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ALGERIA. THE NATIONAL RECONCILIATION PROCESS BETWEEN JUSTICE AND CONFLICT RESOLUTION

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ACRONYMS

AIS – Islamic Army of Salvation

ALN – National Liberation Army

ANP – Algerian People's National Army

AUMA – Association of Algerian Muslim *'Ulema*

CNCPPDH – Consultative Commission on the Promotion and Protection of Human Rights

CNRA – National Council of the Algerian Revolution

DA – Algerian Dinar

DDR – Disarmament, Demobilization and Reintegration

EP – European Parliament

ETA – Euskadi Ta Askatasuna

FARC – Revolutionary Armed Forces of Colombia

FFS – Socialist Forces Front

FIDA – Islamic Front for Armed Jihad

FIS – Islamic Salvation Front

FLN – National Liberation Front

FLNC – National Liberation Front of Corsica

GIA – Islamic Armed Groups

GPRA – Provisional Government of the Algerian Republic

GSPC – Salafist Group for Preaching and Combat

HCE – High State Council

HCS – High Security Council

IRA – Irish Republican Army

MDA – Movement for Democracy in Algeria

MEI – Movement for the Islamic State

MIA – Armed Islamic Movement

MSP – Movement For Islamic Society

NATO – North Atlantic Treaty Organization

NPA – National Popular Assembly

PADS – Algerian Party for Democracy and Socialism

PAGS – Party of the Socialist Vanguard

PRA – Party of Algerian Renewal

RCD – Rally for Culture and Democracy

TRC – Truth and Reconciliation Commission

UN – United Nations

INTRODUCTION

The subject of this thesis is an analysis of Algeria and its process of National Reconciliation that brought a conclusion to the most atrocious and brutal historical period the country has interacted with since the Algerian War of Independence against the French colonial rule: the so-called "Black Decade". This work focuses on delivering initially an historical framework of Algeria, the birth and rise of several Islamist movements, the outbreak of the civil war in Algeria and finally the analysis of the Algerian Process of National Reconciliation. Thus, it is focused also on the understanding of the creation of truth commissions and their functionalities, including their malfunctioning in certain cases.

The Algerian case is surely one of the most contradictory reconciliation processes in history: following South Africa and the creation of its "Truth and Reconciliation Commission" (TRC), Algeria had sought to follow the same chain of events in order to bring peace and stability into the country. However, several accusations were moved against the Algerian government for not having implemented a realistic reconciliation process, hence a sort of "forced amnesia" was pursued and the Algerian population had to deal with a government that did not appease their demands, especially with regards to the entire situation of the disappearances. Nevertheless, the goal in this study is to understand if the Algerian approach could become a model that can be adopted in other post-conflict scenarios when dealing with transitional justice from a period of chaos and despair towards a more stable and positive environment, where solutions could be sought and implemented for long-lasting peace. This thesis will not have the presumption of proposing a true and definitive solution to all those conflicts that are taking place in various places of the world; however, this work is an attempt to give a contribution and to present a possible solution that can be implemented in the aforementioned scenarios that are torn by conflict and chaos; it seeks to encourage a dialogue based on a constructive approach with the objective of identifying solutions that

could find concrete application in the upcoming future. It is worth mentioning that the Algerian model has already been implemented by another country in Africa such as Mali, which has sought to put an end to the armed conflict in their country and therefore pursue a more peaceful and thus diplomatic solution to their issue.

Thesis structure and working methodology

For a complete knowledge of the issue, it has been necessary to consult and study several writings regarding the history of Algeria, its political development and works regarding the concept of Reconciliation: thanks to the Library of the Istituto per l'Oriente "Carlo Nallino", it was possible to consult the "Index Islamicus" useful to find books and papers that were related with the subject of this thesis.

In order to clarify the aim of this thesis, it is useful to mention the structure of the work. The entire analysis falls within Algeria and its political development from 1962 until the beginning of the "Black Decade": it is important to mention that the escalation of the civil war during the 1990s in Algeria was mainly due to a series of social and economic issues, which were entirely exploited by the Islamist organizations; the more radical groups managed to justify their violent acts as a manifestation of the growing malcontent within the social classes and the youth. However, the crucial point were the elections of 1991 which annulled their democratic turnover: the FIS (*Front Islamique du Salut*) did not manage to step up in the government, since the army put a military coup in place and removed the President of the Algerian Republic, at that time Chadli Ben Djedid, from office. This situation paved the way to the proliferation of Islamic integrist armed groups and to the one of the most bloody civilian conflicts of this era.

Consequently, the thesis is divided into three chapters, with the first two chapters presenting a more historical background of Algeria: the transition from post-independence to

the Socialist conception of state; the proliferation of Islamic associations in the country; the failure of a transition towards democracy; the vision of the international community with regards to the beginning of the Algerian Civil War and finally the election of Abdelaziz Bouteflika. The third and final chapter begins with an attempt of definition of a reconciliation process; it goes on with an analysis of Bouteflika's peace-building process and it concludes with the analytical question if the Algerian case could be seen as a model that can be implemented in other scenarios.

As mentioned above, the first chapter presents an historical framework subsequent the Evian Agreements that brought later on to the formation of an Algerian independent state. Algeria is surely the country that has suffered the most the French colonial rule and the subsequent decolonization characterized by the Algerian War of Independence. Even after the Evian Agreements, the situation was not peaceful as many would have desired: there were several disputes between members of the revolution for the creation of a new government: finally, the People's Democratic Republic of Algeria was created on September 25, 1962 with Ferhat 'Abbas as President of the National Assembly and Ahmed Ben Bella as Prime Minister. The figure of Ben Bella was very important in the first years of democratic Algeria, since he had managed to create that triumvirate that will exercise its influence throughout the entire history of the country: it was formed by the army, the party and the government. As a matter of fact, Ben Bella saw the party as the political tool that could have become useful to mobilize popular support within the country for his government policies and also reinforce his personal leadership. Through a nationwide referendum in 1963, a new constitution was approved, the first truly democratically voted: Ben Bella became president with combined functions of chief of state and head of government. Later on, under Houari Boumèdiene, the country had initiated a process of rupture with Ben Bella's past regime, by dissolving the national assembly and suspending the freshly elected constitution. Until a new constitution was adopted, the political power resided in a new governmental figure: the Council of the Revolution. Boumediène was a fervent nationalist deeply influenced by Islamic values: it was

under his rule that the first Islamic associations were created and that begun influencing Algerian public opinion such as *Al Qyam al* Islamiyya. He seized power mainly because he wanted to protect the interests of the military which he felt were threatened by Ben Bella. Nevertheless, Boumèdiene managed to promote economic and social development in the country thanks to the adoption of Socialist-type of state: welfare policies were created and the economy of Algeria was uniquely based on the commercialization of its energetic resources, such as gas and oil, thus becoming a rentier state. Moreover, Houari Boumèdiene was very well liked by his fellow citizens and by all components of the state apparatus: sadly, a very rare form of leukaemia on December 1978.

The second chapter is devoted to analyzing the elections of 1991 that brought to the beginning of the Algerian Civil War of the 1990s. As mentioned above, already under the Boumèdiene administration there had been a prospering of Islamist associations, the majority of which were being created as a response to the rising malcontent within the country due to the increase in unemployment and to economic immobility, since Algeria had invested only in a rentier-led economy instead of investing in those widely acclaimed agricultural policies: it was believed that with concrete investments in this sector, Algeria would have managed to resolve both of the aforementioned issues. After Boumèdiene's death, Chadli Ben Djedid was indicated as his successor, having already collaborated with the former Algerian president in the plot that disposed Ben Bella. Regarded as a moderate, he had faced certain issues such as the so-called "Berber Spring", where Ben Djedid had upgraded Berber studies in university programs and granted access to Berber language programs; furthermore, he had liberalized the Algerian economy, since the dismantling of Algeria's Socialist system introduced by Boumèdiene seemed to Ben Djedid the only way to improve Algerian economy. The country's economic crisis had deepened in the mid-1980s, resulting in increased unemployment and in the lack of availability of consumer goods. The Islamists that were already present and active in the country were gaining increasing influence due to the fact that the government was not able to meet the demands of its citizens and thus the latter saw the

Islamists as the true response to their rising malcontent, paving the way to a form of "religious" populism: they were benefitting from these protests in order to fuel their message and to justify their acts. With the escalation of the economic crisis in Algeria, accompanied by the rise in popular protests organized by the Islamists, the Algerian government decided to appease their demands, showing both harshness and respect to these new opponents: one of these demonstrations of appeasement has been the Algerian Family Code. The stringent measures proposed by Ben Djedid brought to an outbreak of the riots in the country with the 1988 October revolts, also known as the "Cous-cous revolts" or the "Black October". The turning point has been the subsequent Constitution of 1989: approved in February of the same year, the constitution dropped the word "Socialist" that it had included in 1976; it became a major point of conflict in terms of guarantees with regards to freedom of expression, association and meeting. With this formal opening by the government, especially Islamist organizations began reorganizing in political parties that exploited the rising popular malcontent to make their way into national politics: the *Front Islamique du Salut* has represented this passage in the country to a multiparty system and to more liberalization with regards to Islamic associations. Surely, nobody had expected what the FIS was capable of in the upcoming years, especially after the military coup in 1992 that brought to the formation of several terrorist groups such as AIS and GIA that protested against the state institutions for not guaranteeing a democratic turnout from the elections: therefore, these organizations believed that only another solution remained for them to be heard and attract attention and that solution was widespread violence. After the formation of these terrorist groups, Algeria had experienced a shocking historical period known as the Black Decade (or La Decennie Noire): the entire period of the 1990s was characterized by the widespread violence perpetrated by the terrorists and also by the state's security forces, after arming local security groups for the defense of rural villages. Initially, the attacks of these terrorist organizations were aimed at government places and institutions, since they were seen as the illegitimate rulers of the country. While the attacks continued on the streets, with thousands of deaths and

injured people, the government was seeking solutions to bring this useless conflict to an end: the President at that time, Liamine Zeroual, managed to design a "Clemency" law in order to pardon these terrorists. The final part of the chapter ends with the elections of 1999 that saw the victory of a well renown political figure in Algeria's politics: Abdelaziz Bouteflika was elected as the new President of the Algerian Republic.

Finally, chapter 3 contains a theoretical analysis of the reconciliation process, with the aim of presenting a comprehensive definition of what a reconciliation process actually means and also understanding the definition of truth that lies behind the creation of the so-called truth commissions. The chapter also contains an analysis of the Chilean and South African cases of truth commissions, highlighting the presence of an issue that seems to repeat itself in the formation of the truth commissions during the 1990s: the issue of forgiveness in contemporary conflicts. Furthermore, it analyzes the Algerian case in a more detailed manner by presenting the solutions advanced initially by President Liamine Zeroual with his "Clemency" law in 1995 and then the Civil Concord Law and the Charter for Peace and National Reconciliation both proposed by the freshly elected President, Abdelaziz Bouteflika, respectively in 1999 and 2005. The common recurrence that attracts the attention is the "forced amnesia" that the Algerian government seemed to push for, instead of a long-term process of reconciliation with its citizens. Hence, the chapter ends with an analytical question: can the Algerian case actually act as a model for other post-conflict environments around the world? For this reason, several cases have been taken into consideration: from the concrete application of this model in Mali to a hypothetical application in Afghanistan or Syria.

As stated earlier, this thesis does not propose itself as the sole and definitive solution to such conflicts around the world. Nevertheless, it seeks to propose a more peaceful and diplomatic solution instead of incentivizing military responses that are continuing tirelessly in certain regions and that are causing more and more innocent casualties.

CHAPTER 1: HISTORICAL FRAMEWORK. FROM BEN BELLA TO THE «DÉCENNIE NOIRE»

After 132 years of French colonial presence and almost 8 years of war of independence (November 1st, 1954 – July 3rd, 1962), Algeria finally declared itself as an independent State. This long and bloody conflict, carried out by the *Front de Libération Nationale* (National Liberation Front) and its military wing, *Armée de Libération Nationale* (National Liberation Army), induced strong influences on society itself and also on the evolution of Algerian politics: in fact, these influences gave birth to the tendency towards Authoritarianism, to the concept of single-party politics in the country and also to the supremacy of the military élite within the political sphere of Algeria. This was just a general aspect of the situation in the country, whereas the mass departure of the *pieds-noirs* from Algeria led to a paralysis in the country's economic system with a consequent economic crisis: half of the Algerian population was living in misery and at the same time there was the need to reorganize the State. The *Front de Libération Nationale* (FLN) and the *Armée de Libération Nationale* (ALN) sought to rebuild a nation from scratch, whose very own existence served as a matter of pride and as a beacon to other third-world countries, which were in the middle of their own anticolonial wars[1].

1.1 Aftermath of the Algerian War of Independence: from the GPRA to Ben Bella

During this historical period, in Algeria there were several factions claiming for the leadership of the newborn country. On one hand, there was the so-called "Oujda Clan"[2], founded in the city of Oujda in Morocco: this group of power was composed of distinguished

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[1] Le Sueur, J.D. (2010), *Between Terror and Democracy. Algeria since 1989*, Nova Scotia, Fernwood Publishing Ltd, p.14
[2] The FLN divided Algeria into 6 *wilayat* (provinces): Aurès-Nemetcha, Costantine, Kabylie, Algiers, Oran and Sahara. The ALN was divided into two big blocks during the War: one belonged to the interior *wilayat*, which had participated in the military operations against the French oppressors, the other block belonged to the exterior *wilayat* of the East (also known as the "Army of the East"), since it resided in Tunisia and Morocco. The "Oujda Clan" belonged to this block. Tamburini, F. (2016), *Il Maghreb dalle indipendenze alle rivolte arabe: storia e istituzioni*, Pisa, Pisa University Press, *p.39* Press, p.38

personalities that later on would have influenced Algeria's political history such as Ahmed Kaid, Cherif Belkacem, Ahmed Medeghri, Abdelaziz Bouteflika and Houari Boumediène. On the other hand, the *Gouvernement Provisoire de la République Algérienne* (Provisional Government of the Algerian Republic, GPRA), led by Benyoucef Ben Khedda that represented Algeria during the negotiations of the Evian Agreements in 1962.

Since it feared that it could have been excluded from Algeria's political game, the "Oujda Clan" came into conflict with the GPRA. Boumediène and the "Army of the East" found an ally in the person of Ahmed Ben Bella, one of the founders of the FLN, which spent most of the War incarcerated in France, since he was captured in 1956. From May 27 to June 7 1962, during the Tripoli Congress, the *Conseil National de la Révolution Algérienne* (National Council of the Algerian Revolution, CNRA) gathered with the objective to discuss the program of the Algerian revolution and its key points: among them, there was the need for an intensive process of nationalization of the country's industries and its services; in foreign affairs, the country had to adopt anticolonial and non-alignment positions. Most importantly, the Congress of Tripoli marked the profound ideological differences between Ben Bella and Ben Khedda: on one hand, Ben Bella was against the concept of collegial power adopted by the GPRA, believing that only the FLN should have been seen as the main party; on the other hand, Ben Khedda believed that the GPRA had to incarnate Algeria's national sovereignty. The Congress ended with a remarkable victory for Ben Bella, as Ben Khedda abandoned the meeting before the voting procedure could take place. But the hostilities did not end in that context: between July and September 1962, Algeria experienced the so-called "Crisis of Summer 1962", a civil war between the factions of GPRA and ALN: after several deaths, the revolt ended with a cease-fire and on September 25th, 1962 the Constituent Assembly declared the birth of the Democratic Republic of Algeria, designating Ahmed Ben Bella as President of the Council (Tamburini 2016, 40).

With the formation of the new government, FLN officials began a true socialist revolution within the state's ranks: there were no members of the GPRA, while the military occupied the most influential positions in the government. In fact, Houari Boumediène was designated as Vice-President of the Council and Minister of the Defense on May 17th, 1963: with this designation, the army acquired a more determinant role within the organization and the management of the Algerian state. During this period, a new constitution was conceived on September 10th, 1963: all powers became central in the figure of the President of the Republic and of the FLN, which became the sole legal party in Algeria. This constitution was very synthetic in its contents[3] and thanks to a popular referendum on September 15th, 1963 Ahmed Ben Bella was designated as the first President of the Algerian Republic. The constitution announced the construction of a country founded on the principles of Socialism and on the effective exercise of the power from the people: amongst the other objectives, there was the need for new agricultural reforms; a national economy based on the self-management of its workers; welfare policies addressed to the well-being of the masses; women's emancipation; adoption of a foreign policy characterized by international cooperation, national independence and support to national liberation organizations. The preamble of the constitution indicates as its fundamental aim the Socialist revolution with respect to Islamic values. The new regime is linked with the unique party in Algeria and operates according to the principle of democratic centralism. The constitution also established the primacy of the executive power, with the Parliament adopting a subsidiary role; Islam is recognized as the state's religion; the Head of State has to be Muslim; the army was recognized as the instrument used to achieve this revolution, restating the dualism between the party and the army that characterized the entire chain of events of the War of Independence[4]. The country's parliamentary system was unicameral, with a single National Assembly composed by members elected by direct universal suffrage every 5 years. This

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[3] The new constitution was made of 78 articles, taking inspiration from the Constitution of France's Fifth Republic of 1958.
[4] Calchi Novati, G., Roggero, C. (2018), *Storia dell'Algeria Indipendente. Dalla Guerra di Liberazione a Bouteflika,* Milano, Giunti Editore, p.191

political body shared the legislative power with the President of the Republic, however the true center and motor of the country remained the executive power: this figure was elected every five years by direct universal suffrage, subsequently after the FLN's designation of the candidates; inter alia, according to Art.59 of the 1963 Algerian Constitution, the President could adopt all exceptional measures in order to guarantee the independence of the nation and its institutions.

Thanks to its struggle for independence, Algeria managed to become very popular abroad, especially among Third-World countries, the so-called "non-aligned countries"[5]. The accession in the Non-Aligned Movement occurred before Algeria's independence. With the participation of an Algerian delegation at the First Conference of Non-Aligned countries in Belgrade, from September 1st to September 6th, 1961 Algeria became member of this movement. Unfortunately, Ben Bella's regime was incapable of dealing with the internal oppositions that were rising in the country. In 1963 the Berber populations led several armed protests since the government had failed to guarantee economic policies for these minorities and also for the preservation of the cultural and linguistic identity of the Berber population[6]. These protests were led by the Berber party *Front Des Forces Socialistes* (Socialist Forces Front, FFS) of Hocine Aït Ahmed, former member of the FLN and former member of the GPRA. The 1963-1964 revolts will mark a breaking point between the central authority and the Berber community, but they will also mark the beginning of Ben Bella's decline in Algeria.

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[5] The notion of "non-alignment" was conceived during the Bandung Conference of 1955: the conference's main aim was to promote Afro-Asian economic and cultural cooperation and to oppose colonialism.
[6] The Berber languages, also known as *"Tamazight"* comprise a wide range of dialects spoken by the Berbers, an indigenous population of North Africa. *Tamazight* is spoken by large populations of Morocco, Algeria and Libya and by smaller populations of Tunisia, northern Mali, western and northern Niger, northern Burkina Faso and Mauritania. The Algerian variety is known as *Kabyle*, which is widely spoken in the *wilaya* of Kabylie.

1.2 Boumediène's "coup d'état" and Socialism in Algeria

The Berber revolts that were taking place in Algeria brought to an uprising of malcontent within the army. Ben Bella perceived that there was a menace coming directly from Houari Boumediène and the members from the "Oujda Clan", so he decided to keep out of the government all its members. With the army's support, Boumediène decided to intervene: on June 19th, 1965 he surrounded the People's Palace[7] and arrested Ahmed Ben Bella. Boumediène managed to depose Ben Bella from his position as President of the Republic without making a bloodbath: this coup d'état was defined as a "revolutionary adjustment"[8]. It is correct to affirm that after Boumediène's coup, Algeria has witnessed an astonishing historical period in terms of economic and political development.

From a political point of view, Boumediène sought to change the leadership within the Algerian government, since he was against the more centralized and personified form of leadership that characterized the political landscape of the country's early years: thanks to the Decree 65-182 of July 10th, 1965 governmental powers were delegated to a Revolutionary Council and a brief text known as the "small Constitution of 1965"[9] set out the main guidelines of the new regime. Hence, the Revolutionary Council became the custodian of the supreme popular authority, managing the entire institutional activity of the government[10]. Nevertheless, this decentralization of powers did not last very long, since Boumediène became the central figure of the government. This centralization of power brought to a failed coup carried out by Colonel Tahar Zbiri on December 14, 1967: for this reason, Boumediène decided to eliminate all possible opponents within the army except for Abdelaziz Bouteflika, who remained Minister of Foreign Affairs until 1979.

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[7] The People's Palace was the official venue of the Algerian government.
[8] Tamburini, F. (2016), *Il Maghreb dalle indipendenze alle rivolte arabe: storia e istituzioni*, Pisa, Pisa University Press, p.46
[9] Bedjaoui, M. (1976), *L'évolution institutionnelle de l'Algérie depuis l'indépendance*, in "Corpus Constitutionnel", p.327-351
[10] Ruedy, J.D. (2005), *Modern Algeria. The origins and development of a nation*, Bloomington, Indiana University Press, p.210-211

However, there was another threat that the President of the Revolutionary Council had to deal with: Islamism.

