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## ALGERIAN CIVIL SOCIETY AFTER THE HIRAK:

INDEPENDENT OR FURTHER UNDER  
CONTAINMENT AND POLITICAL CLIENTELISM?

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## About the Author

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Cover photo: Students and citizens who support them gather to stage a demonstration after the call from Hirak movement, to protest against the parliamentary elections scheduled for 12 June, in Algiers, Algeria on 16 March 2021. © Mousaab Rouibi - Anadolu Agency

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# Table of Contents

<b>1</b>	<b>Introduction</b>
<b>1</b>	<b>Research questions</b>
<b>2</b>	<b>Theoretical framework and hypotheses</b>
<b>4</b>	<b>Methodological framework</b>
<b>5</b>	<b>Emergence and development of the associative movement in Algeria</b>
<b>7</b>	<b>The associative movement after 1989</b>
<b>9</b>	<b>The 22 February 2019 Hirak</b>
<b>10</b>	<b>November 2020 Constitution and the legalization of civil society</b>
<b>10</b>	<b>Associative movement in Algeria after the Hirak: A field study</b>
<b>16</b>	<b>General outcomes: Algerian associative movement and mechanisms of subjugation</b>
<b>20</b>	<b>Conclusion</b>
<b>24</b>	<b>References</b>

# 1 Algerian Civil Society after the Hirak: *Independent or Further under Containment and Political Clientelism?*

## Introduction

This paper is part of the Arab Reform Initiative's Non-Resident Fellow Project for the year 2021-2022. I presented this topic during the major events that Algeria has witnessed since 2019, notably the peaceful uprising that started on 22 February 2019 against Bouteflika's rule, with growing calls for establishing a State where the rule of law, freedom, democracy, and social justice prevail. Algerians observed the Arab Spring events with great concern, due to its negative outcomes in Syria, Yemen, Egypt, and Tunisia (albeit to a lesser extent), a concern that kept the protest movements peaceful. They later succeeded in overthrowing Bouteflika and forced the judiciary to launch a wide-scale crackdown on the government to weed out the corrupt who were treating the State as their private property.

However, the political process that emerged from the Hirak movement did not lead to consensus nor did it bring new blood to the country's political elite or break from the political practices that dominated Algeria since independence. To assess the impact of the Hirak on the structure of the Algerian political system and the depth

of the change the government underwent, this paper uses the civil society lens to analyze the mechanisms used by the authorities to contain and subjugate the associative movement. One of the indicators used to measure change is the degree of independence civil society has from the government since maintaining a façade of pluralism is no longer a criterion for measuring democracy or determining the degree of change and breaking with clientelist, sectarian, and regionalist practices that have existed since independence in Algeria. Civil society has long been the bearer of democracy, and there can be no change, transformation, or a clear break without an independent civil society. Therefore, this paper will try to determine whether the post-22 February 2019 political process is moving towards strengthening the independence of civil society or undermining it.

## 1. Research questions

It has been 30 years since the adoption of the Constitution that introduced plurality to the political system in Algeria and paved the way, politically and economically, for the birth and development of civil society. Today, however, civil society, or at least its associative or corporatist manifestations, seems to be a weak entity and a tool for the political authority to

regenerate its power and dominate the political arena rather than a counter-authority that reflects the independence of society from the State.

This is clear when one looks at the political role played by the associative movement during Bouteflika's rule (1999-2019), or even the role it should have played after the 22 February 2019 Hirak.

During Bouteflika's rule, the government formed a massive associative bloc called the "National Coordination Body of Associations Supporting the President's Agenda," which included more than 12,000 associations that played an important role in populating the associative scene and managing the political vacuum created by Bouteflika. This allowed him to remain in power for 20 years (1999-2019).

However, while the 22 February Hirak put an end to Bouteflika's rule, the authorities' interest in civil society (and the associative movement) remains strong. Civil society has occupied a significant place on President Abdelmadjid Tebboune's agenda, as he used the associative movement to spearhead his fight to restore the relationship between the State and society. To this end, he expanded the constitutional space given to civil society to guarantee the practice of participatory democracy. This led to the formation of the National Civil Society Observatory and the appointment of an adviser to the President of the Republic in charge of the associative movement.

This paper attempts to trace the process of civil society formation in Algeria, understand the reasons that led to its political and social ineffectiveness, and examine its status after the 22 February Hirak, by answering the following questions:

- What tools and mechanisms have the authorities used to contain civil society?
- Why does Algerian civil society seem incapable of playing a role in the democratic transition?
- What is the status of Algerian civil society post-22 February Hirak?

## 2. Theoretical framework and hypotheses

### a. Civil society/associative movement

This study is based on theoretical literature that views civil society as a key historical actor in the process of modernization, the building of the rule of law, and the democratic transition in general. The main idea underpinning civil society is the principle of the independence of society from the authority of the State in the process of (re)inventing itself, as a basic historical condition in which the bourgeoisie played a decisive role. The concept of civil society continued to change with the evolving historical conditions and the requirements of establishing the rule of law, moving from the role of the bourgeoisie at the beginning of modernity, to the free market forces, and then to the public space to finally become the body of institutions and associations independent from State authority and which act as a mediator between the State and society.<sup>1</sup>

Of course, the development of Algerian civil society did not evolve along this historical path, a fact this paper takes into account. Indeed, it looks at the reality of a civil society that has emerged from an incomplete, and perhaps flawed, democratic transition and economic transformation. Algerian civil society emerged with the blessing and support of the State and survives thanks to the authorities' financing and protection. Considering the regime's faltering political legitimacy and its reluctance to embrace an alternative that is truly elected by the people, civil society has become a tool to manage the weak political legitimacy and the strategy to control elections.

This paper works with the premise that the flawed process that gave birth to the Algerian civil society is one of the reasons it has reneged on its duties and allowed the regime to contain and subjugate it.

While the historical concept of civil society arose from its ability to own the tools of its material independence from State authority, as well as the independence of individuals

<sup>1</sup> As it is not possible to elaborate on the history of the concept of civil society, we refer the reader to our thesis entitled: *Rentier Practices, Political Clientelism and the Issue of Civil Society in Contemporary Algeria: A Sociological Approach to the Society-State Relationship*" (Mohamed Lamine Debaghine University of Setif 2, 2016). It can be downloaded via the following link: <http://dspace.univ-setif2.dz/xmlui/handle/setif2/682>

from the traditional organic structures of society (clans, tribes, etc.), Algerian civil society was created by the State's political decision, rather than through a transformation in the country's economic, social, and cultural structures. Thus, civil society was reduced to an associative movement that depends on the State's financial support to survive.

The current deadlock preventing a political transition from a centralized rentier economy to a productive economy based on added value is controlled at the administrative level. As a result, the economic community, which is the foundation of civil society, has been deprived of the tools to enable it to achieve independence from the political authority - a situation that has had a direct impact on the associative field in Algeria.

There is very little possibility of financing the associative field from sources external to the State; in fact, this is sometimes even prohibited by law. As a result, the political authority is the biggest sponsor of the associative field and the guarantor of its existence and continuity. This abnormal situation is often the reason many individuals establish associations or join them.

In a political and economic climate where the State has a strong appeal (compared to the economic and production sectors) and its need for clients and allies to legitimize its rule, associations have become one of the tools for the regime to exercise clientelism and garner support, and for some members of society to achieve social advancement.

Legally, associations are prohibited from participating in politics or given a non-political character that removes any suspicion of partisan and political positions. Thus, associations have become an efficient tool for the regime to distribute resources and expenditures in exchange for loyalty and support under non-political guises.

Domestically, the regime provides aid and funds, which it claims are non-political. However, they are provided in exchange for the tacit political support of those who benefit from them. The main objective behind this is to transform the electoral process into an instrument for perpetuating the status quo, without producing a political alternative. From this vantage point, civil society is being used as a means to undermine elections and tip the scale in favor of the regime against its potential rivals.

### b. Political clientelism in Algeria

Political clientelism is closely linked to the rise of the concept of the rentier State in the literature on political phenomena in the Third World during the 1960s and 1970s and is often

### 3 Algerian Civil Society after the Hirak:

*Independent or Further under Containment and Political Clientelism?*

used to describe relationships arising deep within the rentier State and rentier economy. The growth in studies of the rentier State and economy inevitably led to a rise in studies that delve deep into the developments taking place within the political and social spheres. As a result, we witnessed the emergence of concepts such as clientelism, patronage, subjugation ('istizlam), and neopatrimonialism,<sup>2</sup> which describe and analyze those macro-sociological and macro-political aspects that the concept of the rentier State and economy capture.

In this study, we use clientelism to refer to a relationship that arises within society (within its political, economic, and social fields) between those in power and those outside it, or between two parties located at two different levels: the regime and local administration on the one hand, and the associative movement on the other. We assume that the regime resorts to various tools and strategies to contain and control the associative movement by converting its members into henchmen and providing them with the necessary financial aid and permits in exchange for loyalty and support upon request.

## 1. The roots of political clientelism in Algeria

Political clientelism in Algeria did not emerge with the rise of the rentier economy and State in the 1970s. Rather, it is a phenomenon that historically predates the emergence of the nation-state. Its pillars gained strength and evolved after the emergence of the nation-state and the deviation of the modernization project towards patrimonialism.

