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THE ALGERIAN CHARTER FOR PEACE AND NATIONAL RECONCILIATION

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On September 29, Algeria held a referendum on the "Charter for Peace and National Reconciliation" proposed by President Abd al-Aziz Bouteflika. According to official results, the Charter was approved by 97% of the voters, amounting to 82% of the eligible electorate. Although there was no independent verification of this high turnout and the results were contested by opposition politicians, it is nevertheless fairly clear that the majority of the population, exhausted by decade-long civil strife, has endorsed the Charter.

The Charter, which follows on the 1999 law on "civil concord" and subsequent amnesty measures, proposes the following steps:

1. Amnesty for terrorists who have handed in their weapons, except those guilty of mass murder, bombing attacks on public installations, and rape. This includes those condemned in absentia. On the other hand, the outlawed Islamist party FIS will not be reinstated:
2. Implicit exoneration of the security services for the "disappearance" of more than 6000 Algerians (based on the argument that the "national tragedy"

should not be exploited to harm any institutions of the state);

3. Financial and other compensation to the families of the dead and disappeared, but no additional information on their fate.

The lengthy but vague Charter leaves to the President's discretion detailed implementation of matters such as indemnities to victims of terrorism and their families, compensation for material damages, the future of rural militias raised by the military and of the families of terrorists, the possible reintegration of those dismissed from work on political grounds, and the extent to which insurgent leaders who escaped abroad will be pardoned. These matters may be regulated by parliamentary legislation or by presidential decree. At the same time, the Government has announced that the struggle against "recalcitrant" terrorists will continue.

The Charter has been criticized by human rights groups who argue that it does not recognize the responsibility of the security services and government-employed militias for excesses and that it will not really end violence. Furthermore, the families of victims and their organizations continue to demand information on the fate of

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the missing and to insist that “justice” must precede “real” reconciliation, and they still fear the return of terrorists to their communities. Finally, the largest radical Islamist group still active – the “Salafist Group for Preaching and Combat” (GSPC), which is estimated to consist of a few hundred members and is allied with al-Qa’ida – has totally rejected the Charter and calls for continuation of the jihad against the regime.

Bouteflika was re-elected President just 17 months ago. His regime appears robust and Algeria is enjoying larger oil and gas revenues than ever before. It is therefore not clear why he felt the need to initiate this Charter now. His declared aim was to “turn a page” on the civil war, which has caused 100-150,000 fatalities and material damages of perhaps \$20 billion, and to promote economic development. That depends on internal peace and stability, for which the implied price is justice and accountability.

More significant, however, is Bouteflika’s undeclared but fairly transparent objective: constitutional change which would strengthen the presidential regime and enable him to serve a third (possibly seven-year) term with even greater freedom of action. Bouteflika, after all, is a person of autocratic disposition, a survivor of the “revolution” (the Algerian war of independence) who achieved world-wide recognition at a very young age and later on – seeking historical vindication -- proudly achieved his comeback from years in the political wilderness to become the first second-term civilian president of his country. This temperament is probably reflected in his marathon campaign across the country (closely resembling his election campaigns), ostensibly to advocate personally for the Charter while simultaneously stifling any criticism.

Thus, the adoption of the Charter is a further stage in the consolidation of his authority and the

enhancement of his legitimacy behind a democratic façade. To those ends, he has been adapting to the constraints of the Algerian political system -- by vacillating between economic reform and management of the rentier state (of which he is a part) based on the military and the profitable hydrocarbon sector, and between repression of insurgent Islamists and accommodation of the profound and powerful Muslim character of the country. These contradictions can be read in the vague language of the Charter and in the open-endedness of its application. Having gained ascendancy over the military, who were his original sponsors, he mollified their resistance to any deal with the Islamists by granting them impunity for their conduct of the war and by barring a political rehabilitation of insurgent leaders. On the other hand, he seeks to gain support of some of the Islamist opposition by hinting at the possible return of their exiled politicians.

To truly succeed in his program of “national reconciliation” and socio-economic reforms, Bouteflika must not only overcome violence but also harmonize the aspirations of the wider society and improve its dismal economic situation. This society includes alienated Kabyles (who were again refused recognition of their language – Tamazight – during the campaign and reacted by largely ignoring the referendum), Islamists and their angry victims, the military and the merchants, and the vast numbers of disillusioned, unemployed youth. However, Algeria has not yet addressed the root causes of the violent Islamist interlude of the 1990s and unless it does, it is doubtful whether the “Charter for Peace and National Reconciliation” will generate real change.

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