1.3 The creation of a national Islamic identity

The awareness that Islam is the basis of the Algerian nation and personality found its main origin in the Association of Algerian Muslim *'Ulema*[11] (AUMA) of *cheikh* Abdelhamid Ben Badis (1889–1940), founded in 1931[12]. However, the figure of Abdelhamid Ben Badis was surely very important in Algeria's opposition towards French colonial rule: formed in the Mosque of al-Zaytūna in Tunis, Ben Badis created several Muslim schools and also journals such as "al-Muntaqid" in order to contribute to a cultural growth and also to the development of a political debate within the Muslim audience; furthermore, he created assistance centers for the poor in order to overcome the French segregationist regime at the time of their colonial presence, which was severely punishing the Algerian population[13]. As a matter of fact, in modern Islamic society, both the lebanese Rashid Rida (1865–1935) and the Algerian Abdelhamid Ben Badis are renowned of having emphasized the role of education, propaganda and culture in Islamic society[14].

Since the beginning of the Algerian War of Independence, the FLN sought to spread out this message in order to unite the populations from the rural areas that could not understand the ideology behind Socialism, but most importantly to underline the definitive separation with the colonial culture of Catholicism. It was during Ben Bella's presidency that the *Al-Qyam al-Islāmīya* association was founded in 1963. Led by Al Hachémi Tedjini, at that time secretary general at the University of Algiers, this association aimed at defending the

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[11] The Arabic term *'Ulamā* means "scholars of all disciplines". Specifically, in Sunni Islam, the *'Ulamā* are regarded as the guardians, transmitters and interpreters of religious knowledge, of the Islamic doctrine and Islamic law. It is important to indicate briefly the difference between Sunni Islam and Shia Islam: the former is the largest denomination of the religion and affirms that the Prophet Muhammad did not appoint a successor and consider Abu Bakr to be the first rightful Caliph after him; the latter affirm that the Prophet did indicate his successor in Ali ibn Abi Talib.

[12] Labat, S. (1995), *Les islamistes algériens. Entre les urnes et le maquis*, Paris, Seuil, p.59

[13] Corrao, F. (2018), *Riforma e cultura nell'Islam contemporaneo* in Corrao, F. and Violante, L. (Edited by), *L'Islam non è terrorismo*, Bologna, Il Mulino Editore, p.25

[14] Campanini, M. (2018), *Pensare nell'Islam: filosofia e prassi*, in Corrao, F. and Violante, L. (Edited by), *L'Islam non è terrorismo*, Bologna, Il Mulino Editore, p.162

Islamic values that were threatened by half a century of colonialism in the country. Boumediène, who was profoundly influenced by Islamic values, gave birth to a campaign which had the intent to change completely the education system in Algeria by teaching Arabic and the Quran in schools: this campaign brought the Islamic association to dominate the entire education system in Algeria and to train the future generations of the radical Islamic movements such as the FIS (*Front Islamique du Salut* – Islamic Salvation Front). However, the Revolutionary Council realized that the project of creating a "state-guided Islamism" had failed since the *Al-Qyam al-Islāmīya* began to criticize the FLN[15]: following accusations moved by the association towards the FLN, which did not achieve its goal in creating an Islamic state, the association was banned in Algiers in 1968.

From an economical point of view, it is important to stress out that the most critical years of economic growth for Algeria were from 1968 to the 1970s. Boumediène's economic strategy consisted in two subsequent four-year plans (1970-1973 and 1973-1977), which focused primarily on industrial growth: the aim of these plans was to commence a period of nationalizations mainly in the oil sector. The objective of these nationalizations was to create as soon as possible an independent and integrated economy, whereas this was part of Boumediène's plan of creating an "industrializing industry": a model of development where the heavy industry would have had the main role in Algeria's economic growth. Boumediène believed that industry and not agriculture was the only way for the country to enter into a new era of economic self-reliance: unfortunately, this brought to catastrophic conditions in Algeria, since the country had to face chronic food shortages, higher prices for staple goods and a growing reliance on imported foodstuffs. As Algeria continued to extend state control over the energy sector throughout the 1970s, the oil and gas revenues became suddenly the

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[15] Benarros, Z. (2002), *L'islamisme politique: la tragédie algérienne*, Beirut, Dar el Farabi, p.32-37

mainstay of the regime: an imperfect example of a "rentier state", which derives its wealth from commodities such as oil and gas sold in the global marketplace or from foreign loans[16].

On June 27th, 1975 a new Constitution was approved in Algeria known as *Charte Nationale Algérienne*, an official proclamation affirming the Socialist tradition and the Authoritarian character of the country[17]. Socialism in Algeria was seen as the logic follow-up and result of the revolution of 1954, with the objective of consolidating national independence and the creation of a new society where all men, according to the traditional Marxist ideology, would not exploit each other. The new Constitution envisaged the FLN as the sole national party representing the revolutionary and ideological legacy of the Algerian people. At the same time, the Constitution pushed for a merging of the political, economic and religious spheres: every Algerian citizen had to be a militant of the Socialist revolution, a participant in the industrialized society and a believer in the state religion, in this case Islam. This final sphere was seen as integral part of the country's ideology and a fundamental component of Algerian personality. For this reason, the construction of Algerian Socialism was identified with Islamic values[18]. On November 19th, 1976 the *Charte Nationale Algérienne* was approved by referendum with a total of 199 articles, adopted overwhelmingly by the Algerians: the Constitution secured Islam's place as the official religion; the republican model as the form of government; the basic rights of freedom of expression; women's status as citizens with equal rights and responsibilities.

Under the 1976 Constitution, a unicameral parliament was reconstituted known as the National Popular Assembly (NPA): its members were elected every five years directly under the party's proposal, with the FLN defined as the guiding institution of the country. However, the Parliament's role was secondary since it had to legitimize the choices of the executive

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[16] Le Sueur, J.D. (2010), *Between Terror and Democracy. Algeria since 1989*, Nova Scotia, Fernwood Publishing Ltd, p.23
[17] Ghozali, N.E. (1981), *Evolution politique et institutionnelle de l'Algérie et système de légitimité* in *Revue Algérienne des Sciences Politiques Economiques et Juridiques,* n.4, p.700
[18] Tamburini, F. (2016), *Il Maghreb dalle indipendenze alle rivolte arabe: storia e istituzioni*, Pisa, Pisa University Press, p.51

power, i.e. the President of the Republic. The President was elected for six years by universal suffrage, still under the party's proposal and it could be re-elected limitlessly. Another novelty of the Constitution was the institutionalization of the Algerian's People National Army (ANP), forming an institutional triad where the military forces were very influential in the governmental activity. On December 11th, 1976 Houari Boumediène was presented as the single candidate of the FLN: he was then elected with 99,38% of preferences as the President of the Algerian Republic. During the 1970s, the Algerian government amplified its assistance towards worldwide revolutionary and liberation movements. In fact, during those years, Algiers became the "Mecca for revolutionaries and freedom movements"[19], establishing contacts with several terrorist movements such as IRA (Irish Republican Army), FLNC (National Liberation Front of Corsica), ETA (Euskadi Ta Askatasuna, the Basque separatist movement) and several opponents of Franco and Salazar (Sansal 2018, 13).

After contracting a very rare form of leukaemia, Houari Boumediène died on December 27, 1978 after 40 days of coma. The Algerian leader managed to leave a truly solid state apparatus: revenues deriving from oil managed to buy peace for the Algerian people. Unfortunately, Boumediène's death created a vast political void in the country which his successors did not manage to fill, since they lacked his capacities and his political awareness: although he was not the perfect politician, Boumediène brought the country to an acceptable level of industrial development and to a full economic independence. Following the constitution's laws, the President of the National Popular Assembly took the vacant position of the President of the Republic until a special congress of the FLN designated the new candidate for the presidency. The state party confirmed Chadli Ben Djedid as the legitimate candidate for the election, sealing his victory in the elections of February 7, 1979. Although it seemed as the party and the army reaffirmed their strength in Algerian politics, a new menace to the stability of the nation was rising among the ranks: a threat that would have brought the country to complete chaos and to a reassessment of the balance of power within Algeria. A

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[19] Sansal, B. (2018), *Nel Nome di Allah,* Vicenza, Neri Pozzi Editore, p.12

true opposition, formed by several religious associations, influenced by the dogmas of Islam was rising and soon the Algerian people would witness the true violence of Islamic terrorism.

1.3 Crisis in Algeria and birth of Islamic violent extremism

The new President of the Algerian Republic, Chadli Ben Djedid, had to face two major crises in the country which were strictly linked with each other: economical and social crises, both deriving mainly from popular protests fuelled by the Islamists. The 1986 oil crisis brought Algeria into a tailspin: the country was particularly hit because, prior to the 1986 oil crisis, the festering socio-economic problems had been concealed by fast-pace rises in oil and gas profits and by an increasing reliance on foreign loans[20]. This crisis highlighted Algeria's weaknesses, a country that depended on its exportations of energetic products. A profound restructuration was demanded, especially for its economic policies: for this reason, Algeria had to abandon the Socialist concept of the Constitution, adopting an *infitah*, which meant an opening towards the market economy[21]. This solution was already adopted in Egypt, at the beginning of the 1970s, by Anwar al-Sādāt, successor of Gamāl 'Abd al-Nāser: this policy brought to the abandonment of the Socialist economic model for an embracement of the more westernized concept of market economy. In fact, al-Sādāt's choice caused serious popular uprisings in Egypt in 1977.

The new strategy adopted by Ben Djedid brought to a major recognition of the private sector in the Algerian economy: its oil policy was completely revised, the industrialization process slowed down and foreign investors began to invest in the country; also the agricultural sector was influenced by these privatization policies. As a consequence, the crisis struck the salaries, subsidies were cut drastically and the prices of goods went up dramatically. This complete change in economic policies, linked with a demographic increase, brought to unemployment and to severe social distress especially among the youth also called

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[20] Le Sueur, J.D. (2010), *Between Terror and Democracy. Algeria since 1989*, Nova Scotia, Fernwood Publishing Ltd, p.27
[21] Tlemçani, R. (1990), *Chadli's Perestroika* in *Middle East Report*, n.163, pp.14-18

"*hittistes*"[22]: the young unemployed that spent their days leaned up against a wall[23]. The Islamists exploited this situation, since they believed that the economic crisis was strictly linked with the Western world and its market economy.

During the 1980s, Algeria assisted a powerful rebirth of Islamism that opposed the ruling power. These factions were divided into two big political groups: on one hand the radicals were convinced that the only way to build an Islamic state was to act underground and commence an armed struggle against the government; on the other hand the moderates preferred a dialogue with the regime, undertaking a political struggle without resorting to any use of armed force. There is a very interesting definition elaborated by Professor Pasquale Ferrara, Ambassador of Italy to Algiers, regarding the correct term in order to better understand the phenomenon of radical Islamism: integrism. This term nowadays is linked with Islamic religion, but it is not correct to indicate this phenomenon as a physiological experience that takes place in wider religious universes, instead it is a pathological deviance. Integrism in Islam results in the Islamist ideology: an ideology that seeks the temporal supremacy of the religion on wide ranges of society and of the entire globe. Professor Ferrara points out that it is correct to refer not to radical Islamism, but to "Islamist integrism", which differs completely from Islam as an authentic religion. Islamist integrism foresees as its key component the willingness to resort to paramilitary techniques in order to reach their goal, the so-called "militant jihadism". This obsessive will to affirm this radical vision of the world could bring to fanaticism: its militants will seek by any means necessary to succeed in their cause, even if this means recurring to acts of terrorism, the political and paramilitary manifestation of Islamist integrism[24]. According to Cherif El Hachémi[25], both the moderates and the radicals share the same view: while the radicals prefer to adopt a more "direct"

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[22] The term "*hittistes*" derives from the Arab word "*hait*", which means "wall".

[23] Kepel, G. (2001), *Jihad. Ascesa e declino*, Roma, Carocci Editore, p.191

[24] Ferrara, P. (2010), *Lo Stato preventivo. Democrazia securitaria e sicurezza democratica*, Soveria Mannelli, Rubbettino Editore, pp.71-72

[25] Cherif El Hachémi was a former combatant of the War of Independence and former member of the FLN and also founder of the *Parti Algérien pour la Démocratie et le Socialisme* (Algerian Party for Democracy and Socialism, PADS).

approach to obtain power, the moderates seek to find more legal ways to achieve political power, but if they fail in their intentions then they will not hesitate to adopt any armed reactions in order to reach their main goal[26].

Among the radical forces, one of the most eminent figures was certainly Mustafa Bouyali, former combatant during the Algerian War of Independence, whom founded in 1982 the first armed terrorist group in Algeria known as the Armed Islamic Movement (MIA – *Mouvement Islamique Armée*). During this historical period, Bouyali began a true *jihad*[27] against Ben Djedid's regime, since he believed that it became corrupt and influenced by Western ideals. This movement fought against the FLN for five years until it disintegrated in 1987, with Bouyali's assassination. It is important to underline the fact that Bouyali always avoided attacking the civilians, earning support among the population: for this reason he became a true martyr among the Islamists during the 1990s[28]. In opposition to Bouyali's *jihad* there was a movement that gained importance in 1982 among the students of the University of Ben Aknoun in Algiers, which were protesting against the advantageous positions of those who spoke French and that could have accessed more prestigious jobs. On November 12th, 1982 three exponents of the *Al-Qyam al-Islāmīya* association[29] organized a manifestation that gave birth to a particular group within the country's Islamism, the so-called "*Djaz'ara*": they were part of an elitist group made of university professors and by young students; these "*Ja'zarists*" received a religious indoctrination within university mosques and they claimed for a specific Algerian method for the creation of a true Islamic state in Algeria[30]. Most importantly, this group sought to develop a nationalist and independent message completely

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[26] El Hachémi, C. (1995), *Integralismo e modernità. Il caso dell'Algeria*, Roma, Edizioni Lavoro, p.56

[27] The term *jihad* means literally "exerting the greatest effort to achieve something". It is not the equivalent word for "war", for which the Arabic word is *qitar*.

[28] Labat, S. (1995), *Les islamistes algériens. Entre les urnes et le maquis*, Paris, Seuil, pp.90-94

[29] These three members of the *Al-Qyam al-Islāmīya* association were Ahmed Sahnoun, Abdelatif Soltani and Abassi Madani. Madani will be the future leader of the *Front Islamique du Salut* (FIS) during the 1990s.

[30] Kepel, G. (2001), *Jihad. Ascesa e declino*, Roma, Carocci Editore, p.209

disengaged with any external experience, since they were deeply attached to the "Algerian specificity"[31].

Here it is important to underline how radical Islamism has appeared as the most effective protest movement in Algeria during this historical period. As mentioned before, during the Algerian War of Independence, the state recurred often to Islamic symbols in order to establish its legitimacy in the country and to unite its people under the same mission. The actual detonator of Islamism in Algeria was the disenchantment subsequent the first twenty years of independence[32]. The state was completely absent in granting all socio-economic reforms that the citizens demanded for. Instead, charitable Islamist associations, fulfilling their functions of spiritual communities, provided these structures, discrediting the state and undermining its populist discourse. This situation is true especially in the Maghreb region, dominated by the youth and where the states have been incapable of feeding and educating their growing populations. In Algeria only the mosque could offer a true existential refuge and a moral substitute to the people. For this reason, the youth have resorted to violence as the only means to communicate with the state but it has also rejected all the myths and symbols of the Algerian nation. The phenomenon of Islamism as a radical protest movement relies in the failure of the state in providing a social, economic and cultural modernization (Zoubir 1998, 77). Hence, the uprising of this phenomenon was the true consequence of the abandonment of welfare state policies.

According to political scientist Yahia Zoubir, although there seems to be some continuity between "Islahism" (reformism of the *salafiyya* movement born in the 1920s) and Islamism in Algeria, the differences are much greater. Islahism was essentially reformist, intellectualist, thus non-violent. The *'ulama*, whose social backgrounds differ considerably from those who make up the radical Islamist groups, led this movement. Islahism rallied relatively small groups of religious scholars that were concerned with the moral values of

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[31] Labat, S. (1995), *Les islamistes algériens. Entre les urnes et le maquis*, Paris, Seuil, p.80
[32] Zoubir, Y. (1998), *The Algerian political crisis: origins and prospects for the future of democracy* in *The Journal of North African Studies,* Vol.3, n.1, p.76

their societies and that were intent on reforming them; Islamism, on the other hand, is a social phenomenon resulting from modernity. Even if the movement has as its main aim the implementation of the *Shari'a* (Islamic Law), it is not interested in a return to an archaic past: instead, Islamism initially is a revolutionary movement that strives to re-appropriate society and modern technology through political means. Therefore, this movement is absolutely not theological, but essentially it is sociological, incarnating the growing malcontent among the population (Zoubir 1998, 79).

This growing and restless Islamic activity within the country brought Ben Djedid to grant certain demands in order to recover legitimacy in the eyes of the people and alleviate the growing dissent. One of these concessions was certainly the controversial Family Code of June 1984. Also defined as the "*code de l'infamie*"[33]: this represented a major concession to the Islamists and a blow to the women's rights. This law denied women the full rights that were guaranteed by the 1976 constitution. Under this law, it was forbidden for women to marry non-Muslim men; male supervision was required for women while traveling; divorce and inheritance laws were severely affected. The economic reforms of 1988 exacerbated the rising protests amongst the population, since the dismantling of the state's industries brought to a rise of unemployment. The socio-economic crisis became worse after the manifestations of October 1988, where the people protested against the government not just for the disastrous economic situation but also for the privileges that the élite had benefited from.

Algerian Islamism broke through definitively after the so-called "Cous-Cous Revolt" of October 1988: four weeks of widespread rioting took place in Algiers, Oran, Blida and other towns. By the time the army and security forces restored order in the country, around 500 people had been killed and 3,500 had been arrested.[34]. The "Cous-Cous Revolt" has shown a crisis of legitimacy within the nationalist élite of the country: the myth of the

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[33] Smail Salhi, Z. (2003), *Algerian women, citizenship and the "family code"* in *Gender and Development*, Vol.11, n.3, pp. 27-35
[34] Ben-Madani, M. (2012), *Chadli Ben Djedid obituary*, in *The Guardian*. Available at: https://www.theguardian.com/world/2012/oct/15/chadli-bendjedid

"November Generation", which is the myth of the ones who fought in the War of Independence against the French colonialists, had come to an end. Both the ALN and the FLN had lost their legitimacy in front of the people and the Islamists decided it was the moment to enter into the political scene. They did so by politicizing the revolt in their favor and demanding for free and fair elections and the repeal of the FLN as the unique national party in the country. After his reelection in 1984, Chadli Ben Djedid understood that if he wanted to maintain his position as President, he had to accommodate the requests coming in from the Islamists.

On November 3rd, 1988 a popular referendum approved several constitutional reforms: the principle of liability of the Prime Minister in the National Assembly, political pluralism and the separation between the state and the party. All these reforms converged in the new Constitution of February 23, 1989 approved by referendum with a 73,43% of votes in favor: the new Constitutional charter provides for the elimination of any link with the past Socialist values; it foresees also the separation between the figure of the President of the Republic and the unique party, the FLN; the reference to the FLN as the government's party is abolished, with the FLN initials disappearing from the Charter; the future presidential candidates will not be chosen anymore by the FLN's management; the constitutional text provides also for the possibility to create political associations, without mentioning their specific role; the National Liberation Army (ALN), armed wing of the FLN, does not find any mentioning in the new constitution as the instrument of the revolution, except one article where it is specified that the army will take action in order to guarantee the safeguard of the country and the defense of Algeria's territorial integrity[35].

In order to emphasize the definitive separation between the state leadership and the FLN, Ben Djedid decided to renounce the presidency of the party. But Ben Djedid's plan was far more complicated than it seemed: his will was to present himself as a reformist for a third

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[35] Aït Aoudia, M. (2015), *L'expérience démocratique en Algérie (1988-1992). Apprentissages politiques et changement de régime,* Paris, Presses de Sciences Po, pp. 81-85

reelection, using the new multi-party system as a pretext to weaken his adversaries within the party, with the FLN losing its political monopoly within the country.[36] It is useful to consider how these religion-based political formations have been integrated later on into Algeria's political system, especially those formations that were officially opposed to any act of violence and thus were willing to work within the existing political framework. The general Islamist movement, since its transformation into several political forces in the 1980s, has constituted a wide and heterogeneous phenomenon with three main fronts: a cultural front, with the aim of "re-Islamisation" of the Algerian society; a non-violent political front, which acted both inside and outside of the system with the aim of a peaceful and comprehensive change; a violent political front, which had the aim of bringing down the regime in power by force and instituting a rigid Islamic order[37]. It is important to underline that some of the parties belonging to the first and second fronts aforementioned have become fully incorporated into Algeria's official political landscape, while members of the third front have been hunted down relentlessly by the state security forces (Layachi 2004, 53).

In this renewed political context after the adoption of the new constitution, the Islamic violent extremists welcomed the political opening brought forward by Ben Djedid. But in the following years, the country would face probably the major crisis in its history: known as "Décennie Noire", this period will be characterized by an intense and unprecedented civil war that shocked the International community and changed the future of Algeria.