Algerian political clientelism is rooted in the process that formed the national movement, specifically in the historical synthesis that formed the National Liberation Front (NLF) and in the way it operated throughout the years of the War of Independence. While it is true that post-independence clientelism ensured the restoration of the existing regime, pre-independence clientelism was the main mechanism by which the NLF operated politically and militarily. In other words, the distribution of power and resources has always been administered according to clientelist, elitist, and regionalist mechanisms.

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<sup>2</sup> By "subjugation" ('istizlam), we refer to the gathering of henchmen ('azlam), which is the plural of the word henchman ('zilim) (which is one of the synonyms of "client" in the context of clientelism). As for the term "neopatrimonialism", we have used it according to Samuel Eisenstadt's definition, referring to the privatization of the state by the ruling political elites in Third World countries. The patrimonial state is a state run by the ruling elites as if it were a private property, completely disregarding institutions and laws. Within this system, the boundaries between the public and the private are almost absent.

Very few studies have tackled this phenomenon in detail. The scope of our research was limited to two articles: the first by historian Mohammed Harbi, and the second by researcher Mohammed Hechemaoui.

Harbi is widely known for his extensive knowledge of the history of the national movement and as one of its members, but more particularly for his expertise on the NLF.

Pre-independence political clientelism was different from that of independent Algeria. For Harbi, the main tools of pre-independence clientelism were the primary organic affiliations (regionalist and elitist) of the leaders of the National Liberation Army (NLA) where the process of appointments and promotions to military and political positions was dominated by clientelist practices, as well as by kinship, regionalist, and elitist relations.<sup>3</sup>

The forms and causes of pre-independence clientelism were then linked to the conditions of war and infightings for positions within the NLF and the army. However, clientelism as such was not born in the 1950s but had been embedded deep in the social sphere much earlier. The relationship between the colonial authorities and the local population in the villages and rural areas was characterized by a clientelist relationship embodied in the clientelist intermediary ('El-Kaïd) and the notables. The notables, who were the sheikhs of the zawiyas and some tribes, and the Kaïds acted as clientelist intermediaries who greatly contributed to the subordination of Algerians for many years through a carrot-and-stick policy. Traditional social structures in rural areas played an important role in the spread of clientelism through the social prestige enjoyed by leaders, sheikhs, and notables. This, however, was not the case in urban communities, which the French administration failed to control. The urban city world was the first door to modernity for Algerians, due to their contact with the Europeans and the collapse and disintegration of organic relations. According to Harbi, the absence of clientelist intermediaries in the urban world was the main reason the colonial administration resorted to rigging elections to prevent revolutionary forces from reaching elected councils.<sup>4</sup>

## c. Post-independence political clientelism

The mechanisms (clientelist, regionalist, elitist, etc.) used by the FLN and the NLA during the War of Independence influenced the functioning of political institutions after

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<sup>3</sup> Mohammed Harbi, Clientelism and Clanism, A Historical Overview (Clientélisme et clanisme, aperçu historique) (Interview with Mohammed Harbi), in Naqd, No.19-20, Fall/Winter 2004, Algiers. pp 13-17.

<sup>4</sup> Ibid, p. 14.

## 4 Algerian Civil Society after the Hirak: *Independent or Further under Containment and Political Clientelism?*

independence and were used by these same institutions, albeit in new ways.

The political clientelism in contemporary Algeria was not given sufficient importance in studies and research examining the formation of the current political system. Mohammed Hechemaoui is one of the few who delved into the historical origins of political clientelism, which formed the core of the regime, and defined the two basic characteristics of the Algerian political system which govern the rules of the political game:<sup>5</sup>

### - The predominance of clientelist relations

The NLF was not an ideologically homogeneous political organization, but a gathering of political and ideological groups united by the demand for independence (a populist ideological unity in the words of Lahouari Addi). The absence of bylaws regulating the NLF led to the dominance of clientelism in its operations and of regionalist and sectarian relations even after independence. At that stage, clientelism and regional polarization intensified after the establishment of the nation-state because there was no longer a justification for circumstantial unity (colonialism). These patterns were a pretext to distribute resources and privileges arbitrarily.

In light of the post-independence power struggle, the totalitarian regime's appropriation of State resources allowed it to use and distribute these resources in a clientelist manner to those opposing the one-party rule and the socialist economy choice. This was a tactic used by the regime to silence or win over many dissident voices. Throughout the years of independence, the vacant buildings left behind by the colonists, the political positions (ministries, ambassadors, consuls, central administrators, etc.), positions in public institutions, and permits to use and exploit land were distributed in a political and clientelist manner by the regime.<sup>6</sup>

### Weakening the institutions and lack of oversight

Individualism, disregard for official channels, and contempt for the law have marked the exercise of power in post-independent Algeria. No NLF congress was held during the rule of President Houari Boumediene; the same goes for the National Council of the Revolution (NCR) that replaced the People's National Assembly (APN) after it was dissolved

following the coup of 19 June 1965.

The history of independent Algeria is marked by the obstruction of institutions and laws. At best, laws were neutralized and stripped of their essence and power while political institutions were turned into a bridge to the deep State and the plundering of public funds (the plundering and plundered State, in the words of Hechemaoui). The number of constitutions Algeria has had since reflects the individualism of its rulers. Algeria's Constitution was amended every time a new president is in office, and, in the case of Abdelaziz Bouteflika, it was amended more than once. However, these amendments do not mean the Constitution is properly implemented. Indeed, most critique the lack of implementation of the Constitution and not its content.

## 4. Methodological framework

To answer the research questions and test our hypothesis, this paper is divided into two stages:

The first stage traces the development of the associative movement in Algeria from the colonial stage to the present day, to understand the historical context in which it emerged, the most important stages it underwent, and its characteristics at each stage. We will also analyze the stages of development of the legislative framework regulating the associative movement. We will then try to determine the characteristics of the associative movement in post-pluralistic Algeria and the mechanisms used by the authorities to contain it and create clients within civil society.

The second stage seeks to understand the reality of civil society after the popular Hirak movement and the extent to which it was able to improve the conditions for associative work. It does so by conducting a field survey within the associative movement. The lack of sufficient literature on the subject requires us to turn directly to the actors in the associative movement to find out more about its reality and the most important transformations it witnessed after the 22 February Hirak movement.

<sup>5</sup> Hechemaoui Mohammed, *The Constants of the Algerian Political System (Permanence du jeu politique en Algérie)*, in: *Foreign Policy*, 2009/2 Summer.

<sup>6</sup> *Ibid.*, p. 311.

# 5. Emergence and development of the associative movement in Algeria

## a. Before independence (1830-1962)

The first forms of associative action date back to the Ottoman presence in Algeria. Researchers in the Arab region prefer to call it “civil society” to distinguish it from the modern forms of associations that emerged along with the modern State.

In major Algerian cities, which were also established during the Ottoman period, civil life flourished, specifically cooperatives and associations representing various professions, crafts, and “zawiyas” religious institutions.

It was not until the promulgation of the 1 July 1901 law<sup>7</sup> on associations that the first Algerian modern associations appeared. The law, which was passed during French colonial rule, did not require the possession of French nationality or the enjoyment of all civil rights for individuals wishing to establish associations. Algerians used it to their advantage to start establishing associations that include only Algerians, contrary to what was previously in force. In the past, the naturalization law (Sénatus- Consulte 1865) and the Code of the Indigenous People (March 1871) excluded Algerians from the French civil and political rights system and considered the renunciation of their status as a prerequisite for the enjoyment of French citizenship.

In fact, despite the conditions of colonialism and inequality, jurist Pierre Waldeck-Rousseau left his mark on the Law of Associations, as he made it a liberal law that benefits not only the French but also foreigners. In their study on “The

French Associations Law of 1901 and the Birth of the Algerian Associative Movement,”<sup>8</sup> Seifeddine Bousmaha and Souad Yamina Chabout state three basic points included in the law that benefited Algerians when establishing a national associative movement that contributed to the development of the Algerian national movement. These are:

**First:** The law helped Algerians by not specifying the legal status and capacity of the founders of the association. It did not stipulate French citizenship as a requirement or the enjoyment of all civil rights by the person or group of people wishing to establish an association on French territory.<sup>9</sup>

**Second:** The law did not specify the type and nature of the association to be established and nor did it precisely define its scope of work. This allowed Algerians to use the law to their advantage by establishing ordinary associations or public interest associations of various forms, including religious, cultural, or even athletic. They also used this law to establish civil mutual funds (i.e. for Algerians only) and to join trade unions in the early twentieth century.<sup>10</sup>

**Third:** The law abolished the role of municipalities and their presidents, whether in France or Algeria, in the establishment of associations, placing it instead in the hands of the heads of districts, which allowed many Algerians to establish their first associations in major cities. These associations were mainly active in the fields of art and music but did not “seek to combat poverty and ignorance and improve the social and economic conditions of Algerians; they were rather directed towards special social segments that French colonialism exploited to serve its interests.”<sup>11</sup> France encouraged associations that promoted its narrative and served the interests of colonists while preventing Algerians from engaging in any activity that would undermine the colonial narrative. Therefore, the associative sphere was filled with associations and organizations for colonists and missionaries.

