized: the determination of the regime to keep the elections, makes the protesters more convinced to continue with their actions. When Salah changes position, abandons

⁹⁸ “Marches pour la poursuite de la lutte contre la corruption et la consolidation de l’unité nationale”, *Algeria Press Service*, 21 June 2019 (<http://www.aps.dz/algerie/90953-marches-pour-la-poursuite-de-la-lutte-contre-la-corruption-et-la-consolidation-de-l-unite-nationale>)

⁹⁹ Filiu, p. 50

Bouteflika, and forces him to resign, the parties of the so-called ‘presidential alliance’ support the decision, confirming the fractures inside the regime.

The slogan “Yetnahaw ga’a!”¹⁰⁰, underlines the will of the people for a complete revolution in the structures of power, with a total changing of the personalities. It also explains why the demonstrations have kept the same tone since 22 February. Even though Salah has some support, there have been many voices that ask for his removal too, since he was tightly connected with Bouteflika. The army is still popular in the country, even though the hirakists have clearly asked for a civil State, not a military one. They aspire to a republican and democratic State, in which transparency and accountability are norms. Moreover, the fact that they displayed heroes of the war of Independence, gives the idea that according to the protesters, the regime has stolen their revolution. It is this bond between the manifesters and the revolutionaries that explain the call for a “Second republic”. This also implies that they see the system as an heir of the colonial State.

The strong union among the Algerians, that put aside the regional and ideological differences, that the regime has often used for their own purposes in the past, is reviving the old values and the people are fighting for a genuinely democratic republic.

The Algerian protests have collected many important victories, first and foremost the rediscovery of themselves as a united people marching for the same purpose. Then the consensual validation of the rules of non-violence, that caused many difficulties to the regime, not knowing how to respond. It is the first time in Algerian history, that the generals are so much exposed to the direct consequences of their actions.

4.3 The High military command

Since the very beginning, the High military command proposed itself as guardian of the constitutional order and of institutional continuity, in virtue of art. 28¹⁰¹ of the Constitution. But the article has been wrongly interpreted by the army in two different

¹⁰⁰ “They must all go!”

¹⁰¹ “The consolidation and development of the Nation’s defensive potential shall be regulated by the National People’s Army.

The National People’s Army shall assume the permanent task of preserving national independence and defending national sovereignty.

It shall also assume the task of protecting the unity of the country and the integrity of its land, as well as defending its land, airspace and the various zones of its maritime domain.” Art. 28 of the 2016 Algerian Constitution (https://constituteproject.org/constitution/Algeria_2016?lang=en)

occasions: in March, when they asked the enforcement of art. 102, and in September, when they asked the Head of State to summon the electoral body. In both cases, Salah leans on the second paragraph, with a largely extensive interpretation of the term ‘national sovereignty’. It can be stated that the sovereignty to which art. 28 refers to, is the one of the Algerian State in context of international law, according to which no authority is superior to the one of the Algerian State in the international order and on his territory. By being the mission of the Army to grant the defence, through the physical defence of the national territory, the High military command is so described as the backbone of the Country, therefore of the system described by the protesters, who see it as the last obstacle on the path to the creation of a civil State.

The resignation of a President, so close to the natural end of his term, reminds of the resignation of Bendjedid in 1991, to avoid the access to power of the FIS. In 1991 the goal was to exit from the normal working of the institutions, and from the constitutional frame, because of the coup d’état of January 1992. Now, the plan is to keep the regime in force, with the presumption of being respecting the fundamental Law and legal formalism. Then, in July 2019, the High military command leans on the institutional continuity inside the constitutional framework. Moreover, their decision of lengthening the interim is not inside the formal legal framework: it is formally a decision of the Constitutional council, that however does not refer to any constitutional instance. In both cases, the High military command remains the main institutional actor, while the civil regime is reduced to a façade.

4.3.1 Gaïd Salah: the face of the pouvoir

At the end of the constitutional interim for Bensalah, that is on 9 July, the authority set up after the fall of the Head of State has no legitimacy whatsoever. Finally, the military caste that has dominated the country for almost 50 years, has decided to directly take on the responsibility of the Country. To do so, they chose the vice-Minister for Defence and Chief of staff of the army, Ahmed Gaïd Salah as their representative. While he affirms himself as the *de facto* Head of State, the manifesters chant “Djeych wa cha’ab, khawa, khawa, Gaïd Salah ma’a al-khawana”¹⁰². From now on, the General will keep on giving

¹⁰² “The army and the people are brothers, Gaïd Salah is with the traitors”

contradictory speeches, in which he claims that the army is staying neutral and is not interfering in the political field, while he is acting as Head of State, contradicting the man in charge, and giving him injunctions.

When Bouteflika deposits his nomination to the presidency, the popular pressure enhances, and the deciders choose to suspend the election. But Bouteflika is kept as Head of government for an undefined period and the manifesters express their indignation in the processions of 15, 22 and 29 March. The regime then tries to regain control of the situation through the Constitution, on 31 March, with a new government. But the designated Prime Minister, Noureddine Bedoui, is the former Ministry of Intern, that is the direct responsible for social order. Such a promotion, instead of calming down the demonstrations, gives them new energy, and the *pouvoir* decides to sacrifice Bouteflika, forced to resign on 2 April, right after the public request of Salah to enforce articles 7, 8 and 102, as previously noted. This has been another revealing event: after the total disappearance of Bouteflika, no other news has been given about him after his retirement and the jailing of his brother for corruption, as a proof that the President's clan was nothing more than a façade.

Now Gaïd Salah and his peers opt for a new civil caution: Abdelkader Bensalah, President of the Council of the Nation and one of Bouteflika's best men. His promotion to Head of Government is accompanied by declarations of the Chief of staff with the first public warnings about 'foreign parties' that are intended to 'destabilize the country' and plunge it into a 'constitutional void'¹⁰³. The political week is now structured with the popular demands given through the Friday demonstrations, bounced back by students on the following Tuesday, then comes the answer from Salah, often in a speech during a transfer to inspect the province troops.

Salah now proceeds with the campaign against corruption¹⁰⁴, that would have made him guarantee of the stability of the country but would also have given him a certain degree of moral integrity. Therefore, are the more exposed oligarchs that start to fall one after the other: Ali Haddad, arrested while he was trying to flee to Tunisia, and accused of

¹⁰³ "L'ANP accompagnera la période de transition de préparation de l'élection présidentielle", *Algeria Press Service*, 10 April 2019 (<https://www.aps.dz/algerie/87897-gaid-salah-l-anp-accompagnera-la-periode-de-transition-de-preparation-de-l-election-presidentielle>)

¹⁰⁴ "Lutte contre la corruption : Gaïd Salah affirme que « l'opération n'est qu'à son début ».", *Algeria Press Service*, 30 April 2019 (<http://www.aps.dz/algerie/88846-lutte-contre-la-corruption-gaid-salah-affirme-que-l-operation-n-est-qu-a-son-debut>)

corruption in the context of the electoral campaign for the fifth term¹⁰⁵; Mohamed “Toufik” Mediène, and Athmane “Bachir” Tartag, both accused of offence at the authority of the army and conspiracy against the authority of the State¹⁰⁶.

The postponement of the July elections is evidently an important victory of the hirakists, which politically leads to the extension of Bensalah’s interim. This move has been strongly supported by Gaïd Salah, according to the “spirit” of the Constitution, but in its clear violation. The country, along with all its institutions is in a *de facto* situation, rather than *de iure*: the Chief of staff has then personally contributed to the creation of the constitutional void, from which he had warned the population from in the last three months. When the interim is lengthened, the opposition in Parliament proposes different solutions and instances of dialogue to avoid the exit from the constitutional framework. It is Salah who sweeps away all those proposals without proposing any other alternative: the opposition is now in the delicate position in which it has to help the *pouvoir* finding a solution to get out from the crisis, by trying to convince them to accept their positions. This block at the top of the pyramid contributes to clarify the Hirak’s positions: they have to accept the perspective of a presidential scrutiny, to better help eliminate the military control over the political transition; while the opposition is still insisting on the creation of a Constitutional Assembly, to their eyes the only one legitimized to reform from scratch the framework of the political system.

Then it is Bensalah’s turn, on 25 July, to create the Panel of dialogue. But something more is needed to convince the manifesters, that on the following day, Friday 26, are chanting ‘No negotiation with the gang’¹⁰⁷. On 30 July, Salah refuses any openness to dialogue and appoints as ‘poisoned ideas’¹⁰⁸ the premises introduced by the opposition accusing them of lack of patriotism. He receives the answer on the same day from the

¹⁰⁵ “Algerian businessman with ties to President Bouteflika arrested”, *Al-Jazeera*, 31 March 2019, (<https://www.aljazeera.com/news/2019/3/31/algerian-businessman-with-ties-to-president-bouteflika-arrested>)

¹⁰⁶ “Athmane Tartag, Mohamed Mediène, et Said Bouteflika, places en détention provisoire à Blida”, *Algeria Press Service*, 5 May 2019 (<http://www.aps.dz/algerie/89087-athmane-tartag-mohamed-mediene-et-said-bouteflika-places-en-detention-provisoire-a-blida>)

¹⁰⁷ “Des milliers des citoyens marchent pour un changement du système de gouvernance”, *Algeria Press Service*, 26 July 2019 (<https://www.aps.dz/algerie/92495-des-milliers-de-citoyens-marchent-a-travers-les-wilayas-pour-reclamer-encore-un-changement-du-systeme-de-gouvernance>)

¹⁰⁸ “Gaïd Salah souhaite la tenue d'un dialogue national « loin des préalables allant jusqu'aux diktats »”, *Algeria Press Service*, 30 July 2019 (<https://www.aps.dz/algerie/92674-gaid-salah-souhaite-la-tenue-d-un-dialogue-national-loin-des-prealables-allant-jusqu-aux-diktats>)

students protesting and chanting ‘Making half revolution means digging your own hole’¹⁰⁹. Meanwhile, on 8 August, Gaïd Salah perfectly describes the official plans: ‘Thanks to Allah, the definite result of the struggles of justice in the fight against corruption are coming out, giving back trust to the citizens and restoring calm, progressively’¹¹⁰. He does not hide anymore his exasperation in front of the popular mobilizations, that he keeps on trying to discredit. On 11 September, he finally appoints their slogans as those of an ‘horde [...] that wants to impose its vision even outside the country, by mobilizing spokespeople through social networks’¹¹¹.