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[36] Willis, M. (2014), *Politics and power in the Maghreb. Algeria, Tunisia and Morocco from independence to the Arab Spring*, London, Hurst&Co, p.130
[37] Layachi, A. (2004), *Political Liberalisation and the Islamist Movement in Algeria* in *The Journal of North African Studies*, n.9, p.53

CHAPTER 2: ELECTIONS OF DECEMBER 1991. FROM THE CIVIL WAR TO THE NATIONAL RECONCILIATION PROCESS

Among Arab countries, it was Algeria the one that took the most convincing step forward towards a liberal democracy in the period between 1989 and 1991, when the old-party system was formally ended, a flowering of civil society occurred and honest competitive elections were finally held for the first time. A new constitution, which was ratified with the February 1989 referendum, opened the way to the end of the FLN's political monopoly in Algeria. Within a short amount of time, the country was abundant with new political organizations, civic associations and a free press. The most popular among these groups was without no doubt the Islamic Salvation Front (FIS), an expansive coalition comprising a small number of radical Islamists and a vast number of alienated youths. President Chadli Ben Djedid, probably underestimating the strength of the FIS, seemed to think that he could manage to gain its support among the public in order to weaken ultimately the FLN: although it seems a contradiction, Ben Djedid surely was a product of the political system dominated by the FLN during the 20 years of Algeria's independence, but he had become aware that his own political survival required for him to take distance from a party which was widely blamed for the failures of the past decade[38]. The upcoming events proved that Ben Djedid and his visionary political scheme were wrong.

2.1 Birth of the FIS and Islamist organizations: the beginning of the Civil War

The *al-Jabhah al-Islāmīya lil-Inqādh*, better known as the Islamic Salvation Front (*Front Islamique du Salut*, FIS), was founded on February 18, 1989 within the as-Sunnah mosque in the popular neighborhood of Bab el-Oued in Algiers, becoming fully legal on the

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[38] Quandt, W.B. (2002), *Algeria's Uneasy Peace* in *Journal of Democracy*, vol.13, n.4, pp.15-16

following 6th of September[39]. It is widely known that officers within the army, believing that it was a terrible mistake to give full legitimacy to Islamic political parties, did not appreciate the legalization of the multi-party system. President Ben Djedid, who considered that there were enough constitutional guarantees to avoid any menace, thought that with this new party system he could have a wider control on the activities brought out by these new organizations; furthermore it became a necessity to find an opponent for the FLN at the upcoming elections of 1991, in order to divert the oppositions inside the party, take away the victory from it and dominate as President of the National Popular Assembly[40].

The Islamic Salvation Front was conceived by the former militants of Bouyali's MIA as an organization that would have acted as a federation for all those existing Islamic associations in the country[41]. The FIS had officially 15 founders: Abassi Madani, Ali Benhadj, Ali Djeddi, Ahmed Merrani, Abderrezzak Redjem, Kamal Guemmazi, Achour Rebihi, Abdallah Hammouche, Mokhtar Brahimi, Bennazzouz Zebda, Mohammed-Larbi Maariche, Ahcène Dhaoui, Saïd Mekhloufi, Othmane Aïssani and Mohammed Kerrar (Labat 1995, 101). The main figures of the party remained Abassi Madani and Ali Benhadj. The former had studied in Koranic schools and also fought with the FLN armed forces during the Algerian War of Independence: he was also a prestigious scholar, having achieved a Ph.D in London in Educational Sciences. Belhadj, on the other hand, was a humble teacher of Arabic in middle school and had received a profound religious education during his childhood. He was also a supporter of the *jihad* and a beloved orator among the young *"hittistes"*. Within the party, Madani was considered more as the leader of the moderate wing, while Belhadj represented the more radical faction of the FIS. Salafi scholars, including Hassan al-Banna and Sayyid Qutb (1906–1966) had influenced Belhadj. Politically speaking, the FIS never published a detailed program, thus it limited itself only to bland assurances of prosperity and

[39] Aït-Aoudia, M. (2006), *La naissance du Front Islamique du Salut, une politisation conflictuelle (1988-1989)* in *Critique Internationale*, n.30, pp.129-144
[40] Willis, M. (1996), *The islamist challenge in Algeria: a political history*, Reading, Ithaca Press, pp.118-121
[41] Labat, S. (1995), *Les islamistes algériens. Entre les urnes et le maquis*, Paris, Seuil, p.99

order. This was due to the fact that the party had no real mechanism for adopting policies. Theoretically, the FIS was guided by a *majlis al-shura*, a consultative council: yet neither statues nor regulations regarding its operation were ever published. The FIS's main political goal had essentially been the bringing together of different factions and groups[42].

It is very important to underline how the FIS, during this historical period, had managed to bolster the so-called "movements of rage", meaning those people who reacted violently to the outbreak of the economic crisis after the 1988 October riots. This organization was very heterogeneous in its formation: due to the fact that it did not foresee the presence of a unique leader, it comprised a variety of groups and ideological currents as well. This type of analysis can be applied to the realities of youth-dominated societies, such as Algeria in this case. The main characteristic of these realities is the level of failure and despair that brings the youth to embrace violent protests in order to be heard. In fact, religion has been dangerously ideological and was used as a pretext to gather all those who shared the same sentiment of anger towards the government[43]. More simply, this party was born due to the economic and moral crisis that permeated Algeria: a party that had managed to federate and exploit the population's discontent, which had accumulated after decades[44].

Due to the heterogeneity within the ranks of the organization, the FIS had different ideological currents. In fact, radical Salafists and new activist militants, which composed the organization, never really agreed on the means to achieve power, with the final objective to establish a defined Islamic state in Algeria. Some upheld a millenarian vision, where the recourse to violence is an intrinsic part, with the aim of dismantling the nation-state perceived as it is; the moderates had the objective of merely substituting the Islamist élite for the one in charge of the state, since they perceived the state élite had failed both in modernizing its tasks and in preserving the Islamic values. Simply put, the main objective of the party was the

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[42] Takeyh, R. (2003), *Islamism in Algeria: A Struggle Between Hope and Agony* in *Middle East Policy*, vol.10, n.2, p.67
[43] Zoubir, Y. (1998), *The Algerian political crisis: origins and prospects for the future of democracy* in *The Journal of North African Studies*, p.79
[44] Mili, B. (2017), *L'opposition politique en Algérie*, Algiers, Casbah-Editions, p.64

appropriation of the state, by electoral and therefore legal means for some or through violence for others.[45]

Thanks to several rallies and to their newspaper "Al-Mundiqh", Madani and Benhadj managed to gather the urban youth (the "hittistes" and the university students) and the religious bourgeoisie, creating a parallel power with the state. In other words, they managed to create a cross-class movement with the characteristic of being both a political and a social movement: the only group that did not enter the FIS was the "Djazarists" of Mohamed Said and also the Muslim Brotherhood guided by Mahfoudh Nahnah. The Islamists refused not just western values, but also representative democracy, since the colonialists exported this model. Also FIS officials refused this concept, given that democracy challenged the *hakimīya* (divine sovereignty). According to Islamist political theory, Islam is founded on the idea of *tawhid*, divine uniqueness: God is unique and cannot be associated to anyone. For this reason, the western concept of sovereign people is unthinkable, since that the people stand at the same level of God[46]. Nevertheless, while Madani did not exclude the democratic participation of the Algerian people to the political life, Benhadj refused semantically the entire concept of democracy, given that this word had no meaning in Arabic language while it was a simple transliteration of a western word. However, these two thoughts did not contradict with each other, since Madani believed that democratic participation was only the first step to gain the majority and therefore reach political power. Once they had done that, then a new order would have been imposed, based solely on the *Shari'a* and on God's uniqueness[47]. The FIS sought to bring a definitive separation with the existing state, especially the FLN, accused of not creating a true Islamic state since its independence. The organization's message was very similar to an Islamic populism, by simplifying the message for all social classes. While the party preferred concentrating on welfare, educational and cultural aspects, instead its position regarding the economic policies that had to be adopted was not particularly clear: it assumed

[45] Zoubir, Y. (1998), *The Algerian political crisis: origins and prospects for the future of democracy* in *The Journal of North African Studies*, p.80
[46] Guolo, R. (2006), *L'Islam è compatibile con la democrazia?*, Roma-Bari, Laterza Editore, pp.54-55
[47] Lamchichi, A. (1992), *L'Islamisme en Algérie*, Paris, L'Harmattan, p.133

an intermediate position between Marxism and capitalism, where the concept of private property was tolerated only when it complied with its social functions[48]. Around the FIS there were semi-clandestine groups of "Bouyalists" and veterans of the war against the Soviet Union in Afghanistan, which were prone to embrace once more an armed struggle against the Algerian regime. However, with the imminent administrative elections that seemed to favor the FIS, it convinced these forces to delay this struggle temporarily.

The FIS was not the only religious party to be formally legalized in Algeria. In 1988, Mahfoudh Nahnah founded the Islamic association *Al-Irshad wal Islah* (Reform and Guidance), which was recognized as a political party an year later under the name of HAMAS, acronym that stands for *Harakat al-Mujtama al-Islāmī* (Movement for Islamic Society, MSP). Since its creation, HAMAS was in a position of disadvantage compared with the FIS, since it was more incline to dialogue with the institutions and it did not represent the popular uprisings: indeed its members came from the richer classes of society. It has both courted the ruling regime and engaged in dialogue with it. While the MSP was supposed to serve as the Muslim Brotherhood's Algerian branch, the party had always chosen the rapprochement instead of a revolutionary posture, even though it held on to the goal of establishing an Islamic state[49]. Moreover, Mahfoudh Nahnah had advocated for a three-pronged strategy, which rested on *itidal* (moderation), *musharaka* (participation) and *marhaliya* (gradualism) (Ghanem-Yazbeck 2015). His political program differed widely with the FIS's, since HAMAS was in favor of a moderate and modern Islam, based on the respect of democracy, individual liberties and on equality among men and women. This conciliation between Islam and democracy took place through a concept that Nahnah had formulated at that time: "*Shūrācratīya*", a sort of a compromise between the ancient notion of *Shūrā*, meaning council or consultation, and the modern democratic institutions[50]. Moreover, Nahnah believed also that an Islamic state could only be established with the existing state; therefore

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[48] Al-Ahnaf M., Botiveau B., Frégosi F. (1991), *L'Algérie par ses islamistes*, Paris, Karthala, pp.159-160
[49] Ghanem-Yazbeck, D. (2015), *The Future of Algeria's Main Islamist Party* in *Carnegie Middle East Center*, p.2
[50] Lavenue, J.J. (1992), *Algérie, la démocratie interdite*, Paris, L'Harmattan, p.72

he did not foresee any kind of armed struggle with the final outcome of deposing the government. The FIS cultivated a hegemonic, highly ideological discourse, reminiscent of the one that was used by the single ruling party in the first years of Algeria's independence, the FLN. Because of its populist nature and its composition, the FIS sought to achieve uncontested power. In order to fulfill this goal, the party was willing to impose its unique interpretation of Islam and especially they sought to politicize the sacred to preclude all forms of opposition. This interpretation can be further explained by the views of some FIS leaders that are opposed to the liberal version of Islam that advocates the separation of politics from religion: freedom itself is inconceivable outside the realm of religious notions and it is obvious that in this interpretation democracy and religion are incompatible.

For the Islamists, Islam is seen as a holistic order, whose societal organization is perfect and it does not allow any individual beliefs, since individualism would lead to a subsequent division within the *Umma*[51]. The introduction of any secular or imported ideas, which go against the divine revelation, would destroy the entire foundation of Islamic order: in fact, democracy is viewed as an alien product that belongs to a pagan society. The FIS's leaders were able to present this concept as a "religion" that attempts to replace Islam. The impact of this kind of interpretation in a country that is profoundly Muslim was quite obvious: democracy was labeled as the main factor of *fitna* (disharmony).

Among the aforementioned FIS and HAMAS parties, there were several other peaceful Islamist organizations, which were mainly of two types: *da'wa* associations and charitable organizations and both types are tolerated but closely watched by the state. There were also other parties that composed the opposition against the ruling power[52]. These parties and associations were:

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[51] Zoubir, Y. (1996), *Algerian Islamists' Conception of Democracy* in *Arab Studies Quarterly*, vol.18, n.3, pp.74-75

[52] Manduchi, P. (1997), *Gli Anni di Sangue (1988-1997)* in Ben Amara, R.; Marilotti, G. (Edited by), *Eclissi di Mezzaluna. Il Dramma Algerino*, Cagliari, CUEC Editrice, pp.118-120

- *Al-Rabita* (The League): created in 1989 by Ahmed Sahnoun as an apolitical association for the defence of Islam. Its founding members included also Ali Benhadj and Abassi Madani;

- *Harakat An-Nahda Al-Islamiyya* (Islamic Renaissance Movement, known simply as "Ennahda"): the party was established in 1990 when the Constantine-based association *Jamiyat al-Nahda* was transformed into a political party. This movement had been initially established by Saad Abdallah Djaballah, who decided to form Ennahda as a response to the FIS's claim to hold a monopoly on Islamist politics. The objective of Ennahda was the foundation of an Islamic republic in Algeria but, just like HAMAS promoted, it wanted to achieve this goal through legal terms, within a pluralist democracy and without recurring to any violent means[53];

- *Al-Islah wal-irshad* (Reform and Guidance): created in 1989 by Mahfoudh Nahnah, this movement was mainly used to created afterwards the HAMAS party;

- *Al-umma* (The Community): founded in 1990 by Benyoucef Ben Khedda, former leader of the GPRA, this moderate religious party claimed for the application of Islam in the political life. It dissolved in 1997;

- *Ettahadi* or *Parti Algérien pour la Démocratie et le Socialisme* (Algerian Party for Democracy and Socialism, PADS): founded in 1993 by Cherif El Hachémi, it split from the PAGS (*Parti de l'Avantgarde Socialiste*) since it wanted to retain the communist legacy of this party;

- *Front des Forces Socialistes* (Front of Socialist Forces, FFS): founded in 1963, this party became one of the major non-Islamic parties in the opposition in 1990. Its leader was Hocine Aït Ahmed;

- *Mouvement pour la Démocratie en Algérie* (Movement for Democracy in Algeria, MDA): founded in 1982 by Ahmed Ben Bella, which was in exile. The party obtained legal recognition when Ben Bella decided to return to Algeria in 1990. Truly inspired

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[53] Khelladi, A. (1992), *Les islamistes algériens face au pouvoir*, Algiers, Alpha, p.141

by the defense of the "Arab-Islamic" heritage, this party had strong Islamic positions, although they never made use of violence;

- *Rassemblement pour la Culture et la Démocratie* (Rally for Culture and Democracy, RCD): founded in February 1989, this party is conceived as the heir of the Berber Cultural Movement. It is a secular party and has a social-democratic inspiration: it fights mainly for the rights of the Berber people, mainly for the recognition of the *Tamazight* as national language alongside Arabic. Its Secretary General was Said Saadi.

- *Parti du Rénouveau Algérien* (Party of Algerian Renewal, PRA): founded in 1989, it is a minor liberal political party. The founder of the party was Noureddine Boukrouh.

The administrative elections of June 1990 were the testing ground for the FIS both for the Popular Municipal Assemblies and for the Popular Provincial Assemblies: the party's success was sensational. It is correct to say that they had managed to obtain this victory thanks to the new electoral system, which stated that if a political party did not gain the absolute majority in the elections, then the party with the simple majority would have gained half of the seats plus one. For this reason, the FIS achieved a 54.25% in the Municipalities, gaining 853 of them out of 1541, and 57.44% in the Provinces, winning in 32 out of 48 of them[54]. On the other hand, the FLN remained confined to the rural areas of Algeria in the East: this was interpreted as a definitive sign that the former state party entered into a period of profound crisis. The Islamic Front of Salvation's victory was a total surprise for the public opinion, since no one had believed that the party could have gained the simple majority at the elections. Their victory became reality when they began to implement a practical application of the *Shari'a* and other Islamic values within the municipalities and provinces where they managed to prevail[55]: for this reason, any kind of behavior that did not comply with Islam was abolished. They also created supervisory committees, which had to guarantee the respect of

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[54] Iratni, B., Tahi, M. (1991), *The aftermath of Algeria's first Free Local Elections* in *Government and Oppositions*, vol.26, n.4, pp.466-479
[55] Khelladi, A. (1992), *Les islamistes algériens face au pouvoir*, Algiers, Alpha, p.111

these values and of Islamic morality. One of Benhadj's main objectives was to eliminate every last relic of the French colonial culture. The FIS had managed to penetrate within the most underprivileged classes, since it implemented several measures that favored these social classes. Some of these measures concerned the most urgent needs for the population: free medicinal products, improvement of power grids, helping the homeless by redistributing the *zakat*[56] through the creation of an "Executive Office of Treasury for the Muslim State"; also, Muslim markets were created in order to improve the purchasing power of poor families especially during the *Ramadan* and marriages[57].

However, the middle classes who praised the FIS's victory at the administrative elections began to fear their obscure projects and the integrism fueled by Ali Benhadj. The party remained a fearsome force for the government, aware that the Islamists could surprisingly obtain the power in the following national elections of 1991. The Algerian government started to realize that Islamism had began to increase its influence among the civil society, especially in urban areas through mosques and other means that brought the party to propagandize its message. For this reason, the Algerian government decided to set up three executive decrees that were linked to each other: decrees 91/81 and 91/82, which regulated the construction and the management of new mosques; decree 91/83 brought to the creation of the *Nīdhara* of religious affairs, which was an office present in each *wilāya* with the objective of controlling the activities that were carried out inside the mosques[58]. However, President Ben Djedid had decided to include the FIS within the government, even though he had managed to deprive it from its more extremist and radical component. The FIS had obtained a precise political dimension within Algerian politics and its importance grew day by day: the moment of truth came with the parliamentary elections, which according to Ben Djedid would have brought to the creation of a government founded on democratic legality.

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[56] The *zakat* is a form of alms giving treated in Islam as a religious obligation or tax. It is one of the most important pillars in the Islamic religion, since it is considered a means of expiation and liberation from evil. Cfr Corrao, F. (2016), *Islam, Religion and Politics*, Rome, LUISS University Press, p.26.
[57] Martinez, L. (1999), *Guerre civile et oeuvres pies en Algérie* in *Critique Internationale*, n.4, pp.127-137
[58] Tamburini, F. (2016), *Il Maghreb dalle indipendenze alle rivolte arabe: storia e istituzioni*, Pisa, Pisa University Press, pp.66-67

Initially programmed for June 1991, the FIS began to encourage popular uprisings in the country: the aim of this was to postpone the elections of a few months. But instead of completing and refining the democratic process of Algeria, the 1991 elections will pave the way to a dark and horrifying period in the country's history.

The true cause of this situation is to be found in the creation of the new laws for the election of the Assembly. With the new electoral law, the government had packaged a ploy so that the FIS, being an urban party thanks to its "populist" message, would have never reached the absolute majority: in fact, the new electoral law envisaged an increase in the number of eligible deputies and assigned the majority of the freshly created seats to small and medium villages in the south of Algeria, which were considered as the National Liberation Front's strongholds. Behind the increase of the number of deputies, there was a constructive intent: indeed, the reform had the aim of improving the chances for small parties to win, but also to create a new political staff that would have broken the predominance of the old guard still related to the War of Independence[59].

For this reason, the FIS demanded for the withdrawal of the new electoral law by organizing a general and unlimited strike. The instances brought forward by the party included more supervisory powers on the electoral procedures and the election of a new President of the Republic within three months from the election of the National Assembly: these demands were seen favorably from the other parties of the opposition, aware of the fact that the new electoral law was unbalanced, since it favored the FLN's interests (Calchi Novati and Roggero 2018, 320-321). Abassi Madani believed that the army would not intervene after the October 1988 riots, but he was disproved: on June 5th, 1991 President Ben Djedid declared the state of emergency and mobilized the army for four months. The elections were postponed for an unspecified period and thousands of the regime's opponents were arrested, including Madani and Benhadj. This chain of events brought the army to reaffirm its power within

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[59] Calchi Novati, G., Roggero, C. (2018), *Storia dell'Algeria Indipendente. Dalla Guerra di Liberazione a Bouteflika,* Milano, Giunti Editore, pp.320-321

Algeria and forced the entire governmental cabinet to resign. The clash between the army and the FIS had finally commenced.