Associations founded by Algerians started to emerge after 1930, and their activities revolved particularly around cultural identity, as well as religious and educational reform. The most important of these associations was the Association of Algerian Muslim Ulema, founded by Ibn Badis in 1931, and the Algerian Muslim Scouts, founded by Mohammed Bouras in 1935.

In addition to the associative movement, Algeria witnessed

<sup>7</sup> This law was passed by Pierre Waldeck-Rousseau, a lawyer and Deputy at the French National Assembly, at the end of 1901, after having previously succeeded in passing the Trade Unions Law and the Mutual Funds Law. The deliberations regarding this law in the French Parliament lasted more than six months, because many deputies feared workers, international associations, and religious communities that are hostile to the Republicans. However, the law eventually was passed and put an end to the restrictions imposed on associative movement since the first republic.

<sup>8</sup> Seifeddine Bousmaha and Souad Yamina Chabout “The French Associations Law of 1901 and the Birth of the Algerian Associative Movement,” *Journal of Al-Qirtas for Intellectual and Urban Studies*, Vol. 7, Issue No. 2, (2020).

<sup>9</sup> *Ibid.* p. 227.

<sup>10</sup> *Ibid.* p. 227.

<sup>11</sup> Zoubir Arous, *The Associative Movement in Algeria: Reality and Prospects*. Center Publications, No. 13/2005 (Center for Research in Social, Economic and Cultural Anthropology, Oran), p. 71.



## 6 Algerian Civil Society after the Hirak: *Independent or Further under Containment and Political Clientelism?*

during the interwar period a rise of political societies that raised various demands, ranging from full independence to the integration of Algerians into the French political and civil rights system, with the Friends of the Manifesto and Liberty and the Movement for the Triumph of Democratic Liberties being the most popular and present on the ground.

It should be noted that the 1 July 1901 Associations Law was mainly intended for French society, even though it benefited Algerians. However, colonial practices and the continued implementation of the Code of the Indigenous People until 1944 were major obstacles to the growth of the civil society at the time, especially in light of the domination of the French colonists on the economy and the weak funding of associations founded by Algerians to defend their rights.

### **b. Associative movement during the War of Independence (1954-1962)**

Despite the dominance of French associations, Algerians continued to establish their organizations such as the General Union of Algerian Workers (UGTA) (founded by Aïssat Idir in 1956) and the General Union of Algerian Muslim Students (1955). Essaid Taib noted in his study on civil society and the associative movement in Algeria that, during this period, the NLF was able to attract the Algerian associative movement to its ranks and use it to advance the independence project, whereby scouts, students, and sports associations served as spaces for training and coaching national activists.<sup>12</sup> Shortly thereafter, the colonial administration made a move to counter this situation and issued the Decree of 17 March 1956 ordering the dissolution of any association that threatened public order.

#### **- After independence (1962-1988)**

The political, ideological, economic, and social choices taken by the post-independence regime were not favorable to the formation of a civil society and an independent associative movement. Party unilateralism and economic socialism are incompatible with the principles of freedom of assembly, freedom of association, freedom of expression, trade union freedom, and freedom of enterprise. Article 19 of the 1963 Constitution,<sup>13</sup> which stipulates that the State should guarantee freedom of association, had no impact on practices on the ground. Although the French 1901 law remained in force (with some minor amendments), the populist ideology that underpinned the existing political system at the time limited

<sup>12</sup> Taib Essaid, *Ibid.*, p. 268.

<sup>13</sup> People's Democratic Republic of Algeria: Constitution of 1963. Article (19). Available at: [http://www.conseil-constitutionnel.dz/Constitution63\\_3.htm#Droit](http://www.conseil-constitutionnel.dz/Constitution63_3.htm#Droit).

the space for independent associative action. This populist ideology, which is based on a one-party system, believes that all forms and fields of pluralism are a threat to the social unity of the State, which can, in turn, weaken Algerian society. Therefore, the National Liberation Front Congress in 1964 recognized that the existence of multiple parties in itself is not a measure of democracy or freedom and that the multiplicity of trade unions can affect the general interest of workers.<sup>14</sup> According to this logic, the only institution that expresses the aspirations of the masses (using vocabulary inspired by the militant discourse) is the vanguard party, and for it to gain the ability to mobilize the masses, it must place the peasants, workers, youth, women, and veterans of the mujahideen at the heart of the work of organizations and associations that operate under its tutelage and according to its directives.<sup>15</sup>

The laws and charters establishing the young Algerian State consider associations as one of the means of ideological mobilization to serve socialism and the modernization project. Therefore, there was room in the associative sphere for only one type of association, active locally at the level of neighborhoods and in charitable work. In reality, these associations had no impact on society and were easy to subjugate and monitor. The surveillance of these associations was enabled by Ordinance No. 79-71 of 3 December 1971, which, despite being the first legal text to regulate the associative movement in independent Algeria, eroded freedom of association compared to the 1 July 1901 law, as most of its articles imposed penalties on activists and specified who has the right to establish associations (Article 3, Paragraph e). The Ordinance was primarily issued to allow the regime to monitor the associative space and the ambiguity of some of its articles or paragraphs enabled the regime to implement the law arbitrarily or use it to suspend associations or reject its request to be established. This Ordinance represents one of the stages of adapting the Algerian legal system to party and trade union unilateralism. For example, Article 23 stipulates that political associations must obtain authorization from the NLF.

The associative space was thus restricted to organizations affiliated with the ruling party, i.e., the National Liberation Front. These organizations comprised various socio-professional groups and were used to publicize the political project and the economic, social, and cultural choices of the NLF. This situation persisted until the early 1980s when

<sup>14</sup> It should be noted that Article 20 of the 1963 Constitution provides for trade union freedom and participation in institutional activity, provided that the foundations of socialism that shaped the political and economic approach of the State at the time are not affected.

<sup>15</sup> See Azzaoui Hamza, "Associative Movement in Algeria: Between efficiency and formal development performance," *Journal of Studies in Development and Society* (Journal of the Community Laboratory and Problems of Local Development in Algeria), Published in Chlef by Hassiba Ben Bouali University - Chlef, Issue No. 3, June 2016, p. 8. Available at: <http://www.univ-chlef.dz/eds/wp-content/uploads/2016/06/article-18-N3.pdf>.

## 7 Algerian Civil Society after the Hirak: *Independent or Further under Containment and Political Clientelism?*

the segments of society that the regime could not contain began to discover the importance of joining the associative movement.

Although not officially recognized, some associations became active in the field of defending women's rights, human rights, advocacy, the Amazigh cause, charitable work, and the Islamist movement. By contrast, organizations affiliated with the ruling party have grown to become empty shells, especially when the 1982 NLF Congress gave its activists the right to occupy leadership positions in these organizations. The new Law on Associations (No. 15-87 of 21 July 1987) did not improve freedom of association, except for removing the clause requiring a permit from the NLF party to establish political associations and requiring founders not to oppose the regime's socialist choice. On the whole, the law was more punitive than regulatory of the associative field. This may be because the 1980s witnessed the emergence of many secret societies or unrecognized associations, some affiliated with the Islamist movement, others with the Amazigh cultural movement, together with others active in the field of human rights or in the feminist movement. The regime might have tried to use this law to curtail any associative activities that oppose it or operated outside its close control, especially since signs of a looming social and economic crisis began to appear. In addition, the rising Islamist movement did not hesitate to reject the revolutionary legitimacy of the regime and compete with the propaganda of party-affiliated organizations and party organs.

All of these conditions led the country towards the eruption of the historic October 1988 riots, which led to the adoption of the first pluralistic Constitution of independent Algeria, enshrining freedom of association, freedom of economic initiative, as well as party, trade union, and media pluralism.

## 6. The associative movement after 1989

The political, economic, and social crisis that Algeria experienced in the mid-eighties ended with the October 1988 uprising and the adoption of a pluralistic Constitution. Many observers see this era as the birth of Algerian civil society, at least at the legislative level, as it halted the NLF monopoly and recognized media, partisan, associative, and trade union pluralism, along with the freedom of economic initiative

### a. February 1989 Constitution and the birth of the independent associative movement

The February 1989 Constitution is considered the first liberal pluralistic Constitution in independent Algeria. It introduced many political, economic, and social reforms, which, in theory, are favorable for a genuine civil society and an independent associative movement to emerge.

The Constitution put an end to the rule of the single party and its associations in the political field. Article 39 guarantees freedom of expression, association, and assembly and Article 40 recognizes the right to establish political associations. In addition, Article 53 stipulates that the right of association is recognized for all citizens.

This Constitution set the political and legal framework for the introduction of the first liberal law on associations, which was embodied in Law 31-90 of 4 December 1990<sup>16</sup> on Associations. The new Associations Law abolished some prohibitive conditions for the establishment of the associations, including the bureaucratic and political obstacles that existed in previous laws, such as the requirement not to oppose the ideological choices of the State, the need to obtain the party's approval to establish political associations or the requirement of the approval of both the governor and the minister to authorize associations (Article 7). In general, most of the articles of the law clarify the legal procedures for establishing associations and the general regulatory framework of their activity, unlike previous laws' focus on penalties and the narrow framework in which associative movements were allowed to operate.