It is now the turn of Parliament to approve with a strong majority two bills, allowing Bensalah to fix the date of the elections on 12 December. Never, the *pouvoir* had dared to exhibit in such a manner his intervention in State affairs. The mission of Salah is to stop the parenthesis of the Hirak as soon as possible, and to impose a presidential scrutiny that the people have already managed to postpone twice. Such a transition is necessarily accompanied by strong restrictions in the political and mass media field, with the return of antidemocratic practices that Algeria thought having left behind: censorship of the informatic media, rejection of the authorization for meetings, and the financial persecution of the NGOs. This is the environment in which the December scrutiny takes place, and that leads to the election of Abdelmadjid Tebboune.

4.4 The Constitutional impasse

Many political figures during the crisis have called for a strict application of the Constitution, or for his total elimination and the election of a new Constituent Assembly. According to most of the people involved, anyway, a transitional period is necessary to liberalize the political life, with the goal of creating the right conditions for free elections. Through Salah, the regime strongly opposes itself to it, in the name of State continuity. Since Bouteflika’s resignation, Salah’s speeches underline the same message: the army has realized the people’s aspirations, consequently the manifesters are encouraged to go

¹⁰⁹ Filiu, p. 221

¹¹⁰ “Allocation de Gaïd Salah lors de sa visite à la 1^{ère} région militaire à Blida”, *Algeria Press Service*, 8 August 2019 (<http://www.aps.dz/algerie/93039-allocation-de-gaid-salah-lors-de-sa-visite-a-la-1ere-region-militaire-a-blida>)

¹¹¹ “La Présidentielle aura lieu dans les délais grâce à la bonne perception du peuple des agendas de certains”, *Algeria Press Service*, 11 September 2019 (<http://www.aps.dz/algerie/94281-la-presidentielle-aura-lieu-dans-les-delais-grace-a-la-bonne-perception-du-peuple-des-agendas-de-certains>)

back to their houses and prepare to become voters on the day of the scheduled elections, to go back to normal life.

By looking at the Algerian set of fundamental laws, it has been prepared, with no exception, in an authoritarian way, even if it was then submitted to referendum. Moreover, no President of the Republic has ever been elected without the support, or rather the accordance, of the High military command. This reflects in a complex and rich constitutional history, which nevertheless does not make of Algeria a democracy, nor a constitutional State. Ahead of the constitutional formalism, the degree of freedom of voting is still weak, and not necessarily in the hands of the civil authorities constitutionally enforced. But even in the Algerian case of a militarized regime, it is of its interest to safeguard the constitutional appearances and give the impression to be working inside the constitutional framework, at least for political rather than legal reasons.

Not knowing how to respond to a massive and pacific demonstration, without deploying the armed forces, the regime has adopted a certain number of measures that have, according to Mouloud Boumghar¹¹², progressively led to the exiting from the constitutional framework. After Bouteflika is hospitalized on 24 February, a message is read on his behalf on 3 March. The President confirms his willingness to run for a fifth term. In front of the determination of the manifesters, instead of withdrawing his nomination, the regime chooses to cancel the elections and to keep Bouteflika in power. From a juridical point of view, the presidential decree¹¹³ of 11 March that postpones the convocation of the electoral body, has no foundation in the Constitution, nor in the electoral law. Under Constitution, the decree mentions art. 85 and 91: the former talks about the election of the President of the Constitution and does not assume any possibility of postponement; the latter states that it is the President who signs the presidential decrees. Under the electoral law, it is quoted in a general way.

¹¹² Boumghar, M. (2019). “Le gant constitutionnel réversible : accessoire de l’uniforme militaire. Regard critique sur la crise constitutionnelle algérienne de 2019” in *L’Année du Maghreb*, n. 21, CNRS Editions

¹¹³ *Journal officiel de la République Algérienne démocratique et populaire*, 11 March 2019, “Décret présidentiel n° 19-92 du 4 Rajab 1440 correspondant au 11 mars 2019 rapportant les dispositions du décret présidentiel portant convocation du corps électoral en vue de l’élection du Président de la République”, p. 11 (<https://www.joradp.dz/FTP/JO-FRANCAIS/2019/F2019015.pdf>)

So, the message of the President is not supported by any juridical argument: the constitutional violation is flagrant. For his part, the Constitutional Council simply takes notice of a clearly unconstitutional decree. But it is also true that it cannot authorize itself to check the constitutional compatibility of the noted decree, and none of the empowered authority to do so, did it.

Later on, when the Council announces that there are not the conditions for the elections to take place, it tries to give an aura of constitutionality to the lengthening of Bensalah's interim. The text of the message¹¹⁴ quotes the entire 12th paragraph of the preamble of the Constitution and reminds his mission to watch over the Constitution. The text precises that: 'The Constitution is above everything else, it is the fundamental law that grants rights and freedoms both individual and collective, it protects the rule of the free choice of the people, confers legitimacy to the exercise of power, and sanctions the democratic alternation through free and fair elections.'

As soon as he takes functions, the Head of State convokes the electoral body on 9 April, then fixing the elections for 4 July. But the determination of the manifesters dissuades any valid public personality to submit their nomination.

The Constitutional council receives only two nominations and they are both rejected with a decision at the beginning of June. The 2016 electoral law, the regulations that establish the functioning of the Constitutional council and the decree of 9 April that summons the electoral body, none of the three says anything about the lengthening of the interim period. The Council underlines that according to the first two paragraphs of the constitutional art. 182, the Council has the role of watching over the respect of the Constitution and the regularity of the elections of the President. Then the Council refers to the "spirit of the Constitution", by affirming that: 'in the spirit of the Constitution, with the aim of granting the continuity of the functioning of the constitutional institutions, the essential function devoted to the Head of State [ad interim] is to organize the elections of the President of the Republic, a mission that he takes on until the pronouncement of the constitutional oath by the newly elected President of the Republic'. If this is the function

¹¹⁴ *Décision du Conseil Constitutionnel n°20/D. CC/ 19*, 1st June 2019 (<http://www.conseil-constitutionnel.dz/index.php/fr/116-categories-all/langue-fr/articles-fr/1209-ecision-n-20-d-cc-19-du-27-ramadhan-1440-correspondant-au-1er-juin-2019?tmpl=component>)

of the interim Head of State, art. 102 clearly limits the interim to 90 days. The Council is probably working under direction of the High military command, without taking into consideration the political causes of the crisis.

So, it is through a simple communique that the Constitutional council explicitly states that the interim Head of State must stay in office until the pronouncement of the constitutional oath by an elected President, without precising any kind of term.

Concerning the presidential decree¹¹⁵ of 15 September 2019 that summons the electorate for the election of 12 December, it refers to art. 102, paragraph 6¹¹⁶ to justify the exercise by the interim Head of State of the competence to sign presidential decrees, in addition to the decision of 3 April with regard to the final establishment of the resignations of the former President by the Parliament in joint session.

Then there are the famous articles 7 and 8, of which Salah has promised the activation since March. But an actual debate on these articles would finally establish to who sovereignty actually belongs. The term *activation* used by Salah is correct, since until that moment, sovereignty has always been exercised by the High military command, that considers itself as sovereign. The popular mobilization expresses the will to effectively be sovereign and to make these constitutional principles real. Despite the political cost, the intensification of the repression is seen as a way to maintain the regime, by giving the appearance of respecting the Constitution with the support of the institutions. In fact, if the Constitution forbids to put an end to the government in place at the moment of the resignation of the President, it does not prohibit to proclaim one of the states of exception provided for: art. 104¹¹⁷, last paragraph, authorises the state of

¹¹⁵ *Journal officiel de la République algérienne démocratique et populaire*, 16 September 2019, “Décret présidentiel n° 19-245 du 15 Moharram 1441 correspondant au 15 septembre 2019 portant convocation du corps électoral en vue de l’élection du Président de la République”, p. 13 (<https://www.joradp.dz/FTP/JO-FRANCAIS/2019/F2019056.pdf>)

¹¹⁶ “The President of the Council of the Nation shall assume the function of the Head of State for a maximum period of ninety (90) days, during which presidential elections shall be organized.” Art. 102, paragraph 6 of the 2016 Algerian Constitution (https://constituteproject.org/constitution/Algeria_2016?lang=en)

¹¹⁷ “The Government in office at the time of the impediment, death or resignation of the President of the Republic cannot be dismissed or reshuffled until the new President of the Republic undertakes his duties.