The state of emergency had been finally abolished on September 29 1991 and the elections for the partial renewal of the National Popular Assembly were convened officially in December 1991 and January 1992. Unlike the administrative elections of 1990, at the parliamentary elections of 1991 all political parties participated: even the FIS, who had reconstituted under the leadership of Abdelkader Hachani, a member of the party's management that did not expose himself until that moment. The FIS decided to renounce every intention of boycotting the elections and during the electoral campaign the party adopted a quite ambiguous language, depending on the orator: one promised to respect the precepts of democracy; another declared that democracy is not impious, meaning that democracy could have been used as a means to an end, in this case the victory at the elections and the subsequent installation of an Islamic state. The final results of the elections were astonishing for Algeria and also for the rest of the world. At the first round in December 1991, characterized by a very high abstention, almost fifty parties participated in the elections including the moderate Islamist parties Ennahda and HAMAS: even in this situation, where many votes were lost in favor of these two parties, the FIS had managed to obtain a surprising result, with 47.54% of the votes; the FLN placed itself as the third most preferred party[60]. These elections clearly demonstrated the inability of the political parties to form a sole bloc against the FIS, arousing fear in the army that it would become the scapegoat of the transition[61]. During the elections, a disagreement arose between the army and President Ben Djedid: the former accused the latter of seeking to negotiate with the FIS in order to maintain the presidency and drawing out the army from the powers it had maintained until that moment. On January 11, 1992 President Ben Djedid declared at the Algerian national television that due to the seriousness of the political crisis that was taking place in the

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[60] Tamburini, F. (2016), *Il Maghreb dalle indipendenze alle rivolte arabe: storia e istituzioni*, Pisa, Pisa University Press, pp.68-69
[61] Martinez, L. (2004), *Why the violence in Algeria?* in *The Journal of North African Studies*, p.17

country, he had decided to tender his resignation. The army had put an end to the transition by forcing the President's resignation and cancelling the elections. In fact, the ability of the FIS to exploit the liberalization of the political system from 1989 to 1991 shook the army to its core: the establishment of an Islamic state and the fear of becoming the scapegoat of a state founded on virtue were at the root of the military's attitude towards the FIS Islamists. This shocking twist of events, brought forward by the army stemmed from fear, was caused mainly by the experiment of the political opening. Therefore, the military leadership found in its best interest to maintain a strict, security-first strategy (Martinez 2004, 18).

2.2 The Algerian Civil War: from the military coup to the pact between "Éradicateurs" and "Réconciliateurs"

Consequently, the military coup d'état, and therefore the succession of President Ben Djedid, was assured by the creation of a *Haut Comité d'État* (High State Council, HCE) formed by the already existing *Haut Conseil de Sécurité* (High Security Council, HCS)[62]. The HCE had been created in January 1992 with the functions of a collegial presidency. If the resignation of Chadli Ben Djedid was planned by the Constitution, the creation of this body seemed an act against the law[63]. This HCE would have remained in power until the end of Ben Djedid's mandate, which would have ended on December 1993. This committee was composed of 5 components, chosen to represent symbolically Algeria's political structure: the Minister of Defense for Military Authority (General Khaled Nezzar), the President of the National Organization of the *Moudjahidin*[64] (Ali Kafi), the Dean of the Mosque in Paris (Tidjani Haddam), the Minister of Human Rights of the former government (Ali Haroun) and

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[62] The *Haut Conseil de Sécurité* (HCS) was composed of six members, of which three were from the military. This body was foreseen by the Constitution of 1976 and by the Constitution of 1989. It had mainly consultive powers, since it had the objective to advise the President regarding all matters relative to national security.
[63] Calchi Novati, G., Roggero, C. (2018), *Storia dell'Algeria Indipendente. Dalla Guerra di Liberazione a Bouteflika,* Milano, Giunti Editore, p.331
[64] This term indicates in Arabic "the warrior committed to the *jīhād*" or simply "patriots". In the Algerian case, the *Moudjahidin* were the fighters who engaged in the Algerian War of Independence against the French colonial presence.

finally, with the duties of President of the HCE, Mohammed Boudiaf[65]: the true surprise of this military coup d'état, Boudiaf had been one of the key actors of Algeria's contemporary history. On February 9 1992 the HCE, considering the threats to the peace and to the safety of the citizens, declared once again the state of emergency in the country. During this period of short presidency, Mohammed Boudiaf sided against Islamic integrism and was in favor of a pacific solution that would have foreseen a dialogue with the Islamists. Meanwhile, Boudiaf's political action aimed also at eradicating the growing corruption and profiteering within the governmental ranks: unfortunately, his mandate was abruptly interrupted after he was assassinated on June 29th, 1992 during a public speech in Annaba. The initial hypothesis was that one of his bodyguards had carried out the assassination, but all the clues traced back to a conspiracy planned by the army, who wanted to get rid of a President that dared to challenge the government by making allegations of profound corruption within the state: Algeria fell definitively into a dark void.

Since this coup had the objective to obstruct the FIS in its political aim of accessing the government, the party reacted with indignation to this solution: however, it would have been only a matter of time before its militants decided to recur to the armed struggle against this new self-imposed government. The FIS had been outlawed on March 4, 1992 since it had endangered public order and the state's institutions through subversive actions: on March 29, the municipalities and *wilāyat* that were under the control of the FIS had been disbanded. The party's management was in a stall, between negotiations and armed struggle, and it was forced to hide from the state's security forces that proceeded to mass arrests among its members. The escalation of violence had begun, with the youth from Algiers' popular neighborhoods that were gathering to join forces.

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[65] Calchi Novati, G., Roggero, C. (2018), *Storia dell'Algeria Indipendente. Dalla Guerra di Liberazione a Bouteflika,* Milano, Giunti Editore, p.331

Within the framework of the Islamist armed forces, it is useful to outline a general list of the key-armed groups that were leading the rebellion against the state forces[66]:

- *Mouvement Islamique Armée* (Armed Islamic Movement, MIA) reconstituted in 1991 by Abdelkader Chebouti after its initial foundation in the 1980s by Mustafa Bouyali. The MIA was an elitist organization and unlike the other Islamist armed organizations it was prone to an effective control of areas of the country. It disbanded definitively in 1992.

- *Mouvement pour l'État Islamique* (Movement for the Islamic State, MEI), founded in 1992 by Abdelkader Chebouti and Said Mekhloufi, former editor of the FIS's propagandistic newspaper "Al Munqidh". The organization's structure was different from the MIA's, since it tried to involve the people in the *jihād* against the corrupt power of the government. Mekhloufi called for the people to embrace the armed struggle against the state, but sadly for him he remained unheard. For this reason, he focused his terroristic attacks against the population, leading to the definitive disintegration of the MEI in 1994.

- *Groupes Islamiques Armées* (Islamic Armed Groups, GIA) founded in 1992 by Mansour Meliani, former Bouyali's right-hand man. The GIA was a constellation of armed groups intentionally separated from one another for security reasons and it lacked of a logistical unity and leadership. This organization was surely the most brutal and the most terrifying of the Algerian Civil War, since it fought with the belief that the only victorious solution in Algeria was the *jihād*. The FIS had demonstrated its complete incapacity to create an Islamic state in the country, thus only violence and open war would have brought to the correct application of the *Shari'a*[67]. Similarly to Mekhloufi's idea, also the GIA considered that the people could not remain indifferent to the development of the events in Algeria, hence they had to make a choice: remain

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[66] Layachi, A. (2004), *Political Liberalisation and the Islamist Movement in Algeria* in *The Journal of North African Studies*, vol.9, n.2, pp.55-56
[67] Boukraa, L. (2002), *La terreur sacrée*, Geneva, Favre, p.245

faithful to an apostate government or adhere to the *jihād*. Those who were to support the government or worse remain indifferent, thus becoming enemies of Islam, had to be struck down with no mercy[68].

- *Front Islamique du Djihad Armée* (Islamic Front for Armed Jihad, FIDA) founded in 1993 by the *Ja'zarist* Mohammed Saïd. This organization was specialized in the assassination of intellectuals and political leaders.

- *Armée Islamique du Salut* (Islamic Army of Salvation, AIS) founded in July 1994, the main idea of the leaders of the dissolved FIS was to avoid any merging with other terrorist organizations and try to negotiate with the Algerian government. The AIS had collected thousands of former militants of the FIS and also several defectors from the Algerian army, opposing itself to the GIA. The Islamic Army of Salvation contested the method of struggle that GIA embraced, since it conceived the *jihād* as one of the means to reach the initial project of the creation of an Islamic state, hence the main objective was to force the Algerian government to negotiate an agreement. The organization differed completely in its acts from the GIA: it renounced to kill children, women, elders and innocent people; the sole targets of the AIS were the military, the politicians and the government officials.

After the death of Mohammed Boudiaf, the Presidency of the HCE went to Ali Kafi, which was a very interesting figure at that time and did not have any realistic ties with the army. However, the HCE became a *façade* behind which the army was acting as it wished. That same army was composed on one hand by the so-called "*réconciliateurs*", meaning those who were willing to accept an Islamisation within the civil society and negotiating a truce with the FIS; on the other hand the so-called "*éradicateurs*", those who were firmly keen in embracing an armed solution in order to eliminate the Islamists, confiding in the support of the middle classes and the public opinion both nationally and internationally. The man behind the military coup of January 1992 and also responsible for the repression of the

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[68] Guolo, R. (2002), *Il fondamentalismo islamico*, Roma-Bari, Laterza Editore, pp.132-134

popular protests in 1988 was General Khaled Nezzar: since he was not able to assume the direction of the HCE due to his precarious health, Nezzar had began to prepare the succession by pointing at General Liamine Zeroual and nominating him as the new Minister of Defense. Zeroual was a very respected army official due to his past as a nationalist and a patriot for the country. Moreover, Zeroual had already been Deputy Chief of Staff and left the army in 1989 after tensions arose with President Ben Djedid.

On January 30, 1994 the HCE had finally terminated its mandate and nominated as the new President of the Algerian Republic, Liamine Zeroual. Despite the conflict that was raging in the country, several approaches had been taken into consideration in order to reach an amnesty that would have allowed the FIS to regain its place in Algeria's political realm. In order to avoid that the positions within the country could tighten up, the trial against Madani and Belhadj that took place in 1992 had a lighter outcome: it concluded with a sentence of 12 years for both of them for conspiring against the government, while the armed insurrection accusation had not been accounted for. A conference for the national reconciliation had been opened on January 1994: unfortunately, the meeting had been boycotted by the majority of the Algerian political parties, however the conference had been useful to announce the replacement of the HCE with a new provisional system for a period of three years with Liamine Zeroual acting as its President[69]. The message that Zeroual had promoted was characterized by the beginning of a period of dialogue between all political forces with no exceptions. Sadly, this optimism did not last long: the GIA was against any kind of relation with an unlawful regime and this opposition had managed to influence the entire Algerian political system.

While the motherland was dealing with the terrorist presence and the continuous protests, the Algerian political parties recurred to ordinary diplomacy thanks to the mediation of the Community of Saint Egidio. This religious non-governmental organization had

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[69] Calchi Novati, G., Roggero, C. (2018), *Storia dell'Algeria Indipendente. Dalla Guerra di Liberazione a Bouteflika,* Milano, Giunti Editore, p. 338

distinguished itself with several other occasions of difficult mediations, for example the one that brought to end of the conflict in Mozambico between the Frelimo and Renamo factions. For the Algerian mediation, two meetings in total had been organized: the first one in November 1994 and the second one in January 1995. The Algerian government had been invited to these meetings, but sadly they had refused accusing the Community of interfering in Algerian affairs. Instead, the invitation had been widely accepted by all the political parties, including: FLN, FFS, HAMAS, Ennahda and MDA with the exception of Saadi's RCD, since the party was firmly against any negotiations with the enemies of democracy. This mediation was a way to bring the side that was refusing to follow the rules back into the game. This called for recognition encompassing the so-called illegitimate part in a common framework: in the case of Algeria, this was essential[70]. As mentioned, the aim of this platform was aimed at recognition, essentially an offer of peace to the military in power: therefore, nobody should have been excluded from the entire mediation process, since it was the only way to put an end to the futile dispute that arose in the motherland. Recognizing each other means indirectly recognizing the differences among the actors at play: the common framework under which they had to find an agreement should have been of democracy and the respect of human rights. For this reason, both sides had to make concessions in order to stay within this framework (Giro 1998, 93). The Rome Platform of January 1995 represents the first political attempt to end the bloody war in Algeria. In this occasion, the FIS had condemned violence and started its return to a terrain of political confrontation. Also such a radical figure as *cheikh* Ali Belhadj, who never hid his preference for an armed struggle, had praised the negotiations entertained in the Rome Platform[71]. This new peace offer was supposed to call on the military to accept the presence of different political alternatives and the existence of a new pole with which they had to negotiate. The formula that had been studied during this platform provided for the FIS to return into the political framework by moderating it and forcing it to take on

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[70] Giro, M. (1998), *The Community of Saint Egidio and its peace-making activities* in *The International Spectator*, vol.33, n.3, p.92
[71] Impagliazzo, M., Giro, M. (1997), *Algeria in ostaggio. Tra esercito e fondamentalismo, storia di una pace difficile*, Milano, Edizioni Angelo Guerini e Associati SpA, p.87

commitments towards the public opinion. The FIS had renounced to the privilege of being the only interlocutor within the opposition and instead it became part of a common framework in which all other parties increased their political weight. There were also other obligations that the FIS had been obliged to follow: accept democratic principles; political pluralism; fundamental freedoms and, last but not least, religious pluralism. In order to obtain recognition, the FIS had to take full responsibility for the formation of armed groups, by stripping them of all support and religious legitimacy[72]. The main aim of the platform was to isolate completely the terrorists; the alternative to these negotiations was endless war. After a certain period of reflection, unfortunately the Rome Platform was rejected by the Algerian regime because it was a treaty that was signed abroad: the Algerian government had labeled the entire negotiation process as a *"non évenement"*, definition elaborated by Minister of Foreign Affairs Ahmed Attaf[73]: the main fear of the government was that, if there was to be an eventual transitional government of cohabitation resulting from monitored elections, the FIS could have obtained once more the majority. In the internal debate, among the various clans in power there was the common belief that any kind of peaceful solution which was the product of an exterior interference had to be condemned, preferring eradication, hence a military solution. Also GIA, on their behalf, had conducted a harsh propagandist campaign against the Rome Platform, accusing Belhadj and Madani of being in favor of an agreement that had been signed under the shadow of the Vatican cross.

In this context, it is useful to consider also the views that external actors had with regards to the Algerian crisis of the 1990s. Looking at Europe, it is correct to affirm that essentially France defined the policies towards Algeria. The *effet de surprise* consequently after the January 1992 military coup caught both Europe and France initially off guard. The first European institution to react to the resignation of President Chadli Ben Djedid was the European Parliament (EP). In the meantime, France's reaction to the nascent crisis in Algeria

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[72] Giro, M. (1998), *The Community of Saint Egidio and its peace-making activities* in *The International Spectator*, vol.33, n.3, p.96
[73] Impagliazzo, M., Giro, M. (1997), *Algeria in ostaggio. Tra esercito e fondamentalismo, storia di una pace difficile*, Milano, Edizioni Angelo Guerini e Associati SpA, p.87

was characterized by a dual tone: on one hand, President Mitterrand was openly critical with the deposition of his colleague, since he was on good terms with President Chadli who helped to improve the relations between France and Algeria in the post-Boumèdiene era; however, the President's remarks were soon weakened by his Minister of Foreign Affairs, Roland Dumas, who instead was favorable to this solution and suggested a distant approach without interfering[74]. Although French authorities allowed Islamists to enter the country, many French officials regarded the FIS as a terrorist organization: because of divergent views within the French government, France's policy toward the Algerian crisis initially remained ambiguous[75]. In order to understand the US-Algerian relations, it is useful to understand the geopolitical realities: Algeria had never constituted a top priority for the United States. After gaining independence from France and implementing a radical approach in foreign affairs, also due to its role in the Non-Aligned Movement and in the Organization of African Unity, Algeria's position often contradicted US policy objectives and interests in the country[76]. Furthermore, Algeria's privileged relations with the Soviet Union that had been close mainly during the 1970s and 1980s when Moscow was the main arms supplier in Algeria[77] placed the United States on an opposing stance. Already in the late 1980s, the US both with the Reagan and Bush administrations sought to establish better relations with Algeria: the main objective was to encourage Algeria to liberalize their economy, relying on Europe to provide foreign assistance and guidance to the Maghreb countries. Though, after the events between 1991 and 1992, the United States changed completely their consideration on Algeria: the country became important mainly because the US were concerned about the potential repercussions that crisis could have brought not only to Morocco and Tunisia but also to Southern Europe[78]. The Algerian situation made evident the divisions that emerged within the US government

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[74] Darbouche, H., Zoubir, Y. (2009), *The Algerian crisis in European and US foreign policies: a hindsight analysis* in *The Journal of North African Studies*, vol.14, n.1, pp.37-38
[75] Zoubir, Y. (1999), *The Algerian crisis in world affairs* in *The Journal of North African Studies*, vol.4, n.3, pp.17-18
[76] Zoubir, Y. (2002), *Algeria and U.S. Interests: Containing Radical Islamism and Promoting Democracy* in *Middle East Policy*, vol.9, n.1, pp.64-65
[77] Katz, M. (2007), *Russia and Algeria: Partners or Competitors?* in *Middle East Policy*, vol.14, n.4, p.152
[78] Zoubir, Y. (2002), *Algeria and U.S. Interests: Containing Radical Islamism and Promoting Democracy* in *Middle East Policy*, vol.9, n.1, p.66

with regards to the Islamic issue: on one hand, "confrontationists" strongly opposed the coming to power of Islamists in Algeria, which were seen as a destabilizing force and a genuine threat both to political and economic interests for the United States; on the other hand, "accommodationists" instead believed that Islamic revivalism was a natural progression in Muslim societies and therefore it did not represent necessarily a threat to the West neither to democracy. Hence, they did not perceive Islamism as a monolithic movement; actually some of them viewed non-violent Islamists as a diverse social force that would compel authoritarian regimes to democratize (Zoubir 2002). It is possible to analyze US policy towards Algeria into three different phases: the first phase (1991-1993) was characterized by ambivalence, with the United States that pursued a "wait-and-see" approach, which avoided any kind of support for either side. In this phase, the US did not oppose the coming to power of moderate Islamists who accepted the democratic game and did not challenge the US-declared interests. The second phase (1993-1995), with which the Clinton administration began, coincided unfortunately with the worsening of the crisis in Algeria: in this phase the views of the "accommodationists" prevailed, in fact their views overlapped with their counterparts in Algeria, the so-called "*réconciliateurs*", who believed that only a policy of reconciliation with the Islamists would bring an end to the crisis. In fact, the "accommodationists" believed that *"le tout sécuritaire"*, meaning a repressive policy, advocated by the eradicators in Algeria, would not end the crisis: on the contrary, dialogue was the only solution in order to resolve this situation and that all the political forces, including the moderate Islamists, must participate in the political process. In fact, the solution proposed by the Community of Saint Egidio with the Rome Platform had been applauded by the American accommodationists. Finally, during the third phase, the United States adopted a policy of "positive conditionality" following the election of Liamine Zeroual as President of the Algerian Republic: this policy consisted in supporting the regime as long as it broadened and accelerated the entire process of reconciliation and economic reforms; free and fair elections and establishing a dialogue with the opposition (Zoubir 2002, 70-72). Meanwhile,

France's response to the Algerian Civil War is the most complex due to the significant historical, economic, geographic and physiological factors that bind these two countries. Furthermore, France generated some controversy by offering political asylum to Islamist leaders who fled from Algeria. While some Islamists were not allowed in the country, the French authorities viewed the FIS as a terrorist organization and not as a political party, especially when the armed factions resorted to spectacular actions. The Islamists had begun to perceive a French alignment with the Algerian regime: from their perspective, France took a more anti-Islamist position than the other Western democracies that were dealing with the Algerian crisis. Clearly, France's response, unlike the American response, has been to support the incumbent regime as a better alternative to a seizure of power by the Islamists[79]. France and the EU, who had supported such initiative and deemed it as constructive for the International community, had hailed the Rome Platform also. As it seems evident, the positions of the United States and France were at the antipodes, although neither of these two countries favored an Islamist regime in Algeria. France's position coincided also with that of Maghrebi and Near Eastern regimes: in particular Tunisia and Egypt, which have faced strong Islamist oppositions internally, supported the Algerian regime and urged the West to act likewise since they believed that a collapse of their neighboring country would have far-reaching consequences both on their own interests and it would jeopardise also the Western interests in the Arab and Islamic world[80].

Since Zeroual understood that his credibility was at stake in this crucial historical moment, he managed to proclaim formally free elections in the country. This opening towards a "national dialogue" had the aim of marginalizing the Rome Platform negotiated in January 1995. The first step had to be the election of the new President of the Republic. The announcement was given by Zeroual in August 1995 for an election that would have occurred on November 16, 1995. The opposition, which anticipated the decision of boycotting the

[79] Zoubir, Y., Bouandel, Y. (1998), *Islamism and the Algerian political crisis: International responses* in *Cambridge Review of International Affairs*, vol.11, n.2, pp.122-124
[80] Zoubir, Y. (1999), *The Algerian crisis in world affairs* in *The Journal of North African Studies,* vol.4, n.3, p.21

elections, did not receive these elections positively: according to them, there was a lack of necessary conditions in order to carry out the electoral process. The electoral campaign concentrated on the government's capacity to mobilize the population. During these elections, Zeroual had to compete against three expert opponents: HAMAS leader, Mahfoudh Nahnah, the President of the RCD, Saïd Saadi and the PRA with Noureddine Boukrouh. Zeroual had been able to entertain a positive campaign, proposing himself as the rampart against the terrorism that was raging in Algeria. Contemporarily, Zeroual had done a first step towards distension by proposing the "*Ordonnance* 95-12" of February 25th, 1995 better known as the "*Er-rahma*" or "Clemency" law. This law was deeply criticized by the *éradicateurs* for it foresaw a general amnesty to those who belonged to terrorist organizations in the country that had not accomplished blood crimes: thanks to this law, thousands of fighters had surrendered[81]. With this law, it became clear at last that Zeroual and his advisor General Mohamed Betchine belonged to the faction of the *réconciliateurs*. The elections came and with them Zeroual's victory: with a convincing 61% of votes in the first round, Liamine Zeroual had been voted as the new President of the Republic. After the elections, he had committed himself to a democratization and normalization process in the country. On November 28, 1996 a new constitution that depicted this process of change was adopted by referendum. Very peculiar were the characteristics foreseen by the new constitution in order to be elected for the presidency. Apart from being Algerian, Muslim and more than 40 years old of age, candidates needed to have also the following requirements: they had to prove that their spouse was Algerian; they had to prove that they had participated in the Algerian War of Independence if they were born before 1942; if they were born after 1942, then they had to prove that their parents were not against the revolution against the colonial rule; finally, they had to declare publicly their properties abroad[82].