This new law allowed for an unprecedented rise in the number of associations, and despite the security crisis of the 1990s, the associative space continued to grow with the establishment of associations active in various fields, many of which were independent of the regime and had sufficient resources.

However, with the beginning of the new millennium, the return of the security approach to the country, and the accession to power of President Abdelaziz Bouteflika (1999-2019), the regime once again took interest in the associative space and in the need to mobilize it to re-establish the pillars of the State that had been badly shaken by the violent events of the previous decade. The regime then began to reoccupy the

<sup>16</sup> Official Gazette No. 53 Year 27, <https://www.joradp.dz/FTP/JO-AR-ABE/1990/A1990053.pdf?znjo=53>

## 8 Algerian Civil Society after the Hirak:

*Independent or Further under Containment and Political Clientelism?*

spaces that had been liberated (or the ones that escaped its grip) throughout the decade of violence, and the associative space became an arena for fierce conflicts between various political and social forces.

The regime adopted two parallel strategies during this period. Because the associative freedom recognized by the 1989 Constitution could not be reversed, its first strategy was to flood the associative space with thousands of associations funded by the government and loyal to the parties in power (the Presidential Alliance). In this context, The National Coordination Body of Associations Supporting the President's Agenda and the Business Leaders Forum (FCE) played a very dominant role in civil society, while also ensuring Bouteflika remained in power for two decades. The second strategy was to gradually restrict independent associations and trade unions and undermine freedoms in the Law on Associations that was revised after the outbreak of the Arab Spring, compared to the 1990 law.

## b. Arab Spring and the revision of the Law on Associations

Amid the Arab Spring uprisings, the authorities in Algeria submitted Draft Associations Law 06-12 of 12 January 2012 over concerns about foreign funding and the role of NGOs. Despite the regime's dominance over the associative field for decades, there were still fears of certain associations being established outside the regime's control. As a result, it revised the most liberal law in the history of Algeria to introduce amendments that completely contradicted the declared reasons for its review.

Differences	(Law of 31-90 (1990	(Law of 06-12 (2012
Establishment	<ul style="list-style-type: none"> <li>- 15 members are required regardless of the nature of the association (national or local); and</li> <li>- The establishment of the association should be announced in 3 national newspapers.</li> </ul>	<ul style="list-style-type: none"> <li>- The law sets special conditions for each association:               <ul style="list-style-type: none"> <li>10 members for a municipal assembly</li> <li>15 members for a provincial association, coming from at least three different municipalities</li> <li>21 members for an interprovincial association</li> <li>25 members for a national association, with members from at least 12 different provinces</li> </ul> </li> <li>- Cancellation of the procedure for announcing the establishment of the association.</li> <li>- Requirement to submit the criminal record of all founding members.</li> <li>- The administrative authority can accept or reject the application for the establishment of the association.</li> </ul>
Foreign Funding	<ul style="list-style-type: none"> <li>- Allowed with the prior approval of the Ministry of Interior.</li> <li>- The State shall finance the association in accordance with a set of specifications.</li> </ul>	<ul style="list-style-type: none"> <li>- National associations shall not receive any foreign funding.</li> <li>- The State finances the association in accordance with a set of specifications.</li> </ul>
Dissolution or suspension	<ul style="list-style-type: none"> <li>- The dissolution shall be carried out by virtue of a decision issued by a judicial authority.</li> </ul>	<ul style="list-style-type: none"> <li>- The dissolution can be at the request of the government, submitted to a judicial authority.</li> </ul>

For example, in the second article, which defines associations, a fourth, ambiguous paragraph was added, which can be interpreted in any way that suits the interests of the bureaucracy or the judiciary, or the discretionary power of the supervising authority, i.e. Ministry of Interior. This paragraph stipulated that: "The object of its activities and objectives must fall within the scope of public interest and not contradict national principles and values, public order, public morals, and the provisions of the laws and regulations

in force."<sup>17</sup>

Some paragraphs were also added to Article 4, which the administration could interpret at its discretion to bar individuals from their right to associative work. The following table illustrates the main differences between Law 31-90 (1990) and Law 06-12 (2012).

<sup>17</sup> Law No. 06012 of 12 June 2012 on Associations. <https://www.joradp.dz/FTP/JO-ARABE/2012/A2012002.pdf?znjo=02>

## 9 Algerian Civil Society after the Hirak: *Independent or Further under Containment and Political Clientelism?*

After the 22 February 2019 Hirak movement, we have not witnessed an official and direct presence of civil society in associative work, although the newly voted Constitution of November 2020 described, for the first time, the role of civil society in political, social, and economic life and establish the National Civil Society Observatory as an advisory institution affiliated with the Presidency of the Republic.

# 7. The 22 February 2019 Hirak

The Hirak represents the most important political event in Algeria since the country's independence, be it in the forms of mobilization it adopted, the degree of peacefulness and inclusiveness it showed, or the quality of the political demands it raised.

The Hirak is a peaceful popular uprising across all Algerian cities that began on 22 February 2019 to reject the candidacy of President Abdelaziz Bouteflika for a fifth term. Bouteflika had been absent from the political arena and unable to address Algerians since 2013, as he suffered a stroke that made him incapable to move or speak. Algerians initially took to the streets to demand the cancellation of Bouteflika's fifth term. However, after this demand was met, the country entered a political crisis due to the disagreement among social and political forces on how to overcome it.

At the time, the regime believed that the demands of the Hirak movement were met when Bouteflika announced that he would not seek a fifth term, and many senior officials were brought to justice for rampant corruption in all State structures. It was necessary to hold elections as soon as possible to avoid a constitutional vacuum or a transitional phase similar to what happened in the 1990s. However, the demands of the Hirak movement evolved, calling for a radical change in the regime instead of merely changing the people in power. People took to the streets again, this time raising primarily political demands, but also rejecting the roadmap announced by the regime.

While the Hirak only raised demands every Friday and Tuesday in popular marches in major cities, the regime stood its ground about the roadmap for the organization of presidential elections, so that the elected president would implement reforms and respond to the demands of what the regime called the "original Hirak."<sup>18</sup>

<sup>18</sup> The term "original Hirak" was used by the authority to distinguish between the Hirak that took place between 22 February 2019 and 1 April 2019, which

The President of the Council of the Nation, Abdelkader Bensalah, became the Acting Head of State of Algeria during the transitional period that followed Bouteflika's resignation. His main task was to provide suitable conditions for the presidential elections to be held. Bensalah failed to hold the presidential elections on their constitutional date (90 days after the president's resignation, i.e. 4 July 2019) due to the protests continuing to reject these elections, the absence of candidates, and the inability of the traditional parties in power to face the discontent of Algerians.

This prompted the regime to propose a national dialogue initiative, led by Karim Younes (speaker of the Algerian Parliament between 2002 and 2004), but he only succeeded in attracting the traditional forces supportive of the regime and was rejected by the Hirak. However, the regime set 12 December 2019 as the date for the presidential elections and mobilized the bureaucracy and a large number of actors in the associative movement to promote it, despite the Hirak's firm rejection of holding presidential elections without guarantees of their transparency and without excluding the parties and associations that were affiliated with Bouteflika's during his years in office.

Four candidates, all of whom were part of the political and governmental staff during Bouteflika's presidency,<sup>19</sup> ran for presidential elections on 12 December 2019. They were only able to attract the votes of 39.83% of Algerians, with 58% of these for Abdelmadjid Tebboune.<sup>20</sup>

The term "civil society" was one of the most important pillars of President Abdelmadjid Tebboune's agenda.<sup>21</sup> Not long after his election, he began advocating for the need to involve civil society in building what has become known as the "new Algeria." The regime called upon the youth of the

was the date of Bouteflika's resignation, and the other Hirak, which lasted for two years and demanded radical change. The authority only approved of the Hirak movement demanding the cancellation of Bouteflika's, and it made every possible effort to stop or neutralize the remaining part of the Hirak that raised other demands.

<sup>19</sup> Only four candidates managed to obtain the required authorizations to enter the presidential race: Abdelmadjid Tebboune (independent candidate), Abdelkader Bengrina (National Construction Movement), Azzedine Mihoubi (Democratic National Rally), and Belaid Abdessalam (Future Front).

<sup>20</sup> For more information about these presidential elections, see our paper published on the Arab Reform Initiative website, entitled: Algeria's Presidential Elections: Stopping a Democratic Transition? (Nov 2019) <https://www.arab-reform.net/publication/algerias-presidential-elections-blocking-a-democratic-transition/>.

<sup>21</sup> See, for example, President Tebboune's speech to the Walis of the Republic, where he called for "helping civil society to organize itself, and whenever an association has pure principles and is not suspected of having any political affiliations, you are expected to encourage it." <https://www.youtube.com/watch?v=OLgnpUxzGac>.

## 10 Algerian Civil Society after the Hirak:

*Independent or Further under Containment and Political Clientelism?*

Hirak to establish their associations or join existing ones, and it believed that the non-partisan associative movement could replace political parties that could no longer rally Algerians behind their discourse. That is why all meetings and discourses included the terms “civil society” or “the associative movement.”