If the Prime Minister in office becomes a candidate for the Presidency of the Republic, he shall resign de jure. The function of the Prime Minister shall be assumed by another member of the Government appointed by the Head of State.

exception during the interim period provided for in art. 102, as well as the state of emergency, and the state of siege. This disposition permits to reinforce the conditions for the use with consultations of the Constitutional council by the Higher security council, in addition to approval by Parliament in plenary session, which has never stood out for his capacity to resist to the injunctions from the High military command.

4.5 The income trap

It is when the deciders opt for a fifth term that the people take it into the streets, rather than because of the profound economic crisis. Gaïd Salah, at this point at the forefront of the battle, makes the complaint about the “gang” that consumed the country, one of his own. But it is only to better absolve the Generals and himself from any kind of accusation of complicity with the regime. In fact, it is plunging Algeria into an economic chaos: the diversification of the country’s resources, announced many times in official discourses, has never been implemented, because the deciders refused to do more than cash the income from the hydrocarbons. Algeria has always been, since its independence, a rentier State, avoiding carrying out a proper economic reform, because the rents are useful to keep social and political peace. So, it is easily explained the fact that popular uprisings usually follow the fall in oil prices, when the regime is not able to maintain his duty in the social contract that ties it to society: redistributing part of those incomes to the population and clients. Even though the masses experienced a substantial improvement in life standards, thanks to the huge hydrocarbon incomes and to a successful initial program of industrialization, the gap between the masses and the richer class led to a recurrent social discontent. This discontent expressed itself in terms of passive resistance, that is, apathy towards public affairs, strikes, absence of civic thought, youth migration.

As a natural feature of a rentier economy, the fall in oil prices reflects on life conditions of the population, usually the middle and lower class. Government has no other choice than to cut budget spending, raising the price of some goods and lower taxes. The

During the periods stipulated in Articles 102 and 103 above, the provisions in paragraphs 7 and 8 of Article 91 and Articles 93, 142, 147, 154, 155, 208, 210 and 211 of the Constitution may not be applied.

During these same periods, the provisions of Articles 105, 107, 108, 109 and 111 of the Constitution cannot be implemented without the approval of Parliament, convened in a joint session of both Chambers. The Constitutional Council and the High Council of Security ought to be consulted beforehand.” Art. 104 of the 2016 Algerian Constitution
(https://constituteproject.org/constitution/Algeria_2016?lang=en)

situation is complicated also by diffused corruption: the Transparency International's Corruption Perceptions Index 2018¹¹⁸ ranks Algeria in 105th place out of 198 countries. The spread corruption results into heavy losses for the national economy, while they infuriate the citizens. Bouteflika has for sure failed in transforming a rentier economy into a productive and diversified one, keeping Algeria a producer of a single good, hydrocarbons, whose revenues value around 60% of the national GDP and are roughly 97% of foreign earnings¹¹⁹.

Concerning the private sector, the informal economy, thanks to which a big part of the Algerian population finds an essential addition to their income, must be integrated in exchange for tax relieves, until now accorded only to the oligarchs. Such a tax readjustment, fundamental in terms of social justice, is a fundamental step in a transition towards a competitive economy of production.

Meanwhile, Gaïd Salah and the *pouvoir* are persuaded to be able to buy people's passivity, in this case with spectacularized processes to those accused of treason and corruption. But according to Filiu the hydrocarbons income acts as a blessing and protects Algeria from foreign interferences¹²⁰.

4.6 The reaction abroad

In the early stages of the crisis, many international organizations and institutions commented on the events happening in Algeria. For his part, the UN Secretary General Guterres, on 3 April 2019, right after Bouteflika's resignation, takes note of the event and salutes "the mature and calm nature in which the Algerian people have been expressing their desire for change"¹²¹. He also hopes for "a peaceful and democratic transition

¹¹⁸ Results available on the official site of the organization:
<https://www.transparency.org/en/cpi/2018/results/dza>

¹¹⁹ Zoubir, Y., *The Algerian Crisis: Origins and Prospects for a "Second Republic"*, 21 May 2019, Al-Jazeera centre for Studies, p. 10

¹²⁰ Filiu, p. 162

¹²¹ *Statement attributable to the spokesman for the Secretary General on the resignation of the Algerian President Abdelaziz Bouteflika*, 3 April 2019 (<https://www.un.org/sg/en/content/sg/statement/2019-04-03/statement-attributable-the-spokesman-for-the-secretary-general-the-resignation-of-the-algerian-president-abdelaziz-bouteflika-scroll-down-for-french-version>)

process that reflects the wishes of the Algerian people” and reiterates the commitment of the organization in supporting the country in its process of transition¹²².

The European Union remains neutral at the beginning, and the ambassador of the Union to Algeria, John O’Rourke, compliments in May 2019 with the protesters for their non-violent demonstrations¹²³. Even though, during the year, the MEP Marie Arena stood firmly with the manifesters, causing the reaction of Gaïd Salah and other political figures that accuse the EU of interference. The spokeswoman of the institution, Maja Kocijancic, re-established neutrality in October, affirming that the Parliament and the Commission are looking closely at the situation, and they hope that elections will bring in a new peace for Algeria¹²⁴. Then, in late November, the then High Commissioner for Foreign Affairs Federica Mogherini, invites again to respect the sovereignty of Algeria, as a neighbour country, affirming that it is up to the Algerian people to decide for their future¹²⁵. But the EU Parliament decides anyway to adopt a resolution¹²⁶, on 28 November, to denounce the degradation of the freedom of the press and the arbitrary and illegal arrests of many journalists and activists. A new resolution¹²⁷ that reiterates the same condemnations has been proposed on the occasion of the Parliament plenary session in late November 2020.

Concerning the election of Tebboune, the Commission ‘takes note’ of the election through his new High Commissioner for Foreign Affairs Josep Borrell, that also hopes for ‘a new page’¹²⁸ on Algerian politics, as reported by *Algérie Eco*.

4.6.1 The situation in France

France, as a fundamental partner of Algeria, because of their historical links, witnesses major meetings of Algerians in Paris, in Place de la République, and other

¹²² *Ibid.*

¹²³ “John o’Rourke: l’UE salue les marches pacifiques en Algérie”, *Algerian Press Service*, 13 May 2019 (<http://www.aps.dz/algerie/89384-john-o-rourke-l-ue-salue-les-marches-pacifiques-en-algerie>)

¹²⁴ Yacoub, H., “Bruxelles rectifie le tir”, *L’Expression*, 3 October 2019 (<http://www.lexpressiondz.com/nationale/bruxelles-rectifie-le-tir-321679>)

¹²⁵ *Situation des libertés en Algérie*, debate of the European Parliament (Strasbourg), 28 November 2019 (https://www.europarl.europa.eu/doceo/document/CRE-9-2019-11-28-INT-4-065-0000_FR.html)

¹²⁶ *European Parliament resolution of 28 November 2019 on the situation of freedoms in Algeria* (https://www.europarl.europa.eu/doceo/document/TA-9-2019-0072_IT.html)

¹²⁷ *European Parliament resolution of 26 November 2020 on the deteriorating situation of human rights in Algeria, in particular the case of journalist Khaled Drareni* (https://www.europarl.europa.eu/doceo/document/TA-9-2020-0329_IT.html)

¹²⁸ Ouramdane, M. (2019) “L’Union européenne « prend acte » de l’élection de Tebboune”, *Algérie Eco*, 15 December (<https://www.algerie-eco.com/2019/12/15/lunion-europeenne-prend-acte-lelection-tebboune/>)

major cities like Marseille¹²⁹. These public reunions begin on 25 February and regularly take place on Sunday, to echo the Friday demonstrations in Algeria. They are extremely pacific meetings, in which people at the beginning simply meet to chant the slogans of the prior Friday, in addition to some mottos to warn Macron to mind his own businesses¹³⁰, but then they start to organize meetings, roundtables, and debates of every kind. The aim is to discuss an alternative future for their country and let their voice be heard. With that goal, they also propose to vote for their own representatives, for them to participate in the transition process¹³¹. Many exiled hirakists often participate to these meetings, but no French personality is ever invited, nor political nor of the mass media.

4.6.1.1 Macron and Le Drian : « ni ingérence, ni indifférence »

Since the beginning of the Algerian crisis, the French government has kept a position of supervision. On 27 February¹³², through the government spokesman Benjamin Griveaux, the Parliament hopes that the elections happen in full respect of the Algerians' freedoms. For his part, France opts for a policy that *Le Monde* qualifies as 'nor interference, nor indifference'¹³³: they keep a low profile, but at the same time, they keep an eye on the situation, since Algeria is a fundamental ally both from the economic point of view, providing 10% of France's natural gas, and around 5 billion euros in trade; and from the security point of view, helping in the fight to jihadism in the Sahel region.