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[81] Moussaoui, A. (1998), *La violence en Algérie. Des crimes et des châtiments* in *Cahiers d'Études Africaines*, vol.38, p.256

[82] Tamburini, F. (2016), *Il Maghreb dalle indipendenze alle rivolte arabe: storia e istituzioni*, Pisa, Pisa University Press, p.79

In order to demonstrate the steps made towards normality, on July 15 1997 Abassi Madani had been freed: the regime had expected from him a precious contribution with the aim of isolating the terrorists that embraced the armed struggle as the sole solution after the events of 1991. After the negotiations of the Rome Platform had shown that the remaining moderate Islamist formations were willing to participate in this new liberal context, the FIS was completely isolated and it was clear that the armed struggle had not brought the desired results. Madani repeatedly invited the *maquis* to turn down their weapons and cease violence, declaring that the Quran does not consider the mass killing of innocent people[83]. The secret negotiations between the army and the emir of AIS, Madani Mezrag, lasted a couple of months: a truce had been reached on October 1st, 1997. But the period between the summer of 1997 and winter of 1998 had been characterized by horrifying attacks perpetrated against innocent people in various areas of Algeria: Sidi Raïs, Beni Messous, Beni Slimane and Bentalha just to name a few of the most atrocious scenarios of mass killings (Calchi Novati and Roggero 2018). The entire Civil War represented a true scandal in the history of such a young country as Algeria: the entire historical context of this country has been characterized by a continuous struggle in order to find peace and stability. In a renewed context of calm and stability, on September 11 1998 President Liamine Zeroual had declared on Algerian national television his resignation exactly nineteen months before the end of his mandate. This decision was received surprisingly by the public opinion: many had believed that behind the President's decision was the Algerian military establishment, similar to the one that had occurred in 1992 with President Ben Djedid.

2.3 The election of Bouteflika and the National Reconciliation Process

The announcement of Zeroual's resignation had been accompanied by mixed sentiments of high expectations and excitement: for the first time, Algeria began to see the

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[83] Calchi Novati, G., Roggero, C. (2018), *Storia dell'Algeria Indipendente. Dalla Guerra di Liberazione a Bouteflika,* Milano, Giunti Editore, p.346

first opportunity to choose a President that was not linked with the 1992 military coup d'état. Zeroual had clarified that he would remain in charge until the preparations for the new presidential elections would have been finalized. In 1999, an electoral debate arose in Algeria questioning who could have been the best candidate that the Algerian people could choose as their new President of the Republic: many had relied their hopes on Abdelaziz Bouteflika, one of the last members of the Boumediène era and also well-known for having headed Algerian diplomacy in that long gone age.

Abdelaziz Bouteflika was an established figure in Algerian politics. He had participated in the Algerian War of Independence alongside the members of the "Oujda Clan. Initially, he had been the treasurer of the FLN; after the Independence, he became at first Minister of Youth, Sport and Tourism, specifically under the presidency of Ahmed Ben Bella. He was appointed the Ministry of Foreign Affairs during the Boumediène regime in 1965. His progressive climb in power brought him to cover also the role of the presidency of the 29th Session of the United Nations' General Assembly in 1974: this opportunity gave him resounding personal success, such as granting Yasser Arafat to be the first representative of a non-governmental organization in the UN to hold a speech during that session. His personal decline began with the end of the Boumediène era and the subsequent "deboumedienisation" of the country with the presidency of Chadli Ben Djedid; also, an ad hoc Court of Auditors chaired by Ahmed Talib Ibrahimi began a very meticulous enquiry on the secret funds that the Ministry of Foreign Affairs had received during Boumediène's presidency. For this reason, Bouteflika had been forced to abandon Algeria's political arena and live in exile in the Arab Emirates. He managed to go back to his homeland only in 1988, right when the October riots had begun and the country was on the brink of the civil war that would have struck Algeria in a couple of years. During this period, Bouteflika had chosen to remain outside of the political life and did not show any interest in covering the civil war: this will be positively seen by the Algerian public opinion, since he did not participate actively as a political figure during the difficult times of the civil war.

For the upcoming elections, Bouteflika would have been the sole non-military candidate of the FLN to a presidential election since the days of Independence[84]. Surely, after President Liamine Zeroual announced his intention to resign, Bouteflika decided to propose his candidacy for the upcoming elections with the backing of the military; but he was a candidate that had the potential to win the elections for his belonging to one of the most profitable periods in the history of Algeria. Bouteflika was also a nationalist, secular but not up to the point of being a *éradicateur*. For the first time since its independence, Algeria had experienced freedom of the press and open debates among the Algerian and international public opinion, mainly on the most disturbing topics that were influencing the country at that time such as Islamist terrorism, corruption among public officials and the bad trend in Algerian economy. Initially, almost fifty candidates had presented their nomination, but only seven of them were admitted by the constitutional council for the elections: Abdelaziz Bouteflika; Hocine Aït Ahmed, leader of the FFS; Mouloud Hamrouche; Mokdad Sifi; Said Abdallah Djaballah; Youssef Khateb, former colonel of the ALN and finally Ahmed Taleb Ibrahimi, former Minister of Foreign Affairs and founder of the Islamist illegal party *Wafa*.

The entire electoral campaign for all the presidential candidates had been characterized by the general topic on national reconciliation within the country, with the intention of bringing to an end the Civil War that was raging in the country. During the electoral campaign, Bouteflika managed to break taboos: he spoke in Algerian dialect and discussed openly the casualties that occurred from terrorism. Moreover, Bouteflika declared himself willing to negotiate a deal with the Islamists in order to bring peace and stability into the country[85]. His intentions managed to help him in gaining popularity, although his electoral appeal was not tested in the end. The elections evolved in a very tense climate: the other six candidates for the presidency retreated from the elections denouncing electoral riggings. However, Bouteflika managed to be elected on April 15, 1999 with the 73% of votes in

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[84] Giro, M. (1999), *Bouteflika sulla lunga via della pace* in *Limes*, n.3, pp.281-286
[85] Tlemçani, R. (2008), *Algeria Under Bouteflika. Civil Strife and National Reconciliation* in *Carnegie Middle East Center*, n.7, p.6

favor[86]. It seemed as natural that the military had been behind this scheme and that the army was the only remaining source of power in the country. In the meantime, they had not been able to resolve the issue of terrorism in the country, which since 1992 had caused around 100.000 victims in total. Although his rise to power had not been very transparent, many relied on this former diplomat whom had always underlined how it was important for the country the necessity to restore peace, security and international respectability for Algeria.

What made Bouteflika strong vis-à-vis to his staff and to the rest of the other key players in Algeria's government had been both the national and international consensus he had obtained as a man of peace. The return to stability and normality in a country, which had been struck by a bloody and sometimes also horrifying conflict, had as its aim the restoration of security within the country. The policies of civil concord and national reconciliation that will develop during the first half of the XXI century will bring Algeria finally towards a process that had the aim of downsizing the terrorism and the violence of "*La Décennie Noire*", almost up to the point of imposing a sort of amnesia for what had happened.

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[86] Aghrout, A., Bougherira Redha, M. (2004), *Algeria in transition: reforms and development prospects*, London, Routledge, p.185

CHAPTER 3: NATIONAL RECONCILIATION PROCESS. A THEORETICAL ANALYSIS

After Bouteflika had been elected as the new President of the Algerian Republic, he delineated a program that was laid out in between his first two mandates. This program was conceived into three different axes: to establish peace and national reconciliation, seen as a top priority condition for long-lasting political actions; to consolidate the processes of democratization and modernization of Algeria; to assure a better position for the country both on the regional and on the international level. The major initiatives through which Bouteflika obtained greater consensus and success in the eyes of the country were mainly the first and third axes. The years that should be remembered mainly for the peace-building process in Algeria are 1999 and 2005: within this timeframe, Algeria will witness a true change in its struggle with the "Black Decade". It was finally the moment to bring the conflict to an end.

3.1 Definition of Reconciliation Process

In order to understand the Reconciliation Process that took place in Algeria initially with the "Rahma" Law elaborated by former President of the Republic, Liamine Zeroual, and then continued by the new President Abdelaziz Bouteflika with the Civil Concord Law and the Charter for Peace and the National Reconciliation, it is useful to understand basically what a Reconciliation Process actually means, conceived as a peace-building process. In transitional contexts, reconciliation is a term that embodies a broad range of peace-building activities. These activities include: rebuilding of infrastructures; promotion of social investments; tending to the need of refugees or internally displaced population; overcoming of ethnic divisions; making reparations to victims and finally reintegration of former combatants into communities. Furthermore, in more expansive approaches, there are several

suggestions that a reconciliation process implies not only the pursuit of happiness, welfare and productivity but also trust building[87].

Moreover, since the 1990s the issue of reconciliation has gained an increasing importance: the common idea is that reconciliation can take place once a peace agreement has been signed, thus bringing an end at least temporary to a conflict. However, it is interesting to analyze the perspective of "conflict transformation" rather than a perspective of "conflict resolution". The difference between these two approaches is that the latter implies the goal of ending undesired conflicts in a short timeframe, focusing on the content of the conflict as if it is something that is disputed and which gives rise to conflict in the first place; the former approach, instead, professes the goal of transforming the conflict into something desired in a longer timeframe, focusing not just on the content of the conflict but most importantly this approach focuses on the context itself and on the relationship between the actors involved[88]. Hence, the innovations added by the "conflict transformation" approach are certainly: the shift from a goal of solving undesired disputes into a more important goal of building something desired; shifting the focus from the issue of the conflict towards the contextual relationship that lies underneath the conflict and, finally, expansion of the short period of time believed to solve the conflict into a longer timeframe. Furthermore, there is a strict link relationship between the "conflict transformation" approach and the concept of reconciliation. They share the common focus on the importance of human relationship rather than immediate contents or issues that cause a conflict: reconciliation is built on the relational aspects that caused a conflict and thus seeks an encounter where the people involved can focus on their relationship. For this reason, because reconciliation is concerned about the relationships between victims and perpetrators, it usually takes a longer time for this process to be achieved. Although it might seem that reconciliation may require certain efforts by the victims to deal with the grievances and the injustices suffered in the past, however it is

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[87] Rettberg, A., Ugarriza, J. (2016), *Reconciliation: A comprehensive framework for empirical analysis* in *Security Dialogue*, Sage Publications, vol.47, n.6, p.518

[88] Nguyen Vo, D.S. (2008), *Reconciliation and Transformation* in *Beyond Intractability*, Ed. Guy Burgess and Heidi Burgess, Conflict Research Consortium, University of Colorado

forward-looking: in fact, as its main aims, reconciliation seeks to promote human rights, the fostering of democracy and the building of a rule of law (Nguyen Vo 2008). For this reason, the forward-looking nature of reconciliation well complements the transformation component in the "conflict transformation" approach. Moreover, the concept of reconciliation can fit into the framework of this approach and there are several efforts that can contribute to "conflict transformation": truth commissions; reparation; trials or amnesty; apology by the perpetrators and forgiveness by the victims.

The concept of national reconciliation is based on the building and rebuilding of trust: this solution is presented mainly to prominent conceptual confusions that surround the notion of national reconciliation in societies. Usually, reconciliation is a coming together after a conflict that undermines trust between the parties in question. The idea of national reconciliation emerges from a set of historical and political experiences that occurred mainly after the end of the Cold War[89]. Since the 1970s, dozens of countries have engaged in various acts of national reconciliation: truth commissions, commissions of enquiry and other mechanisms whose primary function was the production of historical knowledge[90]. These political transformations varied deeply from one country to another and in most of these cases, the accountability for the crimes committed was constrained by the presence of institutional powers of old élites in reformed state institutions. In this context of impunity, international and national human rights organizations have lobbied for a small measure of accountability. These pressures brought to the creation of "Truth commissions", which were set up in order to carry out the official documentation and history writing. A majority of the truth commissions in history did not officially name the individuals guilty of politically motivated crimes; instead they preferred to assert an institutional responsibility[91]. In fact, the subsequent reports from these commissions tended to report the facts "plain and simple"

[89] Wilson, A. (2003), *Anthropological studies of national reconciliation processes* in *Anthropological Theory*, Sage Publications, vol.3, n.3, p.368
[90] Mundy, J. (2015), *Imaginative Geographies of Algerian Violence,* Stanford, Stanford University Press, p.137
[91] Wilson, A. (2003), *Anthropological studies of national reconciliation processes* in *Anthropological Theory*, Sage Publications, vol.3, n.3, p.369

about the individual abuses and most of them did not contain serious structural or historical accounts at all. These truth commissions, in the renewed political contexts from which they were created, had to convince their political constituencies of the importance to find a political compromise after years of sacrifice and intense opposition between the opposed groups: therefore, the truth commissions and the language of national reconciliation became the preferred route to follow. Moreover, truth commissions were promoted by the political élites as a useful mechanism to construct a new ideological hegemony specifically in the area of justice, rights and public morality: a hegemony that diverted the popular legal consciousness away from legal retribution and financial compensation (Wilson 2003, 370). Hence, truth commissions construct the national self with regards to the violent nation of the past and they promote a discontinuity with the violent past: in fact, the political order that they manage to create is presented as a new, purified and decontaminated context in complete discontinuity with the past. Some of these commissions were created and operated by the new states born after a conflict, others were operated by organizations such as the UN and still other commissions were operated by several other non-governmental organizations. A very useful definition outlines the real characteristics of these truth commissions:

A truth commission is an ad hoc, autonomous, and victim-centered commission of inquiry set up in and authorized by a state for the primary purposes of (1) investigating and reporting on the principle causes and consequences of broad and relatively recent patterns of severe violence or repression that occurred in the state during determinate periods of abusive rule or conflict, and (2) making recommendations for their redress and future prevention[92].

For a better understanding of the national reconciliation processes, it is useful to look at some examples that have occurred in history. These transitional processes began with Argentina in 1983 and culminated with the end of "*apartheid*" in South Africa in 1994. The South African example is probably the most important one to follow in terms of national

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[92] Freeman, M. (2006), *Truth Commissions and Procedural Fairness*, New York, Cambridge University Press, pp.xiii-xiv

reconciliation. Monsignor Desmond Tutu had created in 1994 the "Truth and Reconciliation Commission" (TRC), with the objective of reviewing all cases of violations of human rights that had occurred between 1960 and 1994 and thus compensating all its victims. The TRC had managed to produce the figure of the citizen as the survivor by making a public spectacle of all the victims' suffering and the perpetrators' misdeeds[93]. The organizers of the TRC had carefully selected the testimonies and the confessions on a dramaturgical basis rather than on juridical grounds (Mundy 2015). Most of these truth commissions have the firm belief in the power of history to pave the way to optimism for the future: a history that sometimes takes the form of an official consensus narrative of the violence or the tyranny that had terrorized the polity, which is characterized by oral histories of victims, perpetrators, collaborators and bystanders.

If South Africa on one hand represents the archetypal example that sought to generate reconciliation after a period of dictatorship, the Chilean experience is the first real example of the idea of establishing truth as a means to seek reconciliation: in its Reconciliation Process, Chile skipped completely the process regarding the "*justicia*" (Justice) and went directly to the creation of the "*Comisión Nacional de Verdad y Reconciliación*" (National Commission for Truth and Reconciliation), simply for the fact that General Pinochet was still the Commander-in-Chief of the Chilean armed forces and he would have remained so for the next 7 years after the establishment of the commission in 1991. This had happened due to the fact that Chile could not afford to prosecute their commander, however the country had managed to create an interruption with the former regime, making it possible for the elaboration of dossiers that included the testimonies of both the victims and the perpetrators. The dossier produced from the Chilean National Commission for Truth and Reconciliation had the main goal to fill the intolerable void that had subsequently brought to the events of the so-called "*desaparecidos*" (disappeared). Known as the "Rettig Report", it tried to trace back the historical background of the country with the aim of investigating specifically the years of the

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[93] Mundy, J. (2015), *Imaginative Geographies of Algerian Violence,* Stanford, Stanford University Press, p.138

Pinochet regime. The Rettig Commission had managed to put into confrontation on one hand the *desaparecidos* and on the other the perpetrators responsible for these disappearances, creating a national catharsis[94]. As noted in these two examples, both for the South African TRC and the Chilean case, it seems almost as if the victims' voices are rather silenced by the truth commissions instead of being enabled by them[95].

There is also another issue that seems to be missing while speaking about the formation of these Reconciliation Processes: the issue of forgiveness in contemporary conflicts. This characteristic is strictly linked with reconciliatory and reconstructive processes in post-conflict environments. Forgiveness forms part in a new strategic conception of peace building, which is composed of other different components such as "conflict transformation" and "transitional justice"[96]. In a politicized context, the reference to forgiveness is always linked to a denied or violated diversity. Thus, forgiveness paves the way to an enduring process of reconstruction and it is the initial step in this mechanism, which develops with other forms of coexistence until a truthful reconciliation is reached (Ferrara 2015, 36). However, this path seems particularly difficult to follow in the presence of ethnical conflicts or civil wars.

The question of justice and of reconstruction of historical facts after a piercing conflict has found another formula in history, hence the creation of reconciliation commissions. Towards the end of the XX century, these commissions have taken both a minimalist role of establishing the "truth" and the role of placing the preconditions for the pursuit of justice, meaning the punishment of those who were guilty. In between these two conceptions, several intermediate declinations have been explored: honoring the victims, public admission of guilt from the perpetrators, public excuses and rehabilitation of the society. Moreover, the challenge does not entail the necessity of a retributive justice; instead, it entails the triggering of the reconciliation process in certain contexts. There is the need to change definitively this

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[94] Ferrara, P. (1991), *La Catarsi Cilena* in *Andes*, p.19
[95] Mundy, J. (2015), *Imaginative Geographies of Algerian Violence,* Stanford, Stanford University Press, p.139
[96] Ferrara, P. (2015), *La questione del perdono nei conflitti contemporanei* in *Unità e Carismi*, n.2, p.34

paradigm and the element that could help this shift could be the recognition of a "reparative" justice: this approach foresees the opportunity for those who are guilty to redeem themselves from their acts (Ferrara 2015, 38). The only way for this to happen is to acknowledge the dimension of forgiveness, which is strictly linked to an admission of guilt. The President of South Africa, Nelson Mandela, and the President of Argentina, Nelson Menem, have argued that pardon was the price for peace. Some also argue that in certain cases amnesty was necessary to avert further bloodshed and this is why South Africa's transition may be conceived as peaceful.

Moreover, another very interesting concept regarding reconciliation can be considered and that is the ethic of "political reconciliation": it is a concept of justice that aims to restore victims, perpetrators, citizens and the governments of states that have been involved in political injustices and seeks a condition of right relationship within a political order[97]. The concept of political reconciliation evokes mercy as its cardinal virtue: in this case, mercy intended in the older and more comprehensive concept that can be found specially in sacred scrolls and because mercy seeks restoration, it animates all practices that lie beneath the concept of reconciliation; mercy is reflected in the purpose of restorative punishment. If mercy is the virtue that animates the entire process of reconciliation, then peace is the goal that corresponds to an achieved reconciliation. Therefore, these ideas that are contained in the concept of political reconciliation are strictly linked with the concept of "restorative justice": the central justification for "restorative justice" is that it promotes wider and fuller human flourishing than other competing concepts of justice and it can be explained through three broad claims. The first one entails that crime is a rupture of right relationship between victim and offender. The second claim is that a response to crime should be oriented towards repairing these relationships: a simple trial that foresees punishment and fines is not enough; instead, measures through which members of the community and the offender, which will

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[97] Philpott, D. (2012), *Just and Unjust Peace. An Ethic of Political Reconciliation*, Oxford, Oxford University Press, p.58

recognize and acknowledge the suffering he has caused, ought to be adopted; therefore, punishment for "restorative justice" ought to be oriented towards an encouragement of the offender in hearing and learning about the pain he has caused, with the aim of apologizing. The third claim, strictly linked with the second, is that this kind of justice involves an active participation of victims, offenders and members of the community through dialogue, narrative and negotiation (Philpott 2012, 66-67). However, looking at the Algerian case, it is possible to learn that this concept of "restorative justice" had not taken place, preferring a more immediate solution to the entire period of the "Black Decade".