The Covid-19 pandemic spread during the period following the presidential elections, forcing Algerians to stop their marches and allowing the regime to follow through on the political agenda it had previously announced. This began with a constitutional amendment following a referendum on 1 November 2020, followed by legislative elections on 12 June 2021, in which the same parties that formed the presidential alliance during Bouteflika’s rule won. This was also the case in the provincial elections held on 27 November 2021.

As for the associative field in particular, and civil society in general, we started witnessing the emergence of associative blocs that operate under the banner of civil society, but support the regime’s roadmap, the most prominent of which are the Algerian Forum for Civil Society, the New Path Bloc, and the Algerian Media Forum, while the regime refused to grant authorization to many associations under different pretexts.

## 8. November 2020 Constitution and the legalization of civil society

After the serious political crisis that Algeria faced due to Bouteflika’s insistence on running for a fifth term, following and the outbreak of the popular Hirak movement, amendments were made to the 2016 Constitution. For the first time in the history of Algeria, the concept of civil society was referred to in the preamble and articles of the Constitution. The preamble states that the Algerian people have always been struggling for freedom and democracy and they are resolved to uphold their national sovereignty and independence. With this Constitution, they are determined to establish a host of institutions based on the participation of every single Algerian man and woman and civil society.”

<sup>22</sup> Article 10 of Title I stipulates that the State shall ensure the activation of the role of civil society to participate in the conduct of public affairs.”<sup>23</sup> Paragraph 3 of Article 16 stipulates that the State shall encourage participatory democracy at the

level of local communities, particularly through civil society. Article 53 stipulates that the right to establish associations shall be guaranteed and exercised upon obtaining a permit, that the State should encourage associations serving public interest, and that an association can only be dissolved by a judicial decision.

As for the legislative framework of the associative movement, the 2012 law is still in force, but the President of the Republic has made it clear that he plans to amend it. The government has prepared a new draft law on associations, but it has not yet been referred to Parliament. On 21 April 2022, the People’s National Assembly, dominated by the parties in power (National Liberation Front and Democratic National Rally), organized a day of deliberations on the Associations Law, in which Ibrahim Boughali, Speaker of the Assembly, called for drafting a new law in line with the new Constitution. The Algeria Press Service (APS) indicated that the purpose here was to come up with recommendations in preparation for the amendment of the law.<sup>24</sup>

Overall, it can be said that the recent amendment to the Algerian Constitution has offered significant gains for civil society in general and the associative movement more specifically. But was this legal generosity matched in practice? This is what we will try to find out through a field study on a random sample of associations, to shed light on the situation of Algerian civil society after the 22 February 2019 Hirak movement.

## 9. Associative movement in Algeria after the Hirak: A field study

Was the Hirak able to end the regime’s practices within the political sphere in general and the associative sphere and civil society in particular? To what extent has the Hirak been able to influence the mechanisms of containment used by the political powers to deal with civil society in particular and political life more broadly? To answer these questions, as well as the main research questions of this paper, we conducted a sociological field investigation with associative actors.

<sup>22</sup> 2020 Constitution, <https://www.joradp.dz/TRV/AConsti.pdf>

<sup>23</sup> Constitution, Article 10 <https://www.joradp.dz/TRV/AConsti.pdf>

<sup>24</sup> See the APS telegram of Wednesday 20 April 2022 <https://www.aps.dz/ar/algerie/124746-2022-04-20-12-07-48>

## a. Research methodology

For this study (May 2021 to May 2022), several events took place which had a direct impact on our methodological choices and data collection tools.

- The Covid-19 pandemic and restrictions on communication and movement; and
- Two elections: the legislative elections in June 2021 and the local elections on 27 November 2021.

While the Covid-19 pandemic made it impossible to have direct interviews with actors who are directly related to our research topic, forcing us to resort to e-surveys, the two electoral dates were an opportunity to directly observe associative actors and their electoral behavior.

**Research Group:** The research group in this study consists of associative actors (registered associations). By associative actors, we mean any person who is active or was previously active in an association authorized by the Algerian Ministry of Interior. It does not matter what position he/she occupies/d within the association. By expanding the scope of our sampling criteria, we aim to expand the size of the sample itself to collect as much information and opinions as possible, especially because it is difficult to reach the heads of associations, who are reluctant to collaborate with us.

- Study sample: We did not specify a sample size for the study, but rather distributed the questionnaire to the largest number of associative activists, using e-mail or direct distribution of the paper questionnaire.
- Sampling method: We used the snowball sampling technique to access the sample, as many associative activists that we know personally helped us reach other activists from different regions of Algeria.
- Data collection tools: We used the online questionnaire as the main tool for research, and it consists of the following questions:

## b. Presentation and analysis of the survey data

Through this survey, we tried to gather as much information as possible about the associative movement in Algeria and the climate in which it operates after the 22 February 2019 Hirak. We have obtained more than 150 responses to our questionnaire (from 150 associations), and we will present the most important information according to the axes of the study. We will also analyze this information and conduct a more in-depth analysis to deduce the mechanisms of civil society in Algeria.

## - The nature of the associations dominating the associative field in Algeria

Figure 1 below represents the distribution of the associations that we examined according to the nature of their activities. It shows a diverse associative field with a predominance of charitable, developmental, and social associations. These are the most flexible type of associations in terms of the scope of work and the difficulty to accurately define their activities. They are often established because of the simple registration procedures and the fact their activity is not subject to bureaucratic or political control imposed on other types of associations. They generally attract more funding, both from the State and private individuals, compared to other associations. Therefore, this type of associative action is used to curry favor with the local administration under the pretext of participatory democracy and local development. On the other hand, the survey results indicate that there are very few associations active in the field of human rights and the defense of freedoms, and were also difficult to reach for the survey.

The dominance of this type of association reflects the regime's perception of civil society as something to be controlled by public authorities and to serve its interests, rather than fight for the rights of the individuals it represents. The regime does not want an adversary that checks and restricts its powers; it wants civil society to be one of its tools or accessories, something it can resort to when needed in exchange for funding and privileges for its actors.

After the 22 February Hirak, the regime did not hesitate to declare that it was counting on civil society to fill the vacuum left by political parties in the political and social spheres. However, this does not mean that civil society would practice politics independently; it simply meant that the role of civil society would be to engage in and promote the political project of the regime in the name of development and participatory democracy.

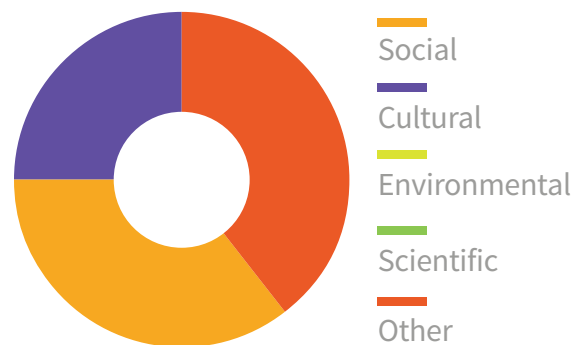


Figure (1): Distribution of the study sample according to the nature of the associations

### - The involvement of associative activists in political parties

Figure 2 shows the percentage of associative activists involved in political parties. Around 70% of the interviewed associative activists are not involved or claim not to be involved in political parties. As much as this reflects associative activists preferring not to declare their involvement in politics, it also contradicts the contents of electoral posters, as candidates tend to highlight their affiliation with associative activity to win over voters. During the post-Hirak elections, a very large number of candidates presented themselves as associative activists through their electoral posters, and many view associations as an easy access to the political field and an effective mechanism to advance their efforts toward holding positions of power and climbing the power ladder in organizations close to the political authority. This is evident in their responses to questions about the importance of associations in the political process.

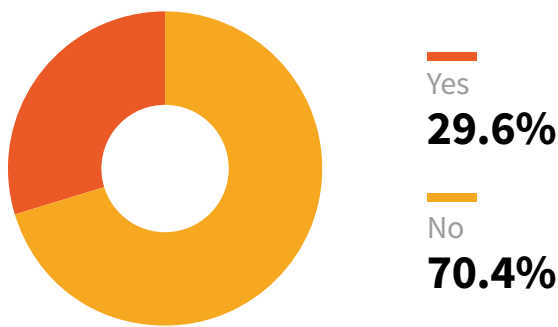


Figure (2): Percentage of associative activists involved in political parties

### - Associations' affiliation with political parties

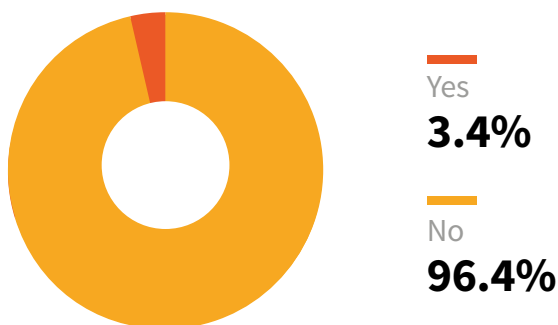


Figure (3): Percentage of associations affiliated with political parties

Figure 3 shows that the number of associations directly affiliated with political parties is very low (3.6%). Perhaps these respondents are referring to a non-structural relation or affiliation, i.e. an informal ideological relation with political parties since the law prohibits non-political associations from being involved in any activity or relationship with a political party. However, in reality, most long-standing political parties (established before the 1996 Constitution at least) have affiliated associations and student organizations working for them in universities. Indeed, the regime's main parties (the National Liberation Front and the Democratic National Rally) are the most influential and most appealing to the associative movement. Associations also constitute a major asset for Islamic parties, which have extensive networks of associations, especially in the field of charitable, advocacy, and educational work, as they use these networks for political education and mobilization. As part of their structural organization, most political parties have a person responsible for the associative movement and youth. This confirms the affiliation, albeit informal, between parties and associations.