According to *Le Monde*, the policy is so qualified, since if France stays silent, they are accused of supporting the regime, on the other hand, if the government gives any kind of declaration, it is accused of interference from the regime. The history between Algeria and France, created a situation in which France is regularly suspected of working against

¹²⁹ Kadiri, G., "A Paris ou Marseille... la diaspora scande les mêmes slogans qu'en Algérie", *Le Monde*, 3 March 2019 (https://www.lemonde.fr/afrique/article/2019/03/03/a-paris-les-algeriens-manifestent-pour-donner-au-peuple-la-force-de-continuer-a-se-battre_5430835_3212.html)

¹³⁰ "Grande mobilisation à Paris pour un changement « radical » en Algérie", *Algeria Press Service*, 17 March 2019 (<http://www.aps.dz/algerie/86974-grande-mobilisation-a-paris-pour-un-changement-radical-en-algerie>)

¹³¹ "Rassemblement des Algériens à Paris : la mobilisation ne faiblit pas", *Algeria Press Service*, 14 April 2019 (<http://www.aps.dz/algerie/88073-rassemblement-d-algeriens-a-paris-la-mobilisation-ne-faiblit-pas>)

¹³² *Compte rendu du Conseil des ministres du 27 février 2019* (<https://www.gouvernement.fr/conseil-des-ministres/2019-02-27>)

¹³³ Semo, M., "Crise algérienne : pour Paris, «ni ingérence ni indifférence»", *Le Monde*, 28 February 2019 (https://www.lemonde.fr/afrique/article/2019/02/28/paris-prefere-maintenir-son-profil-bas-sur-la-crise-algerienne_5429678_3212.html)

Algerian unity. Gaïd Salah, now alone in power, keeps on warning against the ‘foreign hand’, that would be working to divide Algeria, under the cover of democratization. The prohibition of Kabylia flags would be part of this dramatization in which Paris is fuelling the Berber irredentism. Meanwhile, Salah has already denounced the foreign parties, that would be trying to ‘destabilize Algeria and sow discord’. The *pouvoir* believes to reach in this way two different objectives: on one hand to become politically clean by charging on Bouteflika and his clan all the problems of Algeria. On the other hand, to associate with France all the modern problems of the country: the conspiracy of Said Bouteflika and the old patrons of the military detachments¹³⁴. After 15 years at the head of the armed forces, Gaïd Salah presents himself as the killer of the gang tied to Bouteflika, by taking up the term that the Hirak has popularized to report a corrupted élite, far beyond the presidential clan.

On 12 March, Macron salutes the decision of Bouteflika to renounce to his fifth term but hopes for a transition of a ‘reasonable length’¹³⁵, and pledges full disposability to help the country in friendship and respect.

At the same time, the Minister for Foreign Affairs, Le Drian, repeatedly asked on the Algerian situation, answers that the government is fully aware of the events, but he also underlines the will to respect Algerian sovereignty¹³⁶. The government understands the importance of the Hirak demonstrations and compliments their being peaceful and mature. But while he states that the two countries are still in good relations, a French officer told *Le Monde* in December 2019 that Boukadoum, the Algerian Foreign Minister, accuses Paris of boycotting the regime, and suspects of their influence in the November 2019 resolution of the European Parliament¹³⁷.

¹³⁴ Filiu, p. 137

¹³⁵ “Algérie : Macron appelle à « une transition d’une durée raisonnable » après le renoncement de Bouteflika”, *Le Monde*, 12 March 2019 (https://www.lemonde.fr/afrique/article/2019/03/12/algerie-macron-appelle-a-une-transition-d-une-duree-raisonnable-apres-le-renoncement-de-bouteflika_5434750_3212.html)

¹³⁶ *Algérie: élections présidentielles - Réponses de Jean-Yves Le Drian à deux questions au gouvernement à l’Assemblée nationale*, 6 March 2019 (<https://www.diplomatie.gouv.fr/fr/dossiers-pays/algerie/evenements/article/algerie-elections-presidentielles-reponses-de-jean-yves-le-drian-a-deux>)

¹³⁷ Bobin, F., “Algérie : le silence embarrassé de la France accusée d’« ingérence » par le pouvoir et la rue”, *Le Monde*, 11 December 2019 (https://www.lemonde.fr/afrique/article/2019/12/10/algerie-le-silence-embarrasse-de-la-france-accusee-d-ingerence-par-le-pouvoir-et-la-rue_6022338_3212.html)

Once Tebboune is declared winner of the elections, of all the international reactions, Macron's one is the most waited. But the first declaration comes from a side comment during a press conference after a session of the European Council in Brussels, and the French President says to have noted of the official announcement. He added that dialogue should be opened between the authorities and the population. The newly elected Algerian President has not appreciated the statements, commenting that 'Concerning the French President, I will not answer to him. He is free to sell all the stuff that he wants in his country, but I was elected by the Algerian people and I do recognise the Algerian people only'¹³⁸. It is not the first time that Tebboune publicly reacts to the declarations of the French political class. During the electoral campaign he was the only one to respond to the statements of the French Foreign Minister Le Drian and made it an element of his campaign. In an interview to a foreign broadcast, Tebboune was well aware of the delicate moment his country was going through when he was running for the presidency, he did not accuse the President, but the Foreign Minister in particular of interference in the internal affairs of the country¹³⁹. Le Drian was guilty to have stated that France was hoping for a democratic transition in Algeria¹⁴⁰

Right after such a perception from the Algerian press of his "taking note" of the victory, Macron has a telephone interchange with Tebboune during which he addresses him his 'most sincere wishes for a successful term'¹⁴¹, underlining that France is ready to side Algeria during this important moment in its history. Nevertheless, in January 2020, on his first trip to Algeria to welcome the new government, Mr. Le Drian underlines¹⁴² again the good relationship between the two and emphasises the French will to collaborate with this new government guided by Djerad.

¹³⁸ "Le nouveau président algérien à propos de Macron : « Je ne le lui répondrai pas »", *franceinfo : Afrique*, 16 December 2019 (https://www.francetvinfo.fr/monde/afrique/algerie/le-nouveau-president-algerien-a-propos-de-macron-je-ne-le-lui-repondrai-pas_3747081.html)

¹³⁹ Cherif, A. (2019), "Le début d'une nouvelle phase?", *Le Soir d'Algérie*, 15 December (<https://www.lesoirdalgerie.com/actualites/le-debut-dune-nouvelle-phase-35341>)

¹⁴⁰ *Déclaration de Jean-Yves le Drian, ministre de l'Europe et des Affaires étrangères*, 1 November 2019 (<https://www.diplomatie.gouv.fr/fr/dossiers-pays/algerie/evenements/article/algerie-fete-nationale-algerienne-declaration-de-jean-yves-le-drian-ministre-de>)

¹⁴¹ "Emmanuel Macron adresse « ses vœux sincères de succès » au nouveau président algérien", *France24*, 17 December 2019 (<https://www.france24.com/fr/20191217-emmanuel-macron-adresse-ses-v%C5%93ux-sinc%C3%A8res-de-succ%C3%A8s-au-nouveau-pr%C3%A9sident-alg%C3%A9rien>)

¹⁴² *Point de presse conjoint de Jean-Yves Le Drian, ministre de l'Europe et des affaires étrangères, et de Sabri Boukadoum, ministre algérien des affaires étrangères – Propos de Jean-Yves Le Drian*, 21 January 2020 (<https://www.diplomatie.gouv.fr/fr/dossiers-pays/algerie/evenements/article/point-de-presse-conjoint-de-jean-yves-le-drian-ministre-de-l-europe-et-des>)

But while 2020 goes on, antagonisms between the two administrations happen more often than expected. The most relevant one in May 2020, when Algeria called back his Ambassador in France following the broadcasting on national television of two documentaries about the Algerian Hirak: “Algérie mon amour” and “Algérie: les promesses de l’aube”. The Algerian Foreign Minister summoned the Ambassador declaring that these Tv programs broadcasted ‘under the pretext of freedom of expression, are attacks against the Algerian people and its institutions, among others the Popular National Army (ANP)’¹⁴³. The French Ambassador in Algeria had already been summoned at the Algerian Foreign Ministry, to clarify statements about the Chinese medical aids to the country. But the Ambassador replied that the press has complete redactional independence in France, an independence protected by the law.

The quarrel is resolved only after a telephone call between Tebboune and Macron on 3 June. The two discussed the COVID-19 crisis, but also the situation in Libya and Sahel, with reciprocal respect and for the sovereignty of both the countries¹⁴⁴. Two weeks after the call, the ambassador is sent back to France, signalling the return to normality of the relation between the two. This has been only the second time during the French-Algerian diplomatic history since independence, in which the Algerian ambassador was called back to the home country. For his part, President Tebboune has assured that he has no problem with his French counterpart. He is instead admired by Macron’s statements on the issue of memory and the crimes of French colonialism. Therefore, according to *Le Monde*, Paris is trying not to ‘add fuel to the fire’¹⁴⁵, while the anti-French discourse is still very much present in the Algerian society. And France avoided to openly criticise a series of arrests of hirakists.