3.2 The Algerian case: from "Rahma" Law to Bouteflika's Peace Building Process

After analyzing the aforementioned cases of Chile and South Africa, it is possible to affirm that the Reconciliation Process adopted in Algeria took a completely different approach from the former experiences: in Algeria the entire process of truth, forgiveness and justice had been skipped directly in favor of general concessions of amnesties to the perpetrators of the "*Décennie Noire*", leaving the country with a sensation of void and malcontent specifically for those families who had lost their relatives, similar to the South American cases of the *desaparecidos*. The Algerian case is a rather complex one, since it entails a double challenge: the first is peace building and the second is the creation of conditions that bring to a transition to civilian rule.

The peace process had begun with President Liamine Zeroual in 1995 with the concession of amnesties through the "*Er-Rahma*" Law: this "clemency" law implied simply the grant of clemency or mercy to those who were seeking it in return for submission to the central authority. The promulgation of these amnesties was a precondition for the Islamic integrists to accept the offer of laying down their weapons and embrace the peace negotiations that the government was proposing. The "*Rahma*" law had a religious connotation, which

assumed kindness and generosity from the ones who had to forgive the perpetrators[98]. At that time, the "Clemency" law was more of a solution elaborated to contrast the Rome Platform of the Community of Saint Egidio. After Abdelaziz Bouteflika had won the presidential elections in 1999, he reprised the "*Rahma*" law and commenced his own Reconciliation Process in order: hence the 1995 law was replaced in 1999 by a new initiative, the "Civil Concord" Law proposed by Bouteflika as a means of ending the horrible civil war that had reached its climax between 1997 and 1998 with a series of massacres around the capital city Algiers. With this law, the context shifted from the religious definition of mercy or clemency to a broader political definition: the Civil Concord law was not a policy of national reconciliation, however it was a policy of restoration of order, a political agreement between two factions, the power and the armed opposition[99]. The Algerian Parliament adopted this peace plan on July 13, 1999 and in September it was submitted to referendum: according to official figures, 98.6% voted in favor, with a turnout at 85%[100]. Even if it may seem that these numbers are in someway inflated, however it is certain that the Algerian people were ready to embrace the plan proposed by Bouteflika for it could bring probably to a definitive end to the violence in the country.

The Civil Concord Law granted for conditional amnesty to those Islamic integrists who decided to renounce to violence and lay down their weapons. An executive order of July 1999 set up probation committees in each province that had the aim of determining whether individuals who had surrendered were eligible for amnesty and to define the terms of their probation. A general prosecutor, usually a representative of the security forces, headed each of these committees. These committees functioned without transparency or public accountability, raising suspicions that they let the applicants through without being judged (Tlemçani 2008, 7). In theory, the law established a six-month period during which the

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[98] Moussaoui, A. (2007), *Algérie, La Réconciliation Entre Espoirs et Malentendus* in *Institut Français des relations internationales (IFRI)*, n.2, p.340
[99] Moussaoui, A. (2001), *La concorde civile en Algérie. Entre mémoire et histoire* in Mahiou A. and Henry, J.R. (Edited by), *Où va l'Algérie?*, Paris, Karthala-Iremam, p.71-72
[100] Tlemçani, R. (2008), *Algeria Under Bouteflika. Civil Strife and National Reconciliation* in *Carnegie Middle East Center*, n.7, p.6

insurgents who had not committed any murder, had not committed rape or had not set off bombs in public places could apply for amnesty. Those who had engaged in such actions were excluded, but would receive a reduced sentence: however, many applicants denied having participated in the proscribed acts and were pardoned based on the rejection, therefore no investigations were conducted further to verify their actual claims[101]. It seemed almost as if the Civil Concord Law was a mere technical instrument created in order to restore the state's sovereignty, which had removed the civil dimension of the conflict. Another measure that President Bouteflika had adopted subsequently was a *"grâce amnistiante"* (presidential amnesty) granted to the AIS on January 10, 2000 as recognition of the terms reached with the 1997 truce[102]. The amnesty adopted through the Civil Concord Law was thus justified by the fact that without it, the armed militants would have not agreed to come to terms with the government. As a matter of fact, while the GIA had been disbanded in 2002, unfortunately terrorism continued to prosper in the country through the acts of the *Groupe Salafiste pour la Prédication et le Combat* (Salafist Group for Preaching and Combat, GSPC). Founded in 1998 by Hassan Hattab, alias Abu Hamza, the terrorist group continued to fight against the apostate regime and for the instauration of an Islamic and theocratic state[103]. However, this organization as many of the other armed groups was weakened by the Civil Concord and moreover the GSPC had to face an internal crisis, which brought to a definitive shift within its ranks[104].

The Civil Concord stirred up several protests among the families of the disappeared and also among civil rights groups. This blanket pardon granted to the insurgents of the

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[101] Ghanem-Yazbeck, D. (2016), *Algeria on the Verge: What Seventeen Years of Bouteflika Have Achieved* in *Carnegie Middle East Center*, p.2

[102] Moussaoui, A. (2001), *La concorde civile en Algérie. Entre mémoire et histoire* in Mahiou A. and Henry, J.R. (Edited by), *Où va l'Algérie?*, Paris, Karthala-Iremam, p.75-77

[103] Salgon, J.M. (2001), *Group Salafiste pour la Prédication et le Combat (GSPC)* in *Les Cahiers de l'Orient*, n.62, pp.53-57

[104] Hassan Hattab was forced out of the organization in 2003, after being accused of appeasing to the government's will of negotiating a truce: he was replaced initially by Nabil Sahraoui. After Sahraoui was killed in action, he was replaced by Abu Musab 'Abd al-Wadud, alias Abdelmalek Droukdel, who gave a complete change to the organization: on January 24, 2007 the GSPC adhered to Al Qā'ida, thus changing officially its name into "Al-Qaida in the Islamic Maghreb" (AQIM), abandoning the concept of local combat it had entertained during the 1990s and embracing international *jīhad*. Cfr. Tamburini, F. (2016), *Il Maghreb dalle indipendenze alle rivolte arabe: storia e istituzioni*, Pisa, Pisa University Press, p.90-91

Algerian Civil War was seen as unjust, because it allowed some people that were actually guilty of serious crimes to go free. None of the decisions that were taken by President Bouteflika had addressed the issue of the disappeared in a manner that could have satisfied the Algerians' demand for justice. The President's anxieties were beginning to arise for the fact that he wanted to bury this subject with as little discussion as possible. With the credibility of his peace plan at stake, Bouteflika decided to appoint a 43-member National Consultative Commission on the Promotion and Protection of Human Rights with Farouk Ksentini acting as the commission's president (*Conseil National Consultatif pour la Protection et la Promotion des Droits de l'Homme*, CNCPPDH) in September 2003, with the aim of determining the fate of those who had gone missing during the bloody civil war, although this commission was not conceived as an investigative commission: it had no statutory powers to compel testimony by government officials or to force them in releasing documents[105].

Despite the establishment of this commission, the government continued to prevaricate the accusations regarding the implication of security forces in the disappearances. In February 2004, Bouteflika had publicly declared that the state must accept responsibility for the actions of security agents in the struggle against terrorism (Tlemçani 2008, 8). Thus, Bouteflika's first mandate had ended with a peace-building process that had just begun with the belief that he could promote once more a process of National Reconciliation within Algeria in his new mandate: the results of the elections of April 8, 2004 confirmed once again Bouteflika as President of the Algerian Republic, paving the way for him to continue with his mission of granting peace to his country.

Several protests arose due to the application of the Civil Concord Law and to the *grâce amnistiante* he had granted to the insurgents, however Bouteflika was ready to bring to an end the chapter on the Black Decade. During the electoral campaign that preceded the

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[105] Tlemçani, R. (2008), *Algeria Under Bouteflika. Civil Strife and National Reconciliation* in *Carnegie Middle East Center*, n.7, p.7-8

presidential elections of 2004, Bouteflika concentrated mainly on his manifesto: his entire campaign was well organized since he benefitted from the use of states's resources. He pointed out to his achievement of the first mandate and urged the Algerian people to give him the chance to finish what he had started[106]. For this reason, the President began to push for reconciliation with a July 2005 speech, where he promoted a new referendum where the Algerian people had to decide if they wanted to continue in the process of National Reconciliation. In the following August, Bouteflika issued a decree which contained a "Draft Charter for Peace and National Reconciliation", despite receiving considerable opposition from the anti-Islamist and secular élites in Algeria[107]: the September referendum had approved the President's will with 97% of voters in favor of this charter. On September 29, 2005 with Ordinance No.06-01, the "Charter for Peace and National Reconciliation" was approved[108]: the guiding idea of the Charter was that there should be neither winners nor losers.

The Charter exempted from prosecution for crimes committed during the great civil strife all individuals, from Islamist insurgents, to civilian auxiliary forces and the security forces. Mainly, the Charter offered amnesty to the members of the Islamic integrist armed groups that had surrendered by their own will to the authorities, except for those who were found guilty of collective massacres[109]. The document enshrines both the state's and the citizens' obligations: with Decree No.06-93 the state has the obligation to compensate financially the victims of the "national tragedy" and their families[110], aside the reduction of sentences and the concession of pardon for the crimes committed during the civil conflict; the citizens had to collaborate with the government in the promotion and maintenance of security and preventing any destabilizing cause for the entire social order. In brief, the civilians had to

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[106] Bouandel, Y., Bougherira M.R. (2005), *Election or referendum? Algeria chooses a president* in *Representation*, vol.41, n.2, p.121
[107] Joffé, G. (2008), *National Reconciliation and General Amnesty in Algeria* in *Mediterranean Politics*, vol.13, n.2, p.217
[108] People's Democratic Republic of Algeria, Ministry of Foreign Affairs (2015), *Algeria and Deradicalization. An experience to share*, p.6
[109] Emiliani, M. (2012), *Medio Oriente. Una storia dal 1991 ad oggi*, Vol.II, Roma-Bari, Laterza Editori, p.190
[110] People's Democratic Republic of Algeria, Ministry of Foreign Affairs (2015), *Algeria and Deradicalization. An experience to share*, p.6

bear with the state in any decision regarding National Reconciliation and the maintenance of security[111].

Within the process of National Reconciliation, residual violence would end and the exploitation of the state religion, Islam, for political purposes would be banned: Islam would be excluded definitively from the field of political competition, even though the state granted the presence of Islamist parties of their choice. The legislation of the Charter for Peace and National Reconciliation was divided into 7 chapters, with the core regulations regarding the amnesty concessions contained in the first chapter. This required that all those seeking clemency under the terms of the Charter had to submit to security forces or to an Algerian embassy if resident abroad within a period of six months (by August 2006): they had to confess their offences; otherwise they would fall outside the terms of the amnesty.

The second chapter repeated the ban on political activities that would apply to all those who were guilty of instrumentalizing the religion for political violence and furthermore to those who refused to accept responsibility of their acts. The third chapter took into consideration the financial compensation that had to be given to the families of terrorists killed by the security forces: these families were to be given compensation of either DA10,000 per month (approximately €100) or a lump sum of between DA1 million and DA1.2 million (approximately between €10,000 - €12,000); this compensation was to be paid by the *Fonds Spéciales à la Solidarité Nationale* (Special Funds for National Solidarity); they were also to be protected against any future discrimination whatsoever, with prison sentences of between six months and three years and financial fines of between DA10,000 and DA100,000 (approximately €1,000) for persons who did so[112]. A notable feature of the Charter was the implementation of Article 46, which was quite ferocious in the way in which it intended to restrict criticism. In fact, it banned as a criminal offense to speak of the disappearances that had occurred during the civil conflict in such a way that threatens the

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[111] Emiliani, M. (2012), *Medio Oriente. Una storia dal 1991 ad oggi*, Vol.II, Roma-Bari, Laterza Editori, p.190
[112] Joffé, G. (2008), *National Reconciliation and General Amnesty in Algeria* in *Mediterranean Politics*, vol.13, n.2, pp.220-221

institutions of the state or that damages the state itself by accusing the state's agents[113]. The punishment for contravening against Art.46 was to be three to five years in prison and a fine of between DA250,000 and DA500,000 (approximately between €2,500 and €5,000): a subsequent offence would involve the sentence limits being doubled and prosecutions to be initiated by the Prime Minister's office, not anymore by the Attorney-General[114].

Considering the extreme violence that the Algerian people had to suffer during the civil strife of the 1990s, it is rightful to expect that these people had an elevated desire to seek justice for what had happened in that historical timeframe. It is widely accepted that the Charter for Peace and National Reconciliation was conceived mainly as an explicit amnesty for the military, public officials and security forces, with the Civil Concord Law of 1999 instead being an implicit amnesty only for the military forces[115]. Subsequent the retributive justice means and the ban to speak about the national tragedy that had occurred during the Black Decade made the opposition arise against the government, with the former accusing the latter of an indecent case of self-amnesty and from that moment on this would have prevented the victims to resort to national courts[116]. It is correct to affirm that the Charter included two concessions that Bouteflika had to make in order to appease the military: the first one relied on a provision that granted a ban on all political activities for former Islamists; the second one relied on the fact that the military immunity should not be disturbed, providing them with blanket immunity from prosecution. The process of accountability in Algeria has been constrained especially due to the absence of a strong civil society and furthermore the lack of external pressure on the country. Algerian society neither had the time nor had been allowed by the regime to create a vibrant civil society[117]. Hence, the only civil society that had

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[113] Journal Officiel De La République Algérienne Démocratique et Populaire, *Ordonnance n.06-01 portant mise en oeuvre de la Charte pour la Paix et la Réconciliation Nationale*, February 28 2006
[114] Joffé, G. (2008), *National Reconciliation and General Amnesty in Algeria* in *Mediterranean Politics*, vol.13, n.2, p221
[115] Le Sueur, J.D. (2010), *Between Terror and Democracy. Algeria since 1989*, Nova Scotia, Fernwood Publishing Ltd, p.90
[116] Calchi Novati, G., Roggero, C. (2018), *Storia dell'Algeria Indipendente. Dalla Guerra di Liberazione a Bouteflika,* Milano, Giunti Editore, p.377
[117] Arnould, V. (2007), *Amnesty, peace and reconciliation in Algeria* in *Conflict, Security & Development*, vol.7, n.2, p.234

emerged was the one subsequent the "Cous-cous revolts" of October 1988, but the tumultuous and chaotic Algerian Civil War destroyed it. Furthermore, due to their lack of political influence in the country, the voices of the people remained unheard and thus unable to weigh on the decision-making process of the country.

The Charter for Peace and National Reconciliation had been widely rejected by human rights activists because it enshrines "amnesia" about the past and precludes justice in all its forms. In fact, the mass mobilization around the issue of disappearances at the time when the CNCPPDH commission was created in 2003 has indicated the truthful concerns of the victims and their families, seeking for truth and justice. This would indicate as if the Algerian people were in a sense favorable to amnesty over prosecutions and this can be easily explained: firstly, the violent events that marked the country for decades, with a continuum that went from the Algerian War of Independence up to the Algerian Civil War of the 1990s, have left the population exhausted and thus bred a feeling of political apathy; secondly, the primary concern of Algerians appeared to be with knowledge about what had exactly happened with the disappeared, rather than receiving retributive justice remunerations; thirdly, the conviction among Algerians that the only way to move forward was forgiveness, believing that the lack of justice before the courts will be compensated by justice before God: fourthly, the credibility in Bouteflika's image perceived as the sole political figure that could bring an end to the country's myriad of problems (Arnould 2007, 236).

All actions taken by the police, gendarmerie, military, civilian militias and intelligence forces in the 1990s were made legal under the framework of the 2005 Charter for Peace and National Reconciliation, including the acknowledged crimes of the disappearances. Above all, both the Civil Concord Law of 1999 and the Charter of 2005 were efforts to incentivize mainly rebel demobilization through amnesty and stipends. It is important to analyze the former: since amnesty is only partially justified by the prevailing political and material circumstances, it is also important to look at amnesty itself. If the amnesty is a "responsible"

one, then it could compensate in a way the choice for it was adopted, thus being justified. On the contrary, if it were to be unfair, it would only aggravate the pre-existing problems caused by its lack of legitimacy.

For an amnesty to be assumed as a responsible one, it should fulfill three requirements: it has to conform to international law; it should not entirely preclude accountability and finally, it should be adopted in a manner that it could reflect the will of the people (Arnould 2007, 239). Unfortunately, the Algerian Charter for Peace and National Reconciliation does not comply with the aforementioned requirements. Also, the Charter considers from the principle that there are certain crimes that are too serious to be amnestied such as collective massacres, rape and bomb attacks on public places. However, it is important to mention that the list of excludable offences in the Charter does not exclude the disappearances from the scope of amnesty. Moreover, the most problematic characteristic of it is the fact that the immunity granted to the army is broader than the one granted to the former insurgents.

This is a clear indication that the objective of the government was not the promotion of peace and national reconciliation; instead it sought to promote the impunity of the governmental forces. Furthermore, the responsible nature of an amnesty is usually determined by whether or not it allows for a degree of accountability: in the case of the Charter for Peace and National Reconciliation, not only it is not accompanied by a truth-telling measure, moreover it even criminalizes as a political offence the questioning of the past and of the disappearances. As seen with the South African case, the "gold standard" for truth commissions with the institution of the TRC, it sought amnesty through a public spectacle of the commissions' enquiries; nevertheless it managed to obtain amnesty without imposing amnesia to its people. On the contrary, the Algerian amnesty explicitly pursues amnesia: in fact, the Charter for Peace and National Reconciliation was not accompanied in its creation by the subsequent establishment of a truth-telling process as it was called for by the national

human rights organizations. Furthermore, not only does the Charter not allow for no such thing as investigations of the past, it also endorses the view that the state is not guilty for the disappearances of its citizens; even though there is proof that security forces have committed the vast bulk of disappearances, the Charter only provides that the state is responsible only in the sense that it has failed in its duty to protect the Algerian citizens[118]. Meanwhile, it became a common idea that only forgetting and forgiving could have led to national reconciliation in Algeria; however, the imposed amnesia only served as a means to protect the regime's interests. A surprising quote of Bouteflika underlines precisely the intention of forcing this amnesia to his people:

How are you going to leave this war behind, if you don't forget?[119]

One of the biggest risks of this imposed amnesia was that the Algerian authorities would have imposed a falsified memory of the civil strife and also the absence of investigation into Algeria's past would facilitate a manipulative over-acknowledgment of the civil by these authorities. The explicit aim of the Charter for Peace and National Reconciliation is the promotion of peace and reconciliation. Bouteflika had hoped that with the extension of amnesty within the Civil Concord Law would contribute to peace by inducing other militants to lay down their weapons. The Civil Concord has managed to lower the levels of violence in Algeria; though the amnesty might seem as measure to lower the levels of violence in the country, it was doubtful that the Charter for Peace and National Reconciliation would have been successful in bringing peace in Algeria: Bouteflika had renounced to a long-term period of negotiations in exchange for a short-term solution, the forced amnesties and consequently the forced amnesia for his people. In fact, peace is a solution that can be achieved specifically through negotiations and the concrete resolutions of problems that already existed; on the contrary, peace cannot be obtained through decrees or

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[118] Arnould, V. (2007), *Amnesty, peace and reconciliation in Algeria* in *Conflict, Security & Development*, vol.7, n.2, p.242
[119] Human Rights Watch (2000), *World Report*, p.336

other decisions that do not imply the dimensions of the perpetrator and the victim in negotiating a peaceful decision.

Despite his political and diplomatic successes, Abdelaziz Bouteflika has failed in his proclaimed goal of bringing national reconciliation in Algeria. The families of the disappeared are enraged by the government's aversion to investigate and assign responsibility for these disappearances. Victims of other kinds of crimes are angered by the government's decision to grant amnesty on a large scale without even investigating responsibility[120]. As seen, Bouteflika's peace and reconciliation efforts included no such thing as mechanisms capable of establishing the truth about the violence and those who committed it: for example, South Africa with its TRC shed a light on the dark events of the *Apartheid* years; Chile had managed to bring an end to the past regime and commence a reconciliation process. If Algeria would have instituted an independent structure like those in South Africa and Chile, perhaps it could have provided a true forum in which the victims of the abuses could finally be heard by authoritative figures and the perpetrators would testify in order to obtain amnesty and not prosecution: this would have created the opportunity for the Algerian people to create a history of its past, just like it happened in South Africa, and they would have known the truth to all those cases of disappearances that the government had always omitted.

Furthermore, Reconciliation is impossible to achieve, not until all the people learn about what has truthfully happened in their history so they can come to terms with it. Unfortunately, this has not happened: the Algerian officials had preferred to ignore the experience of other countries, to grant a blank amnesty to all the state's forces involved in the events of the disappearances and to pacify the victims' families by giving them financial compensation in exchange of keeping a silent approach and thus avoiding the pursuit of truth and information, hence a forced amnesia (Tlemçani 2008, 15). But a question arises naturally when looking at the National Reconciliation process in Algeria: can the Algerian case,

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[120] Tlemçani, R. (2008), *Algeria Under Bouteflika. Civil Strife and National Reconciliation* in *Carnegie Middle East Center*, n.7, p.15

although it is widely affirmed that it is not an ideal template and its reconciliation policy is imperfect, actually act as a model for other post-conflict environments around the world?