Figure 4 shows the percentage of associations that received requests for assistance from political parties during the elections (42%). The forms of assistance, according to respondents, were as follows:

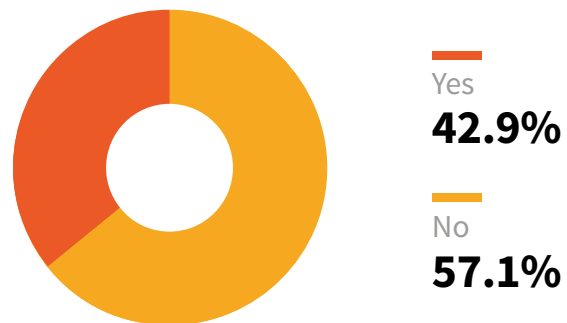


Figure (4): Percentage of associations that received requests for support from political parties during the elections.

- Seeking to influence those involved with the association/ requesting individual support (i.e. support from the associative activist, not from the association as a whole) / promoting a positive image of the candidates / asking the members of the association to run for office under their electoral list to benefit from the association's popular base, which mainly consists of people in need, benefactors, and people affiliated with the association / having the association support partisan activities.

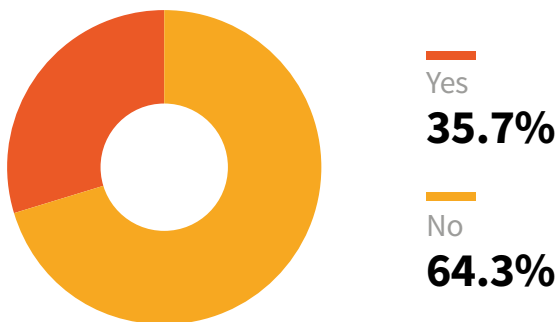
In response to the question of which parties most appeal to associations (unofficially, of course), most respondents stated that the regime's parties benefit the most from associations.

### 13 Algerian Civil Society after the Hirak:

*Independent or Further under Containment and Political Clientelism?*

The names of the following parties were repeated in the answers: the National Liberation Front, the Movement of Society for Peace, and the Democratic National Rally; whereas in the Kabylia region, respondents stated that the Rally for Culture and Democracy is more appealing to the associative movement. However, only one association affiliated with the Socialist Forces Front was dissolved by a judicial decision in 2021 for violating the Law on Associations, which is the Youth Action Rally (RAJ).

This shows the associative field represents a major asset for political actors with various positions (whether in power, loyalists, or opposition parties) and that the provisions of the Law on Associations prohibiting associations from practicing politics and having any structural affiliation with political parties are neither capable of deterring political parties from influencing associations nor associative actors from using the association for political goals. This explains why more than two-thirds of respondents declared that they are running for elections, using their associative activity as a symbolic capital to win over voters or encourage political parties to nominate them on their lists of candidates.



**Figure (5): Percentage of respondents running for local or legislative elections**

One of the main characteristics of the associative field is its flexibility and pliability compared to political parties. Associations work at the grassroots level and in fields directly related to citizens' daily lives (charity work, volunteer work, development, social assistance, environmental awareness, etc.). This was confirmed in the question of which associations are most vulnerable to the influence of political parties, to which respondents answered as follows:

- Charitable associations and, to a lesser extent, cultural associations / associations with significant outreach, such as national associations and scouts / local and provincial associations during local elections / sports associations / associations in neighborhoods and associations focused on development.

Associations have become a main pathway to politics, and they are sometimes more effective than political parties. This was also confirmed by respondents when asked about how individuals can benefit from associative work to build a political career, as most of them stated that associative work, in general, and associations, in particular, allow those involved in them to come in contact with people at the local level and to build a network of relations with the local or national administration.

Based on the above, it is evident that the political climate that prevailed in Algeria since the adoption of plurality enjoyed two main characteristics which led to the establishment of a clientelist relationship between the authority and the associative movement:

- The administration's dominance in the political sphere rendered political parties incapable of engaging in political action and increasing their membership. This allowed the regime's parties, being the sole beneficiaries of the administration, to dominate the political arena, making them the only mechanism available to those wishing to embark on a political career.
- Associative work deviated from its main functions (stipulated by the Law on Associations and associations' bylaws) and became a means for the administration to frame the political field and attract elites, as well as a tool for individuals to advance toward the administration or engage in politics and position themselves in the parties closest to the authorities. In other words, members of the association place their association at the service of the administration and the regime in exchange for securing a good rank on the electoral lists of the parties that are most likely to win or for generous financial support.

This exchange of interests between the administration and associations becomes more evident when one looks at financing patterns and political inclusion, whereby the administration develops mechanisms, both legal and informal, to monopolize the loyalty of the associative field and control it. This is confirmed by respondents in their answers about financing and its conditions. The respondents stated that these conditions go beyond the generally accepted technical aspects to include other conditions, most of which include seeking to establish an associative network loyal to the authorities.

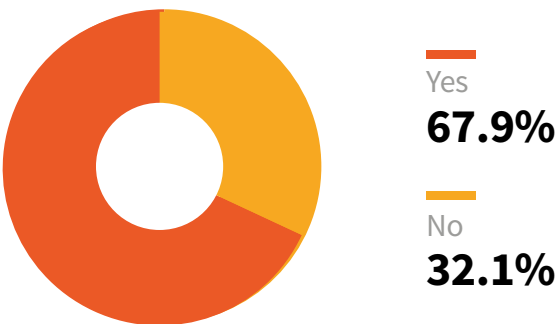
### - Financing of associations by the administration

Figure 6 shows the percentage of associations that received funds from the administration (67.9%). Not all associations receive funds, but the authorities remain the main financier of associations, according to conditions set by the law. However, does the administration abide by these legally defined



**14 Algerian Civil Society after the Hirak:**  
*Independent or Further under Containment and Political Clientelism?*

conditions, or are there other unwritten conditions? Even though we cannot fully trust the answers of the respondents on a critical issue such as financing, many of them did not hesitate to refer to certain generally accepted rules that are not legally defined to obtain funding for a specific project or activity. The technical conditions, such as the preparation of a technical brief for a project or activity, the need for a bookkeeper, the periodic submission of the association’s narrative and financial reports, and the legal establishment of headquarters for the association, among others, are not sufficient to obtain financing, or at least they are not the only conditions that influence the administration’s decision regarding the funds and subsidies provided to associations. Many respondents indicated that the administration’s “relationship with the president of the municipality, the district chief, or the province governor” plays an important role in this regard. Many stated that during Bouteflika’s rule, associations were required to attend the electoral and political rallies of Bouteflika or the events supporting him and raise supportive slogans in exchange for subsidies.



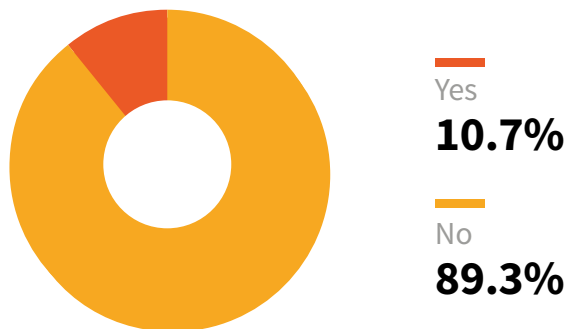
**Figure (6): Percentage of associations receiving funds from the local administration**

The same applies to the a *posteriori* control of how the subsidies are spent, as these practices also differ from one association to another based on the above-mentioned criteria.

Respondents expressed similar views on the relationship between associations with the administration, stating that the same conditions that govern the associations’ access to financing also govern their relationship with the local authority (varying between good and tense according to the personality of the official and their political orientations - changing according to the people and the elected officials - a formal relationship limited to certain occasions and participation in events - each official tries to exploit and win over the largest possible number of associations...).

This situation facilitates all forms of deviation of the associative field from its main functions, starting from the administration’s exploitation of the associative movement

for political purposes to the exploitation of associations by their own members for personal goals. Meanwhile, the objectives for which associations were established and the powers granted to them by law take a lower priority. For instance, with regards to the participation of associations in the deliberations of the elected People’s Assembly, only 10% declared that they attend these deliberations (see Figure 7), although such deliberations represent the most important mechanism through which important decisions are made related to the development and the lives of residents in the municipality.