¹⁴³ “L’Algérie rappelle son ambassadeur en France après la diffusion de documentaires sur le « Hirak »”, *France24*, 27 May 2020 (<https://www.france24.com/fr/20200527-l-alg%C3%A9rie-rappelle-son-ambassadeur-en-france-apr%C3%A8s-la-diffusion-de-documentaires-sur-le-hirak>)

¹⁴⁴ “Emmanuel Macron échange avec le président algérien au sujet du coronavirus et de la Libye”, *Le Monde*, 3 June 2020 (https://www.lemonde.fr/afrique/article/2020/06/03/emmanuel-macron-echange-avec-le-president-algerien-au-sujet-du-coronavirus-et-de-la-libye_6041605_3212.html)

¹⁴⁵ “L’ambassadeur d’Algérie de retour à Paris après une brouille diplomatique”, *Le Monde*, 17 June 2020 (https://www.lemonde.fr/afrique/article/2020/06/17/l-ambassadeur-d-algerie-de-retour-a-paris-apres-une-brouille-diplomatique_6043154_3212.html)

4.7 A new President and a revised Constitution

After the election of the new President, Gaïd Salah dies unexpectedly of heart attack on 23 December¹⁴⁶, and Saïd Chengriha is appointed¹⁴⁷ by President Tebboune to take on the role, but he will be, at least until the ratification of the revised Constitution, a far less intrusive figure than Salah was.

On 28 December, Abdelaziz Djerad is appointed as Prime Minister and to form a new government, the government that will face the challenges of the Hirak, and above all the mission of revising the Constitution. As Tebboune declares¹⁴⁸ on 5 January 2020, the change to which the citizens are aspiring, implies the reconsideration of the governance system, through a profound constitutional revision, in addition to the amendment of some important laws, like the electoral one. Therefore, on 8 January 2020, the creation of an experts committee charged to revise the Constitution is announced¹⁴⁹. In accordance with the constitutional process already in force, it is also declared¹⁵⁰ that the draft Constitution will be submitted to popular referendum. On the same day, the President sends a letter¹⁵¹ to the committee, in which he traces the principal axes on which the revision must focus:

1. Reinforcement of the rights and freedoms of the citizens: it is necessary to give further protection to the rights of demonstration, of expression, and of press (audio-visual and on social media), they must be exercisable without damage to other people dignity, freedom, or rights.
2. Moralization of the public life and fight to corruption: mechanisms of fight to corruption must be created. Also, mechanisms to avoid conflict of interest must be designed.

¹⁴⁶ “Décès du Général du corps d’armée Ahmed Gaïd Salah”, *Algeria Press Service*, 23 December 2019 (<http://www.aps.dz/algerie/99289-deces-du-general-du-corps-d-armee-ahmed-gaid-salah>)

¹⁴⁷ “Le Général-major Saïd Chengriha nommé Chef d’Etat major de l’ANP par interim”, *Algeria Press Service*, 23 December 2019 (<http://www.aps.dz/algerie/99292-le-general-major-said-chengriha-nomme-chef-d-etat-major-de-l-anp-par-interim>)

¹⁴⁸ “L’édification de l’Algérie à laquelle aspirent les citoyens implique la reconsidération du système de gouvernance”, *Algeria Press Service*, 5 January 2020 (<http://www.aps.dz/algerie/99766-l-edification-de-l-algerie-a-laquelle-aspirent-les-citoyens-implique-la-reconsideration-du-systeme-de-gouvernance>)

¹⁴⁹ “Création d’un comité d’expert chargé de la révision de la Constitution”, *Algeria Press Service*, 8 January 2020 (<http://www.aps.dz/algerie/99863-creation-d-un-comite-d-expert-charge-de-la-revision-de-la-constitution>)

¹⁵⁰ “Le Président Tebboune : la Constitution amendée sera soumise à un référendum populaire”, *Algeria Press Service*, 8 January 2020 (<http://www.aps.dz/algerie/99890-president-tebboune-la-constitution-amendee-sera-soumise-a-un-referendum-populaire>)

¹⁵¹ “Révision de la Constitution : le Président Tebboune trace les principaux axes”, *Algeria Press Service*, 8 January 2020 (<http://www.aps.dz/algerie/99871-revision-de-la-constitution-le-president-tebboune-trace-les-principaux-axes>)

3. Consolidation of the separation and balancing of powers.
4. Reinforcement of the Parliament power of control: the power of the elected must be reinforced, in particular the one of the oppositions; one session per month will be introduced, with the aim of checking on government work; also, the possibility for the members of Parliament to create committees of inquiry on judiciary issues.
5. Consolidation of the judiciary power independence.
6. Consolidation of the equality of the citizens before the law: the parliamentary immunity must be circumscribed to Parliament activity only.
7. Constitutional consecration of the mechanisms of organization of the elections: the ANIE needs a constitutional anchor, and the *Haute instance indépendante de surveillance des élections* must be dismantled.

On January 14, Walid Laggoune, the reporter of the Committee, announces¹⁵² that they received the green light from Tebboune. He also specifies that they are not a Constituent Assembly, but a commission that has to work on the principles already established by the previous Constitutions, for them to be reinforced.

In order to create a “Consensual Constitution”, Tebboune undertakes a cycle of political consultations¹⁵³, that will go on from 23 January on, for a period as long as necessary, since this Constitution must be accepted by all parts of civil society.

On 29 January Laagab, the Head of the mission, proclaims¹⁵⁴ that the works of the Committee have reached an advanced state. He explains that right after the commission was installed, they divided into seven work groups, as many as the axes fixed by the President. At the end of the period of drafting, set at two months, the Committee will have to create a first common draft that will be scrutinized by the President, then the civil society, then the political parties, and the media for the enriching. In the end, it will again

¹⁵² “Révision de la Constitution : « Le Président Tebboune a accordé la liberté d’appréciation » au comité d’experts”, *Algeria Press Service*, 14 January 2020 (<http://www.aps.dz/algerie/100142-revision-de-la-constitution-le-president-tebboune-a-accorde-la-liberte-d-appreciation-au-comite-d-experts>)

¹⁵³ “Le Président Tebboune confirme la poursuite des consultations politiques pour parvenir à une « Constitution Consensuelle »”, *Algeria Press Service*, 23 January 2020 (<http://www.aps.dz/algerie/100546-le-president-tebboune-confirme-la-poursuite-des-consultations-politiques-pour-parvenir-a-une-constitution-consensuelle>)

¹⁵⁴ “Révision de la Constitution: les travaux du Comité ont atteint un « stade avancé »”, *Algeria Press Service*, 29 January. 2020 (<http://www.aps.dz/algerie/100816-revision-de-la-constitution-les-travaux-du-comite-d-experts-ont-atteint-un-stade-avance>)

be examined by the committee that will insert the modifications requested, before sending it again to Parliament.

The official text of the project of amendment is diffused on 7 May because of the CoVid emergency, that makes impossible to hold public debates. In the occasion of an interview¹⁵⁵ to the *Quotidien d'Oran* in June, Laraba, the President of the committee, affirms that this draft comes after 20 years of hyper-presidentialism and defends the work of the Committee by saying that they have accepted to work inside the framework established by the President. Asked if the framework limited their task, he answers that they did everything they were asked to do: their mission is not a complete change and reconstruction of the Algerian political environment. The Committee has again to defend its work in a communique¹⁵⁶ published on 10 June, in which they assess that the debate of the civil society has deviated from the aimed goal. More precisely, they identify four lies that circulated on different media: that the new document has been drafted by people that had also drafted the previous Constitutions; that the reference to the 1st November 1954 Declaration has been removed from the Preamble; that the bases of the Nation have been attacked; that the new text opens to the separation of the Country. The document answers point by point to each accusation, and then invites the civil society to focus the debate on enriching the draft, or proposing modifications, rather than attack the committee.

Some further delays are caused in the process of debate with the civil society, but Tebboune on 13 June qualifies them as predictable¹⁵⁷, since at the moment the country, as long as the entire world, is facing the Coronavirus pandemic. It goes on until, on 25 August the date for the referendum is set on 1st November, after consultations of President

¹⁵⁵ Oukazi, G. (2020), "Révision de la Constitution: Le président du Comité des experts s'explique", *Le Quotidien d'Oran*, 7 June (http://www.lequotidien-oran.com/index.php?news=5290521&archive_date=2020-06-07)

¹⁵⁶ "Constitution : le débat a, dans des nombreux cas, « dévié de l'objectif escompté »", *Algeria Press Service*, 10 June 2020 (<http://www.aps.dz/algerie/106029-constitution-le-debat-a-dans-de-nombreux-cas-devie-de-l-objectif-escompte>)

¹⁵⁷ "Débat sur la mouture de l'amendement constitutionnel: les « dérapages » étaient « prévisibles »", *Algeria Press Service*, 13 June 2020 (<http://www.aps.dz/algerie/106126-les-derapages-enregistres-lors-du-debat-de-la-mouture-de-l-amendement-constitutionnel-etaient-previsibles>)

Tebboune with all the involved parties¹⁵⁸. Charfi, president of the ANIE, is asked to begin with the preparation for the incoming electoral session. Meanwhile, the draft undergoes debate in Parliament, in both chambers, and is finally adopted on 12 September¹⁵⁹.

The referendum takes place after a campaign in which many political parties and associations calls for a massive participation. At the close of the polls stations, the participation rate is declared¹⁶⁰ at 23,7%, but on the follow day Mr. Charfi reassures¹⁶¹ that this does not create problems from a legislative point of view. On 12 November, the Constitutional council releases the official results¹⁶²: the participation rate is fixed at 23,84%, and the amendment is approved with 66,8% of valid votes.

4.7.1 The draft

Tebboune's intentions are to put an end to non-democratic Algeria of the ages of Bouteflika, above all since after three amendments (2002, 2006, and 2016), it was based on his own political thought.