3.3 Algerian National Reconciliation Process: a model?

After the amnesty was adopted in Algeria in 2005, surely it has presented some positive characteristics: this amnesty was granted on an individual basis after the person has handed in their weapons to appropriate authorities; it was granted after the perpetrators made a full confession of their past activities; finally, it was granted only after the probation committees could establish that the perpetrator in question had not participated in collective massacres, rape and bomb attacks on public places. However, the amnesty seemed inadequate since other international crimes were not excluded from its scope and also because there were doubts on the probation committees on their decisions after the Charter had been approved. Moreover, the most problematic fact is that this amnesty had granted a blanket immunity to the government forces from any kind of prosecution: not only this included the impunity of the military, but it also created a judicial imbalance between the insurgents and the state security forces. Thus this situation has left not only the victims of the war dissatisfied and disillusioned by the entire Reconciliation Process, but it has also created some resentment among the Islamists, whom had felt betrayed by the authorities[121].

Hence, it is natural to wonder if what has happened in Algeria, with the application of the Charter for Peace and National Reconciliation, can be seen as a model. Surely, Algeria is a country that has been characterized from a warring environment: the Algerian population has never lived in a peaceful environment since its War of Independence against the French colonial rule, apart from the Boumediène era where the country had managed to experience a true economic development under the management of a Socialist state. Looking at modern times, it is also possible to see how the Algerian people are afraid of the violence that had

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[121] Arnould, V. (2007), *Amnesty, peace and reconciliation in Algeria* in *Conflict, Security & Development*, vol.7, n.2, p.248

occurred during the civil war: in fact, with the beginning of the Arab Spring in almost every country of the Maghreb region, only Algeria had preferred not to continue in its protests, due to the fact of its horrifying experience of the 1990s that pushes the Algerian people always to find less radical solutions to crises, fearful of a new descent into chaos[122].

Another very important actor, one of its neighboring countries in the continent, has already imitated Algeria as an example: Mali. In June 2018, Mali's National Assembly has approved the text of a new law of "national understanding" with the aim of healing the country's deepening wounds. The law is specifically designed to fulfill the mandate of the Agreement on Peace and Reconciliation in Mali, which was signed in Algiers in 2015 in order to settle the conflict that erupted with the Tuareg rebellion in the country in 2012[123]. When the law was initially proposed, Malian leaders indicated specifically that it would have drawn inspiration from Algeria's Civil Concord Law and the Charter for Peace and National Reconciliation. Mali's peace agreement requires for the government to create a charter for peace, unity and national reconciliation within the country: the finished product strongly resembles to the reconciliation laws passed under President Abdelaziz Bouteflika in Algeria in the timeframe between 1999 and 2005[124].

Furthermore, aside the granting of an amnesty to the Tuareg, a Disarmament, Demobilization and Reintegration strategy (DDR) is planned: with this, the Tuareg have to lay down their weapons and thus they will be reintegrated in Malian society, where they will also have the chance to participate in governmental activities. Furthermore, this is a very complex process but if it will not take place, then the entire reconciliation will burst into ashes. As mentioned above, the DDR plan has been applied also in another case: Colombia, which is dealing with the internal reconciliation with the Revolutionary Armed Forces of

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[122] Gervasio, G. (2011), *Il Maghreb tra riformismo e rivoluzione* in Corrao, F. (Edited by), *Le rivoluzioni arabe. La transizione mediterranea*, Milano, Mondadori Università, p.201

[123] In January 2012, an armed conflict broke out in Mali, in which the Tuaregh rebels took control and declared the creation of the new state of the Azawad and the establishment of a High Council for the Unity of the Azawad (HCUA).

[124] Lebovich, A. (2018), *Mali, Algeria, and the uneasy search for peace* in *European Council on Foreign Relations*

Colombia (*Fuerzas Armadas Revolucionarias de Colombia*, FARC). The DDR is a peace-building strategy, which has been applied in these different post-conflict scenarios: its main objective is to contribute to security and stability in these scenarios so that recovery and development can begin. It aims to deal with the post-conflict security problem that arises when ex-combatants are left without livelihoods or support networks[125]. However, it is very difficult to compare the conflicts in Mali and Colombia with the Civil War that had occurred in Algeria during the 1990s.

Moreover, the focus should remain on national reconciliation processes in these areas. Concentrating on the Algerian case, instead of speaking of an "Algerian model" for peace-building, it is more correct to speak of an "Algerian strategy" that could bring to the end of violence in certain scenarios: Algeria could be analyzed more as a strategy of stabilization rather than a reconciliation. Surely, the Algerian case has had some flaws, it had its shortcuts and the presence of unresolved matters amongst its people is the best demonstration of its weaknesses: however, it is correct to say that with its Reconciliation Process, Algeria has managed to restore peace and security in the country after years of conflict and chaos. Thus, this strategy can be applied also in different scenarios around the world: one of these is surely the Syrian conflict; another one could be Afghanistan.

The Algerian strategy of stabilization can be eventually applied in this situation, although the reconciliation process for Syria has to include also the figure of Bashir al-Asad. Similarly with the Chilean example of National Reconciliation, where General Pinochet was included in this mechanism, Asad has to become an integral part of the Syrian reconciliation process, since any other alternative is worse: as in the case of Algeria, it seems as if it is better to choose the lesser between the two evils. Furthermore, Bashir al-Asad is seen most likely as an element of stabilization within this context, but how can stabilization be pursued in Syria? By following the Algerian example perhaps: the pursuit of truth has to be left apart entirely;

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[125] United Nations (2014), *Operational Guide to the Integrated Disarmament, Demobilization and Reintegration Standards (IDDRS)*

also justice and reconciliation should not be pursued, skipping directly to the implementation of amnesties, in this case a forced amnesty that repeats the Algerian case with the "forced amnesia" to its people. Moreover, just like in Algeria, Asad might choose for a more direct solution instead of entertaining a long-term process of building a history of the conflict and establishment of truth. Furthermore, this solution is probably the only one that can be sought in order to take once more the lead of the country and bring it towards a more or less peaceful situation.

The question that arises naturally is: can it actually work? A safe answer cannot be given, since Syria is different from Algeria with regards to another variable that needs a high level of consideration: the multinational presence. As a matter of fact, Syria has become a transnational and international conflict, with the presence of several actors such as Turkey, Russia, United States, the United Arab Emirates and France: however, this variable was completely absent in the Algerian case, since the latter was characterized by a more limited chain of events, with the presence of Islamist parties and of terrorist Islamic integrist organizations born within the country. Thus, the Algerian strategy of stabilization in Syria can become very difficult to implement, since it has to take into consideration the various components within Syrian society and therefore there is the need to act both in the internal and in the regional/international environment.

Another example for comparison could be Afghanistan: as well as Syria, also Afghanistan has this international component within its society that lacked in Algeria: there is even a NATO mission in the country since 1991. Attempts for negotiation had already begun with the "Talibans" between 2006-2007, with the widespread idea that a dialogue had to be initiated with them in order to reach a solution: however, there is the West that accuses the Talibans of being an obscurantist force. On the contrary, it seems as simpler to initiate a dialogue with the Talibans instead of commencing any kind of negotiations for instance with *Daesh*: the former has already shown signs of a will in finding a peaceful solution to end the

internal armed conflict; the latter, instead, has always shown a unilateral position of territorial conquest.

As analyzed in this work, the Algerian case, even if it seems as an imperfect example of peace building approach that created malcontent and forced amnesia to its people, it has surely helped the country in reaching stability and reconstruction of the society. Through the concession of amnesties, it brought the conflict to an end and also helped the reintegration of several thousands of insurgents into society. However, there is no ideal template or program for demobilization or rehabilitation of jihadists. This work does not have the presumption of proposing the Algerian strategy as the sole and definitive model of solution for transitional justice in post-conflict scenarios. Yet, considering the Algerian experience, it is surely a useful starting point for the development of disengaging initiatives.

Although it may seem as if Algeria has preferred a shortcut by giving amnesties, instead of sponsoring a more long-term approach as South Africa adopted with the Truth and Reconciliation Commission, the Algerian experience teaches that a military response is definitely not sufficient on its own: the phenomenon of Jihadism, that precipitated in Algeria with the Black Decade, is above all social and therefore, if the state in its institutions fails to engage with it on the social level, it may lose the opportunity of restoring a peaceful framework and the chances that it may come back in a more violent manner could remain.

CONCLUSION

The objective of this thesis has been the analysis of Algeria and its process of National Reconciliation that brought to an end one of the most brutal civil conflicts in history, known as the "Black Decade". This work has focused on an historical excursus that showed how Algeria initiated a process of development and growth subsequent the Evian Agreements in 1962. Under Ahmed Ben Bella, the country had witnessed an initial period of prosperity thanks to the new President's will of proposing a Westernized model of economic development: Socialism. This brought to several improvements within the economic sphere of Algeria, with the country engaging in investments with regards to their energetic resources. Subsequently, with the "revolutionary adjustment" brought forward by Houari Boumèdiene, distinguished figure of the "Oujda Clan", Algeria had witnessed a prospering of cultural and religious associations, but most importantly a positive transformation with the recognition of increased social and human rights in favor of its citizens: basic rights of freedom of expression and women's status as citizens with equal rights and responsibilities.

Boumèdiene's death, which occurred on December 27, 1978, had left a vast political void in the country that his successors did not manage to fill: although Boumèdiene was not the perfect politician, however he had been able to bring Algeria to an acceptable level of industrial development and to a full economic development due to the policies focusing on the exploitation of oil and gas, becoming a rentier-state. The vacant position was covered by Chadli Ben Djedid, who had to deal in the 1980s with severe crises: the 1986 oil crisis, which brought the country into a tailspin, since Algeria had become heavily dependent on foreign loans due to its nature as a rentier-state; high levels of unemployment, that brought to rising protests in the country that were fuelled by the fostering of Islamic integrists. These integrists, which had created several associations already under Boumèdiene's administration, were gaining increasing influence due to the fact that the government was not able to meet the

demands of its citizens and thus the latter saw the Islamists as the true response to their rising malcontent, paving the way to a form of "religious" populism: they were benefitting from these protests in order to fuel their message and to justify their acts; some of them were more violent, i.e. Bouyali's MIA, while others were more moderate and sought to implement a dialogue with the ruling government, i.e. the *Al-Qyam al-Islāmīya* and the following *Front Islamique du Salut*. This growing and restless malcontent within the population brought Ben Djedid to appease to the demands advanced by the Islamists in order to recover legitimacy in the eyes of the citizens and alleviate the rising malcontent and dissent.

Nevertheless, the situation became definitively compromised with the outbreak of the "Cous-Cous Revolt" of October 1988: four weeks of widespread rioting took place in several cities of Algeria: after several deaths and thousands of arrests, the Islamists took advantage of this situation by demanding free and fair elections and the repeal of the FLN as the dominant party in the country's politics. Ben Djedid understood that if he wanted to maintain his position, he had to accommodate the demands of these groups and therefore declared that the elections were to take place in 1990 with the administrative elections and in 1991 with the parliamentary elections. Among Arab countries, it was Algeria the one that took the most convincing step forward towards a liberal democracy in the period between 1989 and 1991, when the old-party system was ended, a flowering of civil society occurred and honest competitive elections were held for the first time. The new constitution, ratified with the February 1989 referendum, opened the way to the end of the FLN's political monopoly in Algeria: within a short amount of time, the country was abundant with new political organizations, civic associations and a free press. The most popular among these groups was without no doubt the FIS, an expansive coalition comprising a small number of radical Islamists and a vast number of alienated youths. President Chadli Ben Djedid, probably underestimating the strength of the FIS, seemed to think that he could manage to gain its support among the public in order to weaken ultimately the FLN: although it seems a contradiction, Ben Djedid surely was a product of the political system dominated by the FLN

during the 20 years of Algeria's independence, but he had become aware that his own political survival required for him to take distance from a party which was widely blamed for the failures of the past decade[126]. The upcoming events proved that Ben Djedid and his visionary political scheme were wrong.

Later on, the second chapter focuses on the experience of the Algerian Civil War and the consequences it brought to the country's civil society. Subsequent the new Constitution of 1989, several other Islamist parties were created and became part of the complex political system. Surely the party that catches the eye is the FIS, which will play an important role during the entire period of the 1990s. With a democratic victory achieved by the FIS both in the administrative and parliamentary elections of 1990 and 1991 respectively, they were to take the reins of the government and oust the FLN: unfortunately, this did not occur, since the military organized a coup under the guidance of General Khaled Nezzar and formed a High State Council known. Initially presided by Mohammed Boudiaf, after his brutal assassination that occurred on June 29, 1992 the position was covered by Liamine Zeroual. The chapter also entails an important reference to the international perception of the situation in Algeria during the 1990s: most importantly, there is a reference with regards to the "Rome Platform" of January 1995. This solution, elaborated by the moderate Islamist parties of Algeria including the FIS, with the mediation of the Community of Saint Egidio in Rome, foresaw a peaceful solution that called on the military to accept this proposal and recognize that in the country there was a new pole with which they had to negotiate. But the Algerian government never formally recognized the Rome Platform, since it accused the interference of external actors (Saint Egidio) in an internal dispute (the "Black Decade"): hence, in Algeria there was a growing dispute between two currents, the *éradicateurs* who sought for an implementation of a "*le tout sécuritaire*" repressive policy, and the *réconciliateurs* who instead sought for a more peaceful and diplomatic solution with the terrorist groups in the country. The first step towards a peaceful solution was taken by President Liamine Zeroual with the adoption of the

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[126] Quandt, W.B. (2002), *Algeria's Uneasy Peace* in *Journal of Democracy*, vol.13, n.4, pp.15-16

"*Er-rahma*" Law, or better the Clemency Law, which entailed a general amnesty to all those who belonged to terrorist groups.

The third and final chapter is more theoretical than the other two. In fact, the first paragraph focuses on providing a definition of Reconciliation Process. It entails also an analysis of concepts such as "conflict transformation" and "conflict resolution". It is possible to see how these two concepts differ between each other: while "conflict resolution" seeks to end undesired conflicts in a short timeframe with a focus on the content of the conflict, "conflict transformation" instead focuses on a more long-term approach, not just on the content of the conflict itself but on the entire context and on the relationship between the actors involved. The chapter also includes a juridical definition of truth commissions that usually are created as a means to find a solution in order to facilitate these processes of "conflict transformation" and also concrete examples are presented in order to understand their functionalities and also their malfunctions.

A very interesting concept is presented and that is the concept of "political reconciliation", conceived as a concept of justice: more specifically, a concept of restorative justice. This concept is strictly correlated with reconciliation and it is the best explanation to understand how reconciliation and justice are linked to one another. However, the third chapter also explains how this concept did not apply completely in the Algerian case: after a detailed explanation of the entire peace-building process, implemented by President Abdelaziz Bouteflika with the Civil Concord Law of 1999 and the Charter for Peace and National Reconciliation of 2005, through all its facets it is possible to affirm that the Algerian Reconciliation pushed forward for a "forced amnesia" instead of a long-term process. In fact, Algerians were also forced never to mention of the disappearances that occurred during the "Black Decade". The final paragraph of the third chapter tries to advance a solution to other post-conflict scenarios around the world by considering the Algerian model. Although it may seem as if the National Reconciliation Process undertaken in Algeria was imperfect, most

importantly they had managed to bring a definitive end to a period characterized by the utmost chaos and brutality towards innocent people. As already affirmed in the introduction to the thesis, this work will not have the presumption of proposing the unique solution to all those conflicts that are ongoing in various places of the world; however, this work is an attempt to give a contribution and to present one of the possible solutions that can be implemented in the aforementioned scenarios that are torn by conflict and chaos; it seeks to encourage a dialogue based on a constructive approach with the objective of identifying solutions that could find concrete application in the upcoming future.

As explained in the third chapter, the Algerian model has already been implemented by another country in Africa such as Mali, which has sought to put an end to the armed conflict in their country and therefore pursue a more immediate, peaceful and thus diplomatic solution to their issue. The Algerian experience may probably teach that a military response is not always the best solution to adopt, especially when innocent people are witnessing true catastrophes and women and children are dying for something that does not belong to them. The only ones that can possibly bring to a concrete solution are the state institutions, which need to engage seriously in such matters: however, if they fail to engage in certain contexts, then they may lose the only opportunity of restoring a peaceful framework in their countries and paving the way for a new era of peace and dialogue.

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SUMMARY

The analysis of Algeria and its process of National Reconciliation begins initially with the *"Er-rahma"* law elaborated by Liamine Zeroual, then continued by Abdelaziz Bouteflika after his election in 1999 with respectively the Civil Concord Law and the Charter for Peace and National Reconciliation in 2005: this entire process brought a conclusion to the most atrocious and brutal historical period that the country had witnessed in its contemporary history since the Algerian War of Independence against the French colonial rule, known as the "Black Decade". The Algerian case is surely one of the most contradictory reconciliation processes in history: following South Africa and the creation of its "Truth and Reconciliation Commission" (TRC), Algeria had sought to follow the same chain of events in order to bring peace and stability into the country. However, several accusations were moved against the Algerian government for not having implemented a realistic reconciliation process: in fact, it is correct to speak about a sort of "forced amnesia" that was pursued by the government and the Algerian population had to deal with a political class that did not appease their demands, especially with regards to the entire situation of the disappearances that had occurred during the period of the *"Décennie Noire"*. It is interesting to analyze if the Algerian approach could be considered as a potential model that can be adopted in post-conflict scenarios when dealing with transitional justice subsequent a period of chaos and despair towards a more stabilized and positive environment, where solutions could be pursued in order to implement long-lasting peace.

The civil war of the 1990s had occurred mainly due to a series of social and economic issues, which were exploited by the Islamist organizations that had fostered in Algeria already during the 1970s and the 1980s, especially after former president Houari Boumèdiene had expressed his support towards these organizations in Algerian civil society. However, also radical organizations were created and these managed to justify their violent acts as a

manifestation of the growing malcontent among social classes and especially among the youth, the so-called "*hittistes*". The crucial point in this historical period was the election of 1991, which annulled the democratic turnover: the FIS did not manage to claim their seats in parliament, since the army put a military coup in place and removed President Chadli Ben Djedid, Boumèdiene's successor, from office. This situation brought to an outburst of violence in the country carried out by the proliferation of Islamic integrist armed groups and paving the way to one of the most bloody civilian conflicts of this era. Algeria is surely the country that has suffered the most the French colonial rule and the subsequent decolonization characterized by the Algerian War of Independence. Even after the Evian Agreements of 1962, the situation was not peaceful as many would have desired: several disputes between members of the revolution arose for the creation of a new government; finally, the People's Democratic Republic of Algeria was created on September 25, 1962 with Ferhat 'Abbas as President of the National Assembly and Ahmed Ben Bella as Prime Minister.

The figure of Ben Bella was very important in the first years of democratic Algeria, since he had managed to create that triumvirate that will exercise its influence throughout the entire history of the country: the army, the party and the government. As a matter of fact, Ben Bella saw the party as the political tool that could have become useful to mobilize popular support within the country for his government policies and also reinforce his personal leadership. Through a nationwide referendum in 1963, a new constitution was approved, the first truly democratically voted: Ben Bella became president with combined functions of chief of state and head of government. Later on, under Houari Boumèdiene, the country had initiated a process of rupture with Ben Bella's past regime, by dissolving the national assembly and suspending the freshly elected constitution. Until a new constitution was adopted, the political power resided in a new governmental figure: the Council of the Revolution. Boumediène was a fervent nationalist deeply influenced by Islamic values: it was under his rule that the first Islamic associations were created and that begun influencing Algerian public opinion such as *Al Qyam al* Islamiyya. However, The awareness that Islam is

the basis of the Algerian nation and personality found its main origin in the Association of Algerian Muslim *'Ulema*[127] (AUMA) of *cheikh* Abdelhamid Ben Badis (1889–1940), founded in 1931[128]. However, the figure of Abdelhamid Ben Badis was surely very important in Algeria's opposition towards French colonial rule: formed in the Mosque of al-Zaytūna in Tunis, Ben Badis created several Muslim schools and also journals such as "al-Muntaqid" in order to contribute to a cultural growth and also to the development of a political debate within the Muslim audience; furthermore, he created assistance centers for the poor in order to overcome the French segregationist regime at the time of their colonial presence, which was severely punishing the Algerian population[129]. As a matter of fact, in modern Islamic society, both the lebanese Rashid Rida (1865–1935) and the Algerian Abdelhamid Ben Badis are renowned of having emphasized the role of education, propaganda and culture in Islamic society[130]. Nevertheless, Boumèdiene managed to promote economic and social development in the country thanks to the adoption of Socialist-type of state: welfare policies were created and the economy of Algeria was uniquely based on the commercialization of its energetic resources, such as gas and oil, thus becoming a rentier state. Moreover, Houari Boumèdiene was very well liked by his fellow citizens and by all components of the state apparatus: sadly, a very rare form of leukaemia on December 1978. Boumediène's death created a vast political void in the country which his successors did not manage to fill, since they lacked his capacities and his political awareness: although he was not the perfect politician, Boumediène brought the country to an acceptable level of industrial development and to a full economic independence.