**Figure (7): Percentage of associations that participate in the deliberations of the People’s Municipal Assembly**

On the other hand, associations do not hesitate to accept invitations from local authorities to participate in other activities that are less important than the deliberations, such as:

- Activities related to the celebration of national occasions or events, as well as cultural and social activities.
- Charity activities/national events – visits to officials (province governor, minister, etc.) – activities that require physical effort (planting, organizing competitions, etc.) – meetings and seminars...
- Volunteer campaigns, charitable initiatives, and social solidarity campaigns on religious occasions...

In addition to associations becoming tools for practicing politics within the limits set by the regime in general and the local administration more specifically, they were also exploited by their founders to achieve direct personal interests. This was the price that founders had to pay for placing their associations at the service of the local administration or the regime’s parties to be used for political mobilization in exchange for rewards (such as receiving uncontrolled financial subsidies, being appointed to positions within the administration, having relatives appointed to certain positions) while turning a blind eye to the lack of respect for the association’s bylaws. In response to a question on the claims that associations are often used to fulfill the personal and individual interests of their founders (presidents) or members, all the respondents confirmed this and said that they know many associative activists who do

## 15 Algerian Civil Society after the Hirak:

*Independent or Further under Containment and Political Clientelism?*

so or who founded or joined an association for this specific purpose.

According to the respondents, associations are used to achieve personal political gains as follows:

- Associations are used to obtain a good ranking on electoral lists, and some people take advantage of their image as volunteers to influence voters.
- Carrying out charitable, social, and honorary activities so that the person concerned is given credit and polishes up his image to receive votes.
- By exploiting the influence and relations established with officials through associative work or by directly exploiting the association's resources...
- Through associations, you can easily reach authorities.
- Associations carry out activities that support the narratives of certain parties in power, in return for many privileges.
- Carrying out activities in the name of a specific party and attempting to use empathy to win over voters, especially those who directly benefit from the association.

The answers of the respondents to the previous questions paint a bleak picture of the situation of the associative movement in Algeria since pluralism was introduced. Even with the adoption of partisan and electoral pluralism as a mechanism for the alternation of power, the incomplete democratic transition rendered this pluralism futile in producing a true alternative. The same political elites and the same parties still dominate the political field, just as the authority still controls a rentier economy incapable of overcoming its dependence on hydrocarbons. Thus, the authorities in general, and State bureaucracy in particular, became the center of political polarization in society. The regime bears the brunt of the responsibility for the deviation of associative action towards functions and tasks that do not serve the public interest. Associative activists are also responsible, in part, because of their involvement in clientelist strategies to maximize their gains at the expense of the goals of the associative movement.

### - Associative movement after the Hirak

Through the questions addressed in this chapter, we have attempted to form an understanding of the reality of associative work in Algeria after the Hirak movement of 22 February 2019, as well as of the perceptions of associative actors on the independence of civil society and how to achieve it.

Based on the respondents' answers to the semi-structured questions asked in the last part of the questionnaire, it is clear that there are contradicting perceptions and notions of the independence of the associative movement. Some

conform to the regime's perceptions of civil society, while others, albeit few (their percentage was unfortunately not specified), are rich and reflect an advanced level of political culture, contrary to the current reality. According to the majority of respondents, the independence of civil society means that "associations can depend on their members to achieve their goals for no political or financial compensation, and this independence is necessary for associations to play their true role as a force of advocacy and a watchdog..." otherwise "they will align themselves with institutions and purposes far from their objectives." The authority has the same perception of the associative movement in terms of its role and function (a force of advocacy, independent of political action, instead of being a force opposed to and independent from the State's authority in terms of financing). This perception is shared among respondents, although most of them previously confirmed that the political exploitation of the associative movement is most exercised by the regime, at its various levels, and by its supporting parties. They also confirmed that the regime provides subsidies based on political alliances and relationships with officials. Most of the respondents also share the authorities' opinion on the need to exclude civil society from politics, an opinion that prevailed after the 22 February Hirak. They do not believe that the regime is exploiting civil society for political purposes or that it is consistent with the practices they condemn in their statements. Rather, they believe that political exploitation is limited to parties or movements that are not part of the regime or oppose it. In other words, the associations' practice of politics under the control of the regime and its parties is not considered politics, nor is it seen as a deviation from the original aim of civil society. This perception applies to many social spaces such as universities, sports, cultural venues, etc.

The second factor behind the lack of independence of civil society is financing. According to most respondents, the independence of associations from the authority is not achieved by securing independent funding. They instead believe that this independence is achieved by:

- Educating individuals on politics so that they can adopt their own, independent ideas – forming associative networks to make associations a power for advocacy – increasing financial support, monitoring the association's various activities, training those involved in associations by organizing workshops to improve their activism and administrative skills – excluding associations from politics – competency, integrity, and responsibility – participating in programs organized especially local authorities, and giving them more priority – protecting social and charity associations from the influence of wealthy financiers.

Only a few of the respondents believe that the associative movement in Algeria today is heavily dependent on the regime and that the only way for civil society to become independent is by:

- Facilitating the establishment of civil society organizations – carrying out its activities with no interference from the authority and receiving funding from for-profit organizations, not from the authority – enjoying freedom and independence in its activities and management, as well as fair and equal financial support – being independent in its decision-making and putting forward its own ideas without any ideological, political, ethnic or religious background.

### - What changed after 22 February 2019?

The answers to this question reflect contradictory perceptions and notions from activists. Even though many of their perceptions of civil society are similar to those of the regime in terms of civil society's function and how to make its activities more effective, most of them paint a bleak picture of civil society's situation after the 22 February Hirak. In other words, the new laws that were enacted in this regard (the inclusion of civil society in the Constitution, the establishment of the National Civil Society Observatory...) have had no impact yet (as it is admittedly too early for any real impact to appear). However, at the very least, some signs of change in the regime's interaction with the associative movement can be noticed.

Most of the respondents stated that:

- Nothing has changed, but rather many associations have been subjected to restrictions or even suspended – the Law on Associations is very broad and comprehensive, but the problem is in its implementation – the hopes and aspirations that the people had with the Hirak have faded – the situation of civil society is getting worse due to imposed restrictions and the scarcity of resources...

This is a summary of most of the perceptions and opinions expressed in the survey. Indeed, the methodology adopted in presenting the survey data was not unified, as it combined both quantitative and qualitative approaches. This choice of mixed methodology was necessary given the nature of the information that we sought to obtain.

We will support this information with some statistics and events that took place during the period after the Hirak to analyze them and form a preliminary understanding of the reality of civil society and the mechanisms of subjugation and containment practiced by the regime in Algeria.

## 10. General outcomes: Algerian associative movement and mechanisms of subjugation

Since pluralism was introduced in Algeria, the associative field has become a field for competition between the authorities and society on the one hand, and various political actors on the other. Everyone realized that dominating the associative field is critical for political positioning. Thus, the political authorities, which were forced after the events of October 1988 to loosen their grip on the associative field, established mechanisms to render ineffective the “associative freedom” and party, trade union, and media pluralism – in other words, it sought to contain civil society and use it to dominate both the political and social fields. Very soon after its birth, and despite the years of struggle, civil society was transformed by the regime's practices into a modern version of loyalist organizations through which it dominated society during the one-party system. Hence, what seemed to be a liberation of the associative field later became merely a burst of freedom that the regime quickly sought to extinguish or, at the very least, to ensure that it does not make way for an independent civil society. In the same way, radical Islamist movements resorted to armed violence in the 1990s to obstruct the electoral process and put the democratic transition on hold. The subjugation and containment of civil society represented one of the most important means used by the political authority to stop the democratic transition or, at least, prevent the production of a democratic alternative during the two-decade rule of Bouteflika, as well as a tool to face the repercussions of the Hirak.

Based on the data collected for this study, what follows analyzes the implementation of these mechanisms during the past two decades as well as during the post-Hirak period.

## a. Civil society during Bouteflika's rule (1999-2019)

We will examine very briefly the period between 1990 (when the first liberal law on associations was adopted) and 1999 since the political process in Algeria during this time was already interrupted due to the armed violence that followed the Islamic Salvation Front's victory in the first elections and the authorities intervention to revoke the results and stop the electoral process. Amid armed violence, there was no room for civil society to flourish. Even though thousands of associations in various fields were established during the first half of this period, their activities were restricted, and they did not constitute a true power of opposition.<sup>25</sup>

However, with the accession of Abdelaziz Bouteflika to power in 1999, peace was re-established, and the threat of armed violence receded. The regime then realized the importance of the associative movement and civil society in re-gaining political legitimacy, which would enable it to overcome the crisis of the 1990s, control the political field, and prevent the recurrence of such a crisis or at least prevent violence from threatening the existence of the State. Over time, the regime developed several skills to work with and control associations in its political struggle with other political forces that have become legitimate and have been granted the right to compete for power as enshrined in the Constitution.

This era witnessed a record rise in fuel prices (amounting to \$120 per barrel), matched with a rise of thousands of associations that receive funds and privileges from the regime in return for their loyalty and for helping promote the regime's image, as well as garner consensus and support when asked to do so. This led to the transformation of associations into a mechanism to access political power locally (at the municipal or the province (wilaya) level). Individuals quickly understood that the regime needed non-partisan agents in neighborhoods, villages, and universities to create local consensus or the pretense of a local consensus, whether during elections, during the visits of central officials to the province, or the visits of the governors to municipalities. On the other hand, the regime understood the citizens' need for an official structure that allows them to approach the authorities for assistance and services in various fields considering the heavy bureaucracy and widespread

<sup>25</sup> Omar Daras: The Associative Phenomenon in the Light of Current Reforms in Algeria: Reality and perspectives. *Insaniyat Journal*, Issue No. 28 (2005, National Centre of Research in Social and Cultural Anthropology, Oran), p. 23-38, <https://doi.org/10.4000/insaniyat.5275>

corruption and favoritism at all levels.