By keeping in mind that the project¹⁶³ is designed around the previously noted seven main axes, and that it aims at responding to the requests of the Hirak, the freedom of assembly and association, after having declared it to the authorities, are present. Freedom of print is granted in any form, also adding a prohibition of preliminary control that can harm this freedom. Another relevant aspect is art. 64, in which the right to live

¹⁵⁸ “Le référendum sur la révision constitutionnelle fixé au 1^{er} Novembre”, *Algeria Press Service*, 24 August 2020 (<http://www.aps.dz/algerie/108971-le-referendum-sur-la-revision-constitutionnelle-fixe-au-1er-novembre>)

¹⁵⁹ “Le texte de loi relatif à la révision de la Constitution adopté par le Parlement”, *Algeria Press Service*, 12 September 2020 (<http://www.aps.dz/algerie/109653-le-texte-de-loi-relatif-a-la-revision-de-la-constitution-adopte-par-le-parlement>)

¹⁶⁰ “Référendum : un taux de participation de 23,7% à la fermeture des bureaux de vote”, *Algeria Press Service*, 1 November 2020 (<http://www.aps.dz/algerie/112193-referendum-un-taux-national-de-participation-de-23-7-a-la-fermeture-des-bureaux-de-vote>)

¹⁶¹ “Référendum : le taux de participation ne pose pas de problème sur le plan juridique”, *Algeria Press Service*, 2 November 2020 (<http://www.aps.dz/algerie/112208-referendum-le-taux-de-participation-ne-pose-pas-de-probleme-sur-le-plan-juridique>)

¹⁶² “Le Conseil constitutionnel proclame les résultats définitifs et officiels du scrutin”, *Algeria Press Service*, 12 November 2020 (<http://www.aps.dz/algerie/112733-le-conseil-constitutionnel-proclame-les-resultats-definitifs-et-officiels-du-scrutin>)

¹⁶³ The text of the 2020 Constitution can be found here, along with a comparison to the previous Constitution:
https://www.constituteproject.org/search?lang=en&status=in_force&status=is_historic&status=is_draft&compare=Algeria_2016&compare=Algeria_2020D

in a healthy environment is now inserted in a context of sustainable development. The right to education is also introduced, sided by the right to teaching, in art. 65.

Concerning the separation of powers, the powers of the Head of State are basically unchanged, with the only limit of the two terms reinstated and extended also to senators and deputies. The proposed figure of the vice-President has not been accepted for the final project, instead the role of the Prime Minister has been reinforced.

Since the Constitutional council proved ineffective during the 2019 institutional crisis, it is replaced by a Constitutional court with more powers, and the prohibition of access to high public offices from those with double nationality is removed. Then art. 30 reiterates that Algeria rejects the use of war to violate the lawful sovereignty of a State, and other people's freedom, the country will manage the international conflicts through pacific means. But there is an addition: the country can now intervene outside its borders, in the framework of peacekeeping missions that respect the principles and the goals of the United Nations, the African Union and the Arab League. According to some analysts, it is not some news, but an effort to try to make constitutional the participation of the Algerian army to military operations of UNO, while for others it is nothing more than making more malleable the Algerian doctrine towards external threats and menaces¹⁶⁴.

4.7.2 Opposers and supporters

Despite the entire process of drafting has been publicised as a great debate with representatives from each and every part of civil society and others, the government has been accused of lack of transparency.

Concerning the contents, many jurists have expressed their doubts, along with associations for human rights¹⁶⁵, and political opposers. It seems that the actual modifications to the Algerian system are not so many: according to Tarek Merah, lawyer and human rights activist, the powers and duties of the President are basically the same of the pre-Bouteflika era¹⁶⁶. Mostefa Bouchachi opposed to the project too, asserting that

¹⁶⁴ Meddi, A., "Algérie: Tebboune dévoile son projet de réforme constitutionnelle", *Le Point*, 09 May 2020 (https://www.lepoint.fr/afrique/algerie-tebboune-devoile-son-projet-de-reforme-constitutionnelle-08-05-2020-2374712_3826.php)

¹⁶⁵ "Algérie. Le Processus de réforme constitutionnelle écorné par la répression.", *Amnesty International*, 25 June 2020 (<https://www.amnesty.org/fr/latest/news/2020/06/algeria-constitutional-reform-process-undermined-by-crackdown/>)

¹⁶⁶ "Algeria sets date for referendum on Constitution", *The Arab Weekly*, 25 August 2020 (<https://the arabweekly.com/algeria-sets-date-referendum-constitution>)

the President would become able to interfere in the functions of the other State powers¹⁶⁷. Amnesty International, for its part, prepared a document¹⁶⁸ that focuses on the fundamental rights: the draft Constitution mentions the right to life, but keeps the death penalty; the freedom of press is granted, but it is limited by the respect of religious, cultural, and moral values and constants of the Nation; it includes the freedom of assembly, but its limits are fixed by law, and the same is for the freedom of expression.

The majority of the Islamist parties have also opposed to the reform, in particular by focusing on the *Tamazight* issue, the Berber language. This reform makes another step forward in recognising the Berber identity in Algeria: the language is confirmed as national, but in addition, art. 223 makes this status a constitutional disposition that cannot be modified with a constitutional reform, a status until now reserved only to Arabic as a national language. The *Mouvement de la Société pour la Paix* (MSP) and the *Front Justice et Développement* (FJD) stood out as firm opposers to this new status, along with the Association of the Muslim Algerian Ulemas. According to them, this new Constitution would be a ‘threat to the Arabic language’ and to ‘national unity’¹⁶⁹. An interesting aspect is that the Islamist parties did not ask to boycott, but rather to vote no: according to some¹⁷⁰, this would be a manoeuvre to stay in good relationships with the *pouvoir* in view of the next elections.

A peculiar behaviour is the one of the *El Binaa* party: its leader, Abdelkader Bengrina has publicly criticized the maintain of art. 4, despite it is a heritage of Bouteflika’s Constitution. He also declared that there is no second language in Algeria and that ‘Algeria and the Algerian nation are one, and united with its story, its destiny, its frontiers,

¹⁶⁷ Bajec, A., “Algeria's Hirak protest movement is gearing up for a comeback”, *The New Arab*, 17 September 2020 (<https://english.alaraby.co.uk/english/indepth/2020/9/17/the-return-of-algerias-hirak-protest-movement>)

¹⁶⁸ “Algérie. Le Processus de réforme constitutionnelle écorné par la répression.”

¹⁶⁹ Benali, A., “Révision de la Constitution : Tamazight cible des islamistes”, *Algérie Eco*, 6 October 2020 (<https://www.algerie-eco.com/2020/10/06/revision-de-la-constitution-tamazight-cible-des-islamistes>)

¹⁷⁰ Meddi, A., “Algérie: quand la réforme de la Constitution réveille les polémiques identitaires”, *Le Point*, 15 October 2020 (https://www.lepoint.fr/afrique/algerie-quand-la-reforme-de-la-constitution-reveille-les-polemiques-identitaires-15-10-2020-2396592_3826.php)

its flag, its religion, and its language, the Quranic language'¹⁷¹. Despite all these declarations, it is peculiar that the party has chosen to vote in favour of the reform.

4.7.2.1 Macron statements

Right before the referendum day, on 22 November, Macron salutes Tebboune's bravery when he is hospitalized in Germany and promises to do everything to help him in this delicate period of transition that Algeria is experiencing.

The declaration caused many revolts in the Algerian opposition parties: according to *Le Parisien*, the RCD stated that Macron thinks he is authorized to distribute certificates of legitimacy to the 'indigenous ruling class'¹⁷². The *Mouvement de la Société pour la Paix* has supposed that France is going back to its old habits of interfering in the affairs of his old colonies. Also, the Algerian press openly criticized Macron declarations: Mustapha Hammouche in *Liberté*, appoints Macron of 'pure neo-colonialist thinking'¹⁷³. In addition, an editorialist of the journal assumes that 'this influence will end up confusing between cooperation and interference'¹⁷⁴.

Despite these declarations, the relationship between the two is now driven from the question of memory. In 2017 Macron had qualified the colonization of Algeria as a crime against humanity¹⁷⁵ and engaged himself in giving back the skulls of Algerians kept at the Parisian museum of natural history since the XIX century. Macron and Tebboune have also appointed an expert for their own country to work on the memory of colonization and the Algerian war, with the aim of favouring reconciliation.

¹⁷¹ Arezki, S., "Algérie: pourquoi les islamistes continuent à s'opposer à l'amazigh", *Jeune Afrique*, 12 October 2020 (<https://www.jeuneafrique.com/1057038/politique/algerie-pourquoi-les-islamistes-continuent-de-sopposer-a-lamazigh>)

¹⁷² "Algérie : Macron de nouveau taxé d'ingérence par l'opposition", *Le Parisien*, 22 November 2020 (<https://www.leparisien.fr/international/algerie-emmanuel-macron-de-nouveau-taxe-d-ingerence-par-l-opposition-au-president-tebboune-22-11-2020-8409787.php>)

¹⁷³ Hammouche, M. (2020) "Situation algérienne: Macron, l'invité surprise", *Liberté*, 22 November (<https://www.liberte-algerie.com/contrechamp/situation-algerienne-macron-linvite-surprise-5361>)

¹⁷⁴ Ouali, H. (2020) "Je t'aime... moi aussi", *Liberté*, 22 November (<https://www.liberte-algerie.com/editorial/je-taime-moi-aussi-5713>)

¹⁷⁵ Berdah, A. (2017) "En Algérie, Macron dénonce la colonisation : «C'est un crime contre l'humanité»", *Le Figaro*, 15 February (<https://www.lefigaro.fr/elections/presidentielles/2017/02/15/35003-20170215ARTFIG00260-en-algerie-macron-denonce-la-colonisation-c-est-un-crime-contre-l-humanite.php>)

4.7.3 The Hirak under Tebboune presidency

Despite the main regime newspaper, the *Algeria Press Service*, stopped writing about it at some point, the protests kept going on also after the announcement of the elections and during the entire electoral campaign. The Hirak was not satisfied and saw the elections as a way for the regime to regenerate itself¹⁷⁶, as it was confirmed by the choice of the contenders: all of them had covered an office during Bouteflika's presidency.