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[127] The Arabic term *'Ulamā* means "scholars of all disciplines". Specifically, in Sunni Islam, the *'Ulamā* are regarded as the guardians, transmitters and interpreters of religious knowledge, of the Islamic doctrine and Islamic law. It is important to indicate briefly the difference between Sunni Islam and Shia Islam: the former is the largest denomination of the religion and affirms that the Prophet Muhammad did not appoint a successor and consider Abu Bakr to be the first rightful Caliph after him; the latter affirm that the Prophet did indicate his successor in Ali ibn Abi Talib.

[128] Labat, S. (1995), *Les islamistes algériens. Entre les urnes et le maquis*, Paris, Seuil, p.59

[129] Corrao, F. (2018), *Riforma e cultura nell'Islam contemporaneo* in Corrao, F. and Violante, L. (Edited by), *L'Islam non è terrorismo*, Bologna, Il Mulino Editore, p.25

[130] Campanini, M. (2018), *Pensare nell'Islam: filosofia e prassi*, in Corrao, F. and Violante, L. (Edited by), *L'Islam non è terrorismo*, Bologna, Il Mulino Editore, p.162

As mentioned above, already under the Boumèdiene administration there had been a prospering of Islamist associations, the majority of which were being created as a response to the rising malcontent within the country due to the increase in unemployment and to economic immobility, since Algeria had invested only in a rentier-led economy instead of investing in those widely acclaimed agricultural policies: it was believed that with concrete investments in this sector, Algeria would have managed to resolve both of the aforementioned issues. After Boumèdiene's death, Chadli Ben Djedid was indicated as his successor, having already collaborated with the former Algerian president in the plot that disposed Ben Bella. Regarded as a moderate, he had faced certain issues such as the so-called "Berber Spring", where Ben Djedid had upgraded Berber studies in university programs and granted access to Berber language programs; furthermore, he had liberalized the Algerian economy, since the dismantling of Algeria's Socialist system introduced by Boumèdiene seemed to Ben Djedid the only way to improve Algerian economy. The country's economic crisis had deepened in the mid-80s, resulting in increased unemployment and in the lack of availability of consumer goods. The 1986 oil crisis brought Algeria into a tailspin: the country was particularly hit because, prior to the 1986 oil crisis, the festering socio-economic problems had been concealed by fast-pace rises in oil and gas profits and by an increasing reliance on foreign loans[131]. This crisis highlighted Algeria's weaknesses, a country that depended on its exportations of energetic products. A profound restructuration was demanded, especially for its economic policies: for this reason, Algeria had to abandon the Socialist concept of the Constitution, adopting an *infitah*, which meant an opening towards the market economy[132]. Meanwhile, the Islamists that were already present in the country were gaining increasing influence due to the fact that the government was not able to meet the demands of its citizens and thus the latter saw the Islamists as the true response to their rising malcontent, paving the

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[131] Le Sueur, J.D. (2010), *Between Terror and Democracy. Algeria since 1989*, Nova Scotia, Fernwood Publishing Ltd, p.27

[132] Tlemçani, R. (1990), *Chadli's Perestroika* in *Middle East Report*, n.163, pp.14-18

way to a form of "religious" populism: they were benefitting from these protests in order to fuel their message and to justify their acts.

With the escalation of the economic crisis in Algeria, accompanied by the rise in popular protests organized by the Islamists, the Algerian government decided to appease their demands, showing both harshness and respect to these new opponents: one of these demonstrations of appeasement has been the Algerian Family Code. The stringent measures proposed by Ben Djedid brought to an outbreak of the riots in the country with the 1988 October revolts, also known as the "Cous-cous revolts" or the "Black October". The turning point has been the subsequent Constitution of 1989: approved in February of the same year, the constitution dropped the word "Socialist" that it had included in 1976; it became a major point of conflict in terms of guarantees with regards to freedom of expression, association and meeting. With this formal opening by the government, especially Islamist organizations began reorganizing in political parties that exploited the rising popular malcontent to make their way into national politics: the *Front Islamique du Salut* has represented this passage in the country to a multiparty system and to more liberalization with regards to Islamic associations. But the FIS was not the sole Islamist party that would have participated in the upcoming elections of 1990-1991. There were also other parties that composed the opposition against the ruling power[133]. These parties and associations were:

- *Al-Rabita* (The League): created in 1989 by Ahmed Sahnoun as an apolitical association for the defence of Islam. Its founding members included also Ali Benhadj and Abassi Madani;

- *Harakat An-Nahda Al-Islamiyya* (Islamic Renaissance Movement, known simply as "Ennahda"): the party was established in 1990 when the Constantine-based association *Jamiyat al-Nahda* was transformed into a political party. This movement had been initially established by Saad Abdallah Djaballah, who decided to form

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[133] Manduchi, P. (1997), *Gli Anni di Sangue (1988-1997)* in Ben Amara, R.; Marilotti, G. (Edited by), *Eclissi di Mezzaluna. Il Dramma Algerino*, Cagliari, CUEC Editrice, pp.118-120

Ennahda as a response to the FIS's claim to hold a monopoly on Islamist politics. The objective of Ennahda was the foundation of an Islamic republic in Algeria but, just like HAMAS promoted, it wanted to achieve this goal through legal terms, within a pluralist democracy and without recurring to any violent means[134];

- *Al-Islah wal-irshad* (Reform and Guidance): created in 1989 by Mahfoudh Nahnah, this movement was mainly used to created afterwards the HAMAS party;

- *Al-umma* (The Community): founded in 1990 by Benyoucef Ben Khedda, former leader of the GPRA, this moderate religious party claimed for the application of Islam in the political life. It dissolved in 1997;

- *Ettahadi* or *Parti Algérien pour la Démocratie et le Socialisme* (Algerian Party for Democracy and Socialism, PADS): founded in 1993 by Cherif El Hachémi, it split from the PAGS (*Parti de l'Avantgarde Socialiste*) since it wanted to retain the communist legacy of this party;

- *Front des Forces Socialistes* (Front of Socialist Forces, FFS): founded in 1963, this party became one of the major non-Islamic parties in the opposition in 1990. Its leader was Hocine Aït Ahmed;

- *Mouvement pour la Démocratie en Algérie* (Movement for Democracy in Algeria, MDA): founded in 1982 by Ahmed Ben Bella, which was in exile. The party obtained legal recognition when Ben Bella decided to return to Algeria in 1990. Truly inspired by the defense of the "Arab-Islamic" heritage, this party had strong Islamic positions, although they never made use of violence;

- *Rassemblement pour la Culture et la Démocratie* (Rally for Culture and Democracy, RCD): founded in February 1989, this party is conceived as the heir of the Berber Cultural Movement. It is a secular party and has a social-democratic inspiration: it fights mainly for the rights of the Berber people, mainly for the recognition of the

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[134] Khelladi, A. (1992), *Les islamistes algériens face au pouvoir*, Algiers, Alpha, p.141

Tamazight as national language alongside Arabic. Its Secretary General was Said Saadi.

- *Parti du Rénouveau Algérien* (Party of Algerian Renewal, PRA): founded in 1989, it is a minor liberal political party. The founder of the party was Noureddine Boukrouh.

With a democratic victory achieved by the FIS both in the administrative and parliamentary elections of 1990 and 1991 respectively, they were to take the reins of the government and oust the FLN: unfortunately, this did not occur, since the military organized a coup under the guidance of General Khaled Nezzar and formed a High State Council known. Initially presided by Mohammed Boudiaf, after his brutal assassination that occurred on June 29, 1992 the position was covered by Liamine Zeroual. Surely, nobody had expected what the FIS was capable of in the upcoming years, especially after the military coup that brought to the formation of several terrorist groups such as AIS and GIA. It is also useful to consider the international perception and action with regards to the situation in Algeria during the 1990s: most importantly, the accomplishment of an agreement between the political parties in Algeria, that brought to the "Rome Platform" of January 1995. This solution, elaborated by the moderate Islamist parties of Algeria including the FIS and the FLN, with the mediation of the Community of Saint Egidio in Rome, foresaw a peaceful solution that called on the military to accept this proposal and recognize that in the country there was a new pole with which they had to negotiate. But the Algerian government never formally recognized the Rome Platform, since it accused the interference of external actors (Saint Egidio) in an internal dispute (the "Black Decade"): hence, in Algeria there was a growing dispute between two currents, the *éradicateurs* who sought for an implementation of a "*le tout sécuritaire*" repressive policy, and the *réconciliateurs* who instead sought for a more peaceful and diplomatic solution with the terrorist groups in the country. The first step towards a peaceful solution was taken by President Liamine Zeroual with the adoption of the "*Er-rahma*" Law, or better the Clemency Law, which entailed a general amnesty to all those who belonged to terrorist groups that protested against the state institutions for not guaranteeing a democratic

turnout from the elections: therefore, these organizations believed that only another solution remained for them to be heard and attract attention and that solution was widespread violence. Within the framework of the Islamist armed forces, it is useful to outline a general list of the key-armed groups that were leading the rebellion against the state forces[135]:

- *Mouvement Islamique Armée* (Armed Islamic Movement, MIA) reconstituted in 1991 by Abdelkader Chebouti after its initial foundation in the 1980s by Mustafa Bouyali. The MIA was an elitist organization and unlike the other Islamist armed organizations it was prone to an effective control of areas of the country. It disbanded definitively in 1992.

- *Mouvement pour l'État Islamique* (Movement for the Islamic State, MEI), founded in 1992 by Abdelkader Chebouti and Said Mekhloufi, former editor of the FIS's propagandistic newspaper "Al Munqidh". The organization's structure was different from the MIA's, since it tried to involve the people in the *jihād* against the corrupt power of the government. Mekhloufi called for the people to embrace the armed struggle against the state, but sadly for him he remained unheard. For this reason, he focused his terroristic attacks against the population, leading to the definitive disintegration of the MEI in 1994.

- *Groupes Islamiques Armées* (Islamic Armed Groups, GIA) founded in 1992 by Mansour Meliani, former Bouyali's right-hand man. The GIA was a constellation of armed groups intentionally separated from one another for security reasons and it lacked of a logistical unity and leadership. This organization was surely the most brutal and the most terrifying of the Algerian Civil War, since it fought with the belief that the only victorious solution in Algeria was the *jihād*. The FIS had demonstrated its complete incapacity to create an Islamic state in the country, thus only violence and

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[135] Layachi, A. (2004), *Political Liberalisation and the Islamist Movement in Algeria* in *The Journal of North African Studies*, vol.9, n.2, pp.55-56

open war would have brought to the correct application of the *Shari'a*[136]. Similarly to Mekhloufi's idea, also the GIA considered that the people could not remain indifferent to the development of the events in Algeria, hence they had to make a choice: remain faithful to an apostate government or adhere to the *jihād*. Those who were to support the government or worse remain indifferent, thus becoming enemies of Islam, had to be struck down with no mercy[137].

- *Front Islamique du Djihad Armée* (Islamic Front for Armed Jihad, FIDA) founded in 1993 by the *Ja'zarist* Mohammed Saïd. This organization was specialized in the assassination of intellectuals and political leaders.

- *Armée Islamique du Salut* (Islamic Army of Salvation, AIS) founded in July 1994, the main idea of the leaders of the dissolved FIS was to avoid any merging with other terrorist organizations and try to negotiate with the Algerian government. The AIS had collected thousands of former militants of the FIS and also several defectors from the Algerian army, opposing itself to the GIA. The Islamic Army of Salvation contested the method of struggle that GIA embraced, since it conceived the *jihād* as one of the means to reach the initial project of the creation of an Islamic state, hence the main objective was to force the Algerian government to negotiate an agreement. The organization differed completely in its acts from the GIA: it renounced to kill children, women, elders and innocent people; the sole targets of the AIS were the military, the politicians and the government officials.

After the formation of these terrorist groups, Algeria had experienced a shocking historical period known as the Black Decade (or "*La Decennie Noire*"): the entire period of the 1990s was characterized by the widespread violence perpetrated by the terrorists and also by the state's security forces, after arming local security groups for the defense of rural villages. Initially, the attacks of these terrorist organizations were aimed at government places

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[136] Boukraa, L. (2002), *La terreur sacrée*, Geneva, Favre, p.245
[137] Guolo, R. (2002), *Il fondamentalismo islamico*, Roma-Bari, Laterza Editore, pp.132-134

and institutions, since they were seen as the illegitimate rulers of the country: defined as apostate, they were seen as the principal cause that brought the country to this chaotic turmoil. While the attacks continued on the streets, with thousands of deaths and injured people, the government already began seeking solutions to bring this useless conflict to an end: the President at that time, Liamine Zeroual, had already managed to design a "Clemency" law in order to pardon these terrorists. Subsequently, this pursuit towards a peaceful solution of the Algerian Civil War reached a turning point. The elections of 1999 saw the victory of a well renown political figure in Algeria's politics: Abdelaziz Bouteflika was elected as the new President of the Algerian Republic. As stated earlier, Bouteflika after his victory had commenced his own personal Reconciliation Process, respectively with the Civil Concord Law and the Charter for Peace and National Reconciliation. The Civil Concord Law granted for conditional amnesty to those Islamic integrists who decided to renounce to violence and lay down their weapons. An executive order of July 1999 set up probation committees in each province that had the aim of determining whether individuals who had surrendered were eligible for amnesty and to define the terms of their probation. These committees functioned without transparency or public accountability, raising suspicions that they let the applicants through without being judged[138]. In theory, the law established a six-month period during which the insurgents who had not committed any murder, had not committed rape or had not set off bombs in public places could apply for amnesty. Those who had engaged in such actions were excluded, but would receive a reduced sentence: however, many applicants denied having participated in the proscribed acts and were pardoned based on the rejection, therefore no investigations were conducted further to verify their actual claims. It seemed almost as if the Civil Concord Law was a mere technical instrument created in order to restore the state's sovereignty, which had removed the civil dimension of the conflict.

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[138] Tlemçani, R. (2008), *Algeria Under Bouteflika. Civil Strife and National Reconciliation* in *Carnegie Middle East Center*, n.7, p.7

The Civil Concord brought up several protests among the families of the disappeared and also among civil rights groups. This blanket pardon granted to the insurgents of the Algerian Civil War was seen as unjust, because it allowed some people that were actually guilty of serious crimes to go free. None of the decisions that were taken by President Bouteflika had addressed the issue of the disappeared in a manner that could have satisfied the Algerians' demand for justice. The President's anxieties were beginning to arise for the fact that he wanted to bury this subject with as little discussion as possible. On September 29, 2005 with Ordinance No.06-01, the "Charter for Peace and National Reconciliation" was approved. The Charter exempted from prosecution for crimes committed during the great civil strife all individuals, from Islamist insurgents, to civilian auxiliary forces and the security forces. Mainly, the Charter offered amnesty to the members of the Islamic integrist armed groups that had surrendered by their own will to the authorities, except for those who were found guilty of collective massacres[139]. The document enshrines both the state's and the citizens' obligations: with Decree No.06-93 the state has the obligation to compensate financially the victims of the "national tragedy" and their families, aside the reduction of sentences and the concession of pardon for the crimes committed during the civil conflict; the citizens had to collaborate with the government in the promotion and maintenance of security and preventing any destabilizing cause for the entire social order. In brief, the civilians had to bear with the state in any decision regarding National Reconciliation and the maintenance of security (Emiliani 2012).

It is correct to affirm that the Charter included two concessions that Bouteflika had to make in order to appease the military: the first one relied on a provision that granted a ban on all political activities for former Islamists; the second one relied on the fact that the military immunity should not be disturbed, providing them with blanket immunity from prosecution. The process of accountability in Algeria has been constrained especially due to the absence of a strong civil society and furthermore the lack of external pressure on the country.

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[139] Emiliani, M. (2012), *Medio Oriente. Una storia dal 1991 ad oggi*, Vol.II, Roma-Bari, Laterza Editori, p.190

Furthermore, due to their lack of political influence in the country, the voices of the people remained unheard and thus unable to weigh on the decision-making process of the country. Above all, both the Civil Concord Law of 1999 and the Charter of 2005 were efforts to incentivize mainly rebel demobilization through amnesty and stipends. It is important to analyze the former: since amnesty is only partially justified by the prevailing political and material circumstances, it is also important to look at amnesty itself. If the amnesty is a "responsible" one, then it could compensate in a way the choice for it was adopted, thus being justified. On the contrary, if it were to be unfair, it would only aggravate the pre-existing problems caused by its lack of legitimacy. For an amnesty to be assumed as a responsible one, it should fulfill three requirements: it has to conform to international law; it should not entirely preclude accountability and finally, it should be adopted in a manner that it could reflect the will of the people[140]. Unfortunately, the Algerian Charter for Peace and National Reconciliation does not comply with the aforementioned requirements. Also, the Charter considers from the principle that there are certain crimes that are too serious to be amnestied such as collective massacres, rape and bomb attacks on public places. However, it is important to mention that the list of excludable offences in the Charter does not exclude the disappearances from the scope of amnesty. The most problematic characteristic of it is the fact that the immunity granted to the army is broader than the one granted to the former insurgents. This is a clear indication that the objective of the government was not the promotion of peace and national reconciliation; instead it sought to promote the impunity of the governmental forces. The responsible nature of an amnesty is usually determined by whether or not it allows for a degree of accountability: in the case of the Charter for Peace and National Reconciliation, not only it is not accompanied by a truth-telling measure, moreover it even criminalizes as a political offence the questioning of the past and of the disappearances. Furthermore, not only does the Charter not allow for no such thing as investigations of the past, it also endorses the view that the state is not guilty for the

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[140] Arnould, V. (2007), *Amnesty, peace and reconciliation in Algeria* in *Conflict, Security & Development*, vol.7, n.2, p.239

disappearances of its citizens; even though there is proof that security forces have committed the vast bulk of disappearances, the Charter only provides that the state is responsible only in the sense that it has failed in its duty to protect the Algerian citizens (Arnould 2007, 242). It became a common idea that only forgetting and forgiving could have led to national reconciliation in Algeria; however, the imposed amnesia only served as a means to protect the regime's interests. Reconciliation is impossible to achieve, not until all the people learn about what has truthfully happened in their history so they can come to terms with it. Unfortunately, this has not happened: the Algerian officials had preferred to ignore the experience of other countries, to grant a blank amnesty to all the state's forces involved in the events of the disappearances and to pacify the victims' families by giving them financial compensation in exchange of keeping a silent approach and thus avoiding the pursuit of truth and information, hence a forced amnesia[141].

It is useful also to understand the reconciliation process by conducting a theoretical analysis on what this term means. The aim is to present a comprehensive definition of what a reconciliation process entails in its definition and moreover the understanding of the definition of truth that lies behind the creation of the so-called truth commissions. In order to analyze these commissions, concrete examples have been exposed such as the Chilean and the South African cases of truth commissions. These two examples both have highlighted the presence of an issue that seems to repeat itself in the formation of these commissions, which have fostered specifically during the 1990s: the issue of forgiveness in contemporary conflicts. Furthermore, the common recurrence that attracts the attention seems to be the "forced amnesia" that the Algerian government seemed to push for instead of a long-term process of reconciliation with its citizens. Also, there is a very interesting analysis of concepts such as "conflict transformation" and "conflict resolution". It is possible to see how these two concepts differ between each other: while "conflict resolution" seeks to end undesired

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[141] Tlemçani, R. (2008), *Algeria Under Bouteflika. Civil Strife and National Reconciliation* in *Carnegie Middle East Center*, n.7, p.15

conflicts in a short timeframe with a focus on the content of the conflict, "conflict transformation" instead focuses on a more long-term approach, not just on the content of the conflict itself but on the entire context and on the relationship between the actors involved. Another very interesting concept presented is the concept of "political reconciliation" as a concept of justice: more specifically, a concept of restorative justice. This concept is strictly correlated with reconciliation and it is the best explanation to understand how reconciliation and justice are linked to one another.

After presenting an historical framework of Algeria's post-independence period and the rise of Islamist organizations and political parties, the final paragraph of this work attempts to advance a solution to other post-conflict scenarios around the world by considering the Algerian model. Even if it may seem as if the National Reconciliation Process undertaken in Algeria was imperfect, most importantly the government had managed to bring a definitive end to a period that was characterized by chaos and brutality towards innocent people. It is not a presumptuous solution that is presented, however it attempts to give a contribution and propose one of many different solutions that could be implemented in different scenarios such as Afghanistan, Syria, and Libya, countries that are torn by conflict and chaos. It is a solution that seeks to encourage a dialogue based on a constructive approach with the objective of identifying possible solutions that may find concrete application in the upcoming future. The Algerian model has already been applied and implemented by another country in Africa such as Mali: this country has sought to put an end to the armed internal conflict and therefore pursue a more peaceful and thus diplomatic solution to their issue. As stated before, even if it seems as if the Algerian case is an imperfect solution, however it may teach that a military response is not always the best solution to apply in certain cases, especially when there are lives of innocent people at stake, dying for a conflict that does not truly belong to them. Possibly, the only actors that can bring to a concrete solution are the state institutions of these countries, which need to engage actively in such matters: if they fail to engage in these contexts, then they may lose the only opportunity they had of restoring a

peaceful framework in their countries and paving the way for a new era of peace and dialogue among all people.