As much as individuals understood the regime's weakness and its need for others to gain its political legitimacy, whether temporarily or permanently, the political authorities were also aware that despite their lack of political legitimacy, they remained the only central power monopolizing the distribution of goods, resources, and privileges in the name of a social State (aid, loans, housing, jobs, public contracts). The social State's goods and resources were transformed into a commodity in exchange for loyalty and support, and associations turned into channels to access these resources and privileges in return for loyalty.

Using oil rents, Bouteflika brought together businessmen (who were supposed to represent a national bourgeoisie advancing a democratic project and fostering an emerging civil society) in a bloc called the "Business Leaders Forum FCE," which ensured the financing of Bouteflika's electoral campaigns throughout the years. In return, its members gained benefits and privileges in accessing public contracts, loans, and real estate, which allowed them to accumulate massive fortunes without producing any added value to the Algerian economy.

These mechanisms and tools can be summarized as follows:

- Maintaining restrictions on individual and collective freedoms under the 1992 State of Emergency Law, which was only lifted in 2011.<sup>26</sup> These restrictions enabled the authorities to exercise tight control over the political and associative fields, mainly in the form of a security clearance of associations before granting them permits to establish themselves, in breach of their right to freedom of association.
- Although the 1990 Law on Associations is considered the most liberal law in the history of Algeria, its actual implementation has always been subject to the will and discretion of the authorities. In addition to the complexities resulting from the extended state of emergency, associative activists also face complex bureaucratic hurdles to register their associations or obtain funding from the authorities. Although the authorities did not resort to the judiciary to dissolve any association throughout this period, thousands of associations were shut down by their founders because of the difficulty of obtaining funding or because they only existed on paper in the first place.

<sup>26</sup> The state of emergency was declared by virtue of Presidential Decree No. 92-44 dated 5 Shaaban 1412, corresponding to 9 February 1992, and it was not lifted until 2011 after President Bouteflika issued Decree No. 11-01, dated 23 February 2011, following what was known, at that time, as the "sugar and oil protests." Fearing that the wave of the Arab Spring would reach Algeria, Bouteflika promised Algerians to carry out comprehensive reforms to the government, starting with lifting the state of emergency which had been in place for 19 years.

## 18 Algerian Civil Society after the Hirak:

*Independent or Further under Containment and Political Clientelism?*

- The inexperience of associative activists in the field of creating programs, preparing action plans, running associations, and managing their relationship with the authorities also led to endless conflicts between their members, often causing the suspension or dissolution of the association by its members.
- Many national associations have a direct relationship with political parties, and crises and problems breaking out within the party quickly extend to the association. There are dozens of national associations with two leaders or two headquarters. This gives the authorities a good reason to suspend the association's work, revoke its access to financial support, or exclude it from various activities.
- The restrictions imposed on the financing of associations rendered the authorities the only source of funding that allows associations to work and implement their programs. This was used in the political climate established during Bouteflika's rule to a tool to trading loyalty for funds.
- While this situation hurt the activities of associations, it led to an increase in opportunistic associations that sold their loyalty and influence on the political scene in favor of the regime (locally or nationally) in exchange for privileges, support, and facilities.
- Even after the lifting of the State of Emergency in 2011 following what was known in Algeria as the sugar and oil protests,<sup>27</sup> the situation did not improve. A new more restrictive law on associations (Law of 06-12 (2012)) was introduced. It legally established the authorities' dominance over the associative space, giving them discretion on how to deal with association activists, be it regarding the association's establishment or granting it subsidies.
- Infiltrating associations and creating problems for those that did not support the regime's plans, especially President Bouteflika's plan to stay in power. On the eve of every important election (particularly presidential elections), corrective movements used to take place within these associations that often ended either in submitting to the authority or suspending their activities. The same applies to trade unions and even political parties.
- Forming associative blocs, mostly consisting of national and local associations supported by the regime, which are granted access to all the material resources of the State in return for promoting the authorities' projects and agendas, such as the National Coordination Body of Associations Supporting President Bouteflika's Agenda, which served as the associative arm of Bouteflika throughout his twenty years of rule.
- After the events of October 1988, the authorities allowed party pluralism as well as trade union, associative and media freedoms. However, they did not loosen the grip over the economy, maintained close monitoring of the accumulation of private capital, and permitted the expansion and development of only a small group of close contractors who owe their capital directly to the State through awards of public contracts or import permits. Bodies that have independent capital or do not have ties with the authorities found it difficult to expand or even to survive.

## b - Post-22 February 2019 Hirak

Did the Hirak put an end to the containment and subjugation strategies that the regime has been practicing against civil society since the beginning of pluralism? Are the new measures introduced by the November 2021 Constitution enough to free civil society from the grip of the regime?

It is still too early to provide definitive answers to these questions, but we will at least attempt to form a preliminary understanding of the reality of civil society in the period after the Hirak, based on the answers of the respondents and by examining the measures taken by the regime since the beginning of the Hirak

### - The authorities' strategies towards the associative movement after the Hirak

The very low participation rates in the elections held after the Hirak – i.e. the presidential elections of 12 December 2019 (41.13%) and the legislative elections of 12 June 2021 (30.20%) – reflect the ineffectiveness of the partisan tool that the authorities have long relied on to control the political field and nullify the effects of the elections in producing an alternative in power. The demand to dissolve the parties of the presidential alliance, especially the National Liberation Front and the Democratic National Rally, was one of the most prominent slogans raised in the popular marches. Thus, the regime realized that it would be difficult to restore the legitimacy of the new president with the help of parties that have a bad reputation among Algerians. Therefore, Abdelmajid Tebboune presented himself as an independent candidate with no partisan support, raising the slogan of civil society as an essential channel for reintegrating Algerians into the political field. In all his speeches during the electoral campaign and after he is elected President, Tebboune focused on the term civil society and the associative movement as a

<sup>27</sup> For more information on these events, see the following paper by Abdel Nacer Djabi: Protest Movements in Algeria (January 2011), the Arab Center for Research and Policy Studies (Doha). [https://www.dohainstitute.org/ar/PoliticalStudies/Pages/Protest\\_Movements\\_in\\_Algeria.aspx](https://www.dohainstitute.org/ar/PoliticalStudies/Pages/Protest_Movements_in_Algeria.aspx)

## 19 Algerian Civil Society after the Hirak:

*Independent or Further under Containment and Political Clientelism?*

new means to rebuild a political field that has been corrupted by twenty years of clientelism, sectarianism, and regionalism.

In reality, Tebboune was no different from Bouteflika. The latter also ran for office as an independent candidate and formed a massive associative bloc called the “National Coordination Body of Associations Supporting the President’s Agenda,” which included, based on unofficial statistics, more than 12,000 national and local associations and represented a strong tool controlled by the president within civil society on critical political occasions.

The authorities called upon Algerians to join existing associations or establish new ones to prepare for what has come to be known in Algerian political discourse as the “new Algeria.” They promised to remove all bureaucratic obstacles facing the youth. Indeed, some media sources indicated that more than 4,000 associations were established during the three years following the Hirak movement. This was also confirmed by many of the respondents in their answers to a question on what changed for the associative movement after the Hirak.

On the other hand, all requests by young people to establish political parties emerging from the Hirak were rejected. Why is the regime lenient when it comes to establishing associations, but strict in authorizing new parties? Is granting a permit to a certain association sufficient for it to work freely and in areas of its choice?

The 2012 Law on Associations prohibits associations from practicing politics. However, a large percentage of the associations included in the present study are linked to political parties, and the associative space represents a framework for the political education of activists. In addition, one of the most important forms of the relationship between the associative movement and the local administration is inviting associations to take part in the formal visits of officials or in the electoral rallies of candidates of the parties of the regime. The authorities apply a double standard when dealing with associations’ practice of politics. On the one hand, associations are strictly prohibited from interfering directly in political affairs. This was the case of the Youth Action Rally (RAJ), which declared its affiliation with the Hirak and ended up being dissolved by a judicial decision. On the other hand, the authorities turn a blind eye to associations that practice politics indirectly and within the implicitly accepted limits set by the authorities – such as supporting the regime in major elections (presidential elections, referendums). The restrictions also overlook the frequent use of an association or its resources by its members for electoral propaganda when running for local or parliamentary elections, or when they use the association to support parties or candidates loyal to the regime.

To make up for the authority’s refusal to authorize the formation of new parties, three associative blocs were created and allowed to work at all levels to promote the authorities’ roadmap and vision of a post-Bouteflika Algeria. A common feature of these blocs is that they all include individuals close to and supportive of the regime, and are directly sponsored by it. The former adviser to the President in charge of the associative movement, Nazih Ben Ramadan, oversaw the launch of the bloc Nidaa