After Tebboune is elected, they maintain their Friday demonstrations, until the COVID-19 pandemic happens, and they have to evolve into something else.

4.7.3.1 The COVID-19 pandemic and the enhanced repression

As in any other country in the world, the COVID pandemic forces the government to put in action some restrictions, officially to lower the diffusion of the virus. Therefore, following the path that characterized it since it began in February 2019, the Hirak decides to stop demonstrating, to help and protect the country. But they find a way to avoid the risk of disappearing, and to exploit a situation that could soon help weaken the regime. So, from the 57th Friday (20 March) the Hirak becomes 'beyond closed doors'¹⁷⁷, conducted from home through social networks.

Now the protesters begin to show their dissent through windows, yards, and balconies: along with these actions, many selfies are diffused through social networks, with messages asking to cooperate by staying at home¹⁷⁸. In order to face the evolution of the movement, a radio is created: *Radio Corona Internationale*. This radio station is helped by the members of the Algerian diaspora and airs twice a week a program of two or more hours, on Tuesdays and Fridays, to coincide with the days in which the protests should have taken place¹⁷⁹.

¹⁷⁶ Borsari, F., "Algeria: l'uscita di Bouteflika non ferma la protesta", *Focus Mediterraneo allargato n. 11*, ISPI, 24 September 2019 (<https://www.ispionline.it/it/pubblicazione/algeria-luscita-di-bouteflika-non-ferma-la-protesta-24004>)

¹⁷⁷ Souilem, A., "Algérie : le Hirak s'organise face au Coronavirus", *DW*, 10 April 2020 (<https://www.dw.com/fr/alg%C3%A9rie-le-hirak-sorganise-face-au-coronavirus/a-53090496>)

¹⁷⁸ Volkmann, E. (2020) "Algeria's protesters say COVID-19 will not kill movement, just transform it", *Al-monitor*, 5 April (<https://www.al-monitor.com/pulse/originals/2020/04/algeria-protest-hirak-change-coronavirus-awareness.html>)

¹⁷⁹ "In Algeria, the Hirak protest movement continues despite pandemic with new 'Coronavirus Radio'", *The New Arab*, 15 April 2020 (<https://english.alaraby.co.uk/english/news/2020/4/15/in-algeria-hirak-protest-movement-continues-with-coronavirus-radio>)

Along with these different versions of the Hirak, come new restrictions and waves of arbitrary arrests. After the movement focuses on the use of social media, the government adopts on 22 April a new Penal Code, more restrictive. Two new crimes are added: ‘diffusion of fake or slanderous news or information, that could undermine public safety and order’ – which means that you cannot criticize in any way the government – ‘incitement to deliberately and manifestly violate the duty of caution or safety laid down by law or regulation, directly exposing one's own life or that of others to danger’, that is: every kind of meeting and public demonstration is forbidden¹⁸⁰.

For his part, the government organises the end of the movement: when on 19 June the quarantine measures are lessened and some groups try to restart with the public gatherings, the answer is a massive arrest of 500 people in one day¹⁸¹, backed by a new penal law that introduces new vague crimes such as ‘treat to national unity or to the integrity of the national territory’. At the same time, they free manifesters, a move that confirms the arbitrariness of justice: like those freed on the occasion of the 58th anniversary of independence from France, on 5 July¹⁸². The new measures against fake news allow also to obscure many blogs and forums, and to put in jail many protesters, using posts and videos as evidence in trials. Also, the suspension of all hearings is prolonging the incarceration of many hirakists indefinitely¹⁸³.

But along with the attempts to go back to demonstrate, the Hirak acts also in support of those suffering the most from the pandemic: they put in place campaigns of sensibilization on Coronavirus, and they distribute medical supplies, emerging as substitutes to the State machine. According to the WHO data¹⁸⁴ in May, the restrictions enforced by the

¹⁸⁰ *Journal officiel de la République Algérienne démocratique et populaire*, 29 April 2020, “Loi n° 20-06 du 5 Ramadhan 1441 correspondant au 28 avril 2020 modifiant et complétant l’ordonnance n° 66-156 du 8 juin 1966 portant code pénal”, p. 10-12 (<http://www.joradp.dz/FTP/JO-pc/2020/F2020025.pdf?znjo=25>)

¹⁸¹ Brazzoduro, A., “Algeria pandemica. Lotte e repressione nell’emergenza sanitaria”, August-September 2020, *Gli Asini*, n. 78-79, p. 62

¹⁸² Brazzoduro, p. 63

¹⁸³ Borsari, F., “La tempesta perfetta in Algeria”, *Focus Mediterraneo allargato n. 14*, ISPI, 23 September 2020 (<https://www.ispionline.it/it/pubblicazione/la-tempesta-perfetta-algeria-27566>)

¹⁸⁴ Results available on the covid19 section of the WHO site: <https://covid19.who.int/region/afro/country/dz>

government had reached their goal but underlined the problems of the national healthcare system in terms of treating patients with needs of intensive care¹⁸⁵.

With the second wave, in September, and the cases rising constantly, the marches started again, but no more in Algiers, because of the COVID-19 restrictions. The capital is no more the epicentre of the Hirak, but the manifesters focus mainly on provincial cities like Bejaja, Kherrata, and Tizi Ouzou, where the same restrictions are also in place¹⁸⁶.

4.7.3.2 The reaction to the constitutional reform

The reform has always been presented by Tebboune as the answer to all the Hirak requests. But the movement has continuously stated his position as one of firm opposition to the new Constitution: in general, they affirmed that the proposed reforms do not satisfy the requests of the movement. Therefore, they invited to boycott the vote of 1st November¹⁸⁷, since they asked for a transition government, the dissolution of Parliament, a Constituent Assembly, and an independent electoral commission. Since the drafting process has not been transparent enough, and the dissolution of Parliament is included, but only after the referendum, the Hirak has opted for boycott. A boycott that seems to have worked, since only 23,7% of the Algerian voters, voted.

4.7.4 What now?

Even though the amendment has been approved with one of the lowest turnouts in Algerian history on a major poll, the fixed program will be carried on. At the moment of writing (30/12/2020), President Tebboune has just reached Algiers again¹⁸⁸, after having spent a period hospitalized in Germany because of Coronavirus. In the following days, probably with the new year, he will dissolve Parliament and call for early legislative elections. And then, with a new Parliament, Algeria will undergo a series of reforms to implement the new Constitution.

¹⁸⁵ Borsari, F., “Algeria: nuovo Presidente, vecchio stallo”, *Focus Mediterraneo allargato n. 13*, ISPI, 23 May 2020 (<https://www.ispionline.it/it/pubblicazione/algeria-nuovo-presidente-vecchio-stallo-26247>)

¹⁸⁶ Borsari, F., “La tempesta perfetta in Algeria”

¹⁸⁷ “Algeria announces constitutional referendum as part of promised reforms”, *TRT world*, 25 August 2020 (<https://www.trtworld.com/africa/algeria-announces-constitutional-referendum-as-part-of-promised-reforms-39176>)

¹⁸⁸ Boucetta, S., “Tebboune regagne le pays”, *L'Expression*, 30 December 2020 (<http://www.lexpressiondz.com/nationale/tebboune-regagne-le-pays-339242>)

But a real change is far to be reached, as Dalia Ghanem, an Algerian researcher and analyst at *Carnegie Endowment for International Peace*, declares to *Al-Jazeera*: there is not a real change and the regime is keeping the power in the hands of a President of their choice¹⁸⁹. Even though every Algerian President has tried to leave their mark in Algerian society by putting out a new Constitution, also the social situation should be considered: when Bouteflika was elected, he was very popular at the time, while Tebboune is trying to gain legitimacy since its election. The December election took place despite the rejection of the majority of the Algerians: the abstention rate was *officially* at 60%, and once elected he tried to reach out for the Hirak, while in practice he put in place an even stronger repressive machine, helped by the COVID-19 situation. And this is also why, according to many, the implementation of the human rights and freedoms inserted in the Constitution seem far from reality. Then, the regime has confirmed his complete lack of transparency towards people, by waiting for the day after the referendum to reveal why Tebboune had been transferred to Germany and remained vague on his actual health state.

Meanwhile, the Hirak is trying to promote new initiatives, with the aim of involving more and more people in an effort to change the country beyond demonstrations. One of these is *Al-Massar al-Jadid* (The New Process), presented by Monder Bouden as a product of the Hirak: it emphasises on the role of young people, the heart and soul of the 22 February movement, in the political life of Algeria¹⁹⁰. The aim of this project is to involve every part of the civil society in the ‘construction of a new Algeria, to help the country exiting from a political crisis that has been going on for two years’¹⁹¹. Another initiative born right before the referendum is *Nida-22*, which aims at keeping the debate open, and the mobilization alive. This initiative has been warmly welcomed, since it reunites emblematic figures of the protests, both in the country and abroad, to think together for a common future¹⁹².

¹⁸⁹ “Does Algeria need a new Constitution?”, *Inside Story*, 1 November 2020 (<https://www.youtube.com/watch?v=37AZ0EVtT00>)

¹⁹⁰ Neffah, H., “Un acteur pour le renouveau”, *L’Expression*, 20 September 2020 (<https://www.lexpressiondz.com/nationale/un-acteur-pour-le-renouveau-335305>)

¹⁹¹ Neffah, H., “Un acteur pour le renouveau”

¹⁹² Mehenni, M., “Louisa Aït Hamadouche : « L’initiative Nida-22 transcende la feuille de route du pouvoir »”, *TSA*, 26 October 2020 (<https://www.tsa-algerie.com/louisa-ait-hamadouche-linitiative-nida-22-transcende-la-feuille-de-route-du-pouvoir/>)

CONCLUSIONS

At the moment of writing (February 2021) from a political standpoint, life in Algeria seems to be back on normal business, waiting for Parliament to be dissolved and go to new legislative elections. But the government fight against the hirakists is not yet finished, since arrests and summary trials are now held because of actions on social networks, like having written specific posts or having created particular memes.

It is clear that the events on which this dissertation investigates are extremely contemporary, therefore, the work has no presumption of being comprehensive. The intention is, nevertheless, to have an understanding as much complete as possible of the first steps of the movement, how and why it was born, and above all, why it did not happen in 2011. Without forgetting the initial question, that is, the historical perspective of the issue, it can be stated that the Algerian people underwent through internal conflicts since the French landed on their coasts. And the situation did not get better after independence, when it was clear since the beginning that the military had control of the political monopoly, above all after Boumédiène, former general of the army, took power with a coup. Since then, the affairs of the army and of the political élite have always been intertwined with three Presidents who were former Generals or members of the Army. Then Bouteflika had come to power as a peacemaker: even if he had pardoned all the war crimes, he seemed also to have brought back peace in the country. The obscure years of the civil war, and the revolts in the Kabyle region were considered a closed chapter for the government. Bouteflika is also the creator of Algeria as a precious ally in the region for Western powers, above all as a model for fighting against terrorism and a fundamental hydrocarbons supplier. It was essentially on these characteristics that the choice of the *pouvoir* for him as President relied on. But in 2019, when he announced he was running for a fifth term, the regime had evidently gone too far: the President was ill since the late 2000s, and did not appear publicly since he had had a stroke in 2013. The rare occasions in which he did so, he was on a wheelchair and obviously unable to give a speech. The

announcement appears to have been an unbearable insult for the people, that took it to the streets, but with a new fundamental feature: non-violence. Somehow, the Algerians knew that any act of violence would have allowed the regime to let the army intervene, and the move of pacific protests took them unprepared.

About the comparison with 2011, the events seem to have been structurally different. The events of 2011 happened because of economic and social issues, caused by the lowering of oil prices, that reduced the income of the country, compelling the government to raise prices and taxes. People protested because it wanted the government to act in its favour, it was not a protest led by revolutionary principles. As the findings in chapter III suggest, the government was accepted, unlike those in Tunisia, Egypt, and Libya, because Presidency was not yet a family issue. It was not even a for-life issue since the Algerians expected Bouteflika to step down after his fourth term. In addition, the government was more prepared to face them, because they had clear and realizable requests, and because government had enough money to pay out the protesters with economic-relief measures. In this way, they rapidly faded out, and a further constitutional reform allowed Bouteflika and the regime to strengthen its powers.

On the contrary, in 2019 the demonstrations started after a political announcement. Therefore, no new economic policy, no relevant tax raises, but simply the announcement of the fifth term for Bouteflika. So, it is already clear that the two situations have different causes, but also different reactions from government. Another feature that found the government unprepared, has been the lack of a single representative for the movement: indeed, as soon as they had answered to the requests of eliminating Bouteflika, government asked for a member of the movement to negotiate with. The aim of this characteristic was that the Hirak did not want to negotiate, since they wanted everyone of the political élite to step down, they would have not stopped until they would have reached their goal. And the December elections, the regime response to the request of the movement, must be qualified simply as the final move of the exasperated *pouvoir*, that through Salah wanted to finally re-establish law and order. The population did not accept the candidates, since they all came from Bouteflika's circles, as his previous collaborators, so they were seen as part of that élite that they wanted to get rid of. The official results of the 39.83% participation rate were not what should be considered an

unanimity consent from the Algerian people, by keeping in mind that these are the *official* results, therefore the actual participation rate was probably lower.

Tebboune then comes to power with far less popularity than expected, and his line of openness towards the Hirak requests appears as a façade strategy, since the regime is also organizing massive arrests and operations to stop the hirakists and finally silence the movement. The first and main project of Tebboune's presidency is the amended Constitution, but the entire operation is considered not enough transparent. The meetings and debates do not happen, and during the campaign for the referendum there is not much space for the "No" side of the voting. The COVID-19 pandemic comes as the perfect justification for the meetings to not happen, and for the government to tighten the possibility of manifesting in public places. And then the turnout of the voting does nothing more than confirming the expectations of foreign analysts: 23,7% of the Algerian people voted, the lowest turnout ever in Algerian history for a major voting. It must be once more outlined that these are the *official* results: the real ones are probably lower. The President of the ANIE quickly intervenes to clarify that, legally speaking, the low turnout will not cause any problem. Moreover, even though many human rights and freedoms guarantees are added in the new Constitution, their enforcement does not seem so sure. Even though this dissertation has focused on the political side of the crisis, since the first demonstrations the hirakists had to face arbitrary arrests and summary trials. So, the expectations for the respect of human rights by a government that so clearly violates them, are not very high in the population.

It is hard to make predictions on what will happen, since the future of the movement is also tied to the political future of President Tebboune and on the trust from both the people and the élites that he will be able to harvest. While he has not interrupted the repression towards the Hirak, he has also faced another period of instability in late 2020, after he got himself COVID-19 right before the referendum voting. He virtually disappeared and the people knew nothing about him for almost a month, and suspects were spread on the possibility that the application of article 102 could be requested again. But then the President reappeared through a video-message, reassuring on his state of health. On one hand, since the creation of their government, both Tebboune and Djerad states that the Hirak has made the corrupted government fall, and therefore they have

achieved their mission. On the other hand, journals in Algeria are writing less and less on the issue or are allegedly censored from writing about it.

Internationally speaking, the Algerian situation has caused some concerns, especially from organizations and institutions on the field of human rights: *Amnesty International* is maintaining the attention high on the issue of violations of basic freedoms of speech and press in the country, with the arrests of various Algerian journalists. Also, even though the then High Representative for Foreign Affairs Federica Mogherini had clearly stated that the intention of the European Commission was to respect the Algerian sovereignty, the European Parliament ratified two resolutions on the violation of human rights and freedom of press in the country. For his part, the closest Western country to Algeria, France, has adopted a policy of “ni influence, ni ingérence”. Therefore, President Macron, the Prime Minister and the Foreign Minister walked on the line, limiting themselves to neutrally comment on the events, and asserting their intention to respect the Algerians’ sovereignty and right to choose their own President and institutions. But after Tebboune’s victory, the relationship between the two administration remains tumultuous. After all, Tebboune had made clear statements during his electoral campaign, on his project for the bond with France. He had no intentions of submit to them, and so he did, or at least his administration. In May 2020, when two documentaries were diffused on French national television, the Algerian ambassador in Paris was called back in Algiers for further discussions. This was only the second time since Algerian independence that such a gesture was made. Luckily, the crisis was rapidly resolved, probably thanks to a call between the two Presidents, that renovated their intentions for a peer-to-peer association.

Later on, right before the referendum voting, Macron faced some backlash from his statement on doing everything that he could to help Tebboune. The statement caused him accusation of influence in internal affairs, neo-colonialism, and disrespect for the Algerian political class. But this quarrel was also resolved with Tebboune affirming that he has no problem with President Macron. President Macron then opted to continue on his path previously established: trying to conciliate the link with Algeria through a project that works on the issue of memory. After having declared that the French colonization of Algeria has been a crime against humanity, a joint project is developing, to work on the

shared historical memories between the two countries, about the Algerian war and obviously on the colonization.

In the end, the future of the Hirak is therefore extremely vague, and much will change after the new electoral law will be ratified and a new Parliament will be elected. If Tebboune ratifies the promised laws and allows their enforcement, partial stability may be possible in the country. It is fundamental that he realises a plan of economic diversification that avoids relying entirely on the revenues of the hydrocarbons to sustain the National economy. If the President achieves this goal, the chance of economic relief may appease the population and calm down part of the protesters. Nevertheless, the Hirak has always declared his main aim as a revolution of the political class, therefore a simple economic reform may not be enough for them. Meanwhile projects to make it evolve have been developed, like those mentioned in chapter 4. Protests and demonstrations continue, on social media, while the movement is trying to regain the public spaces, even though the pandemic is still causing problems in the country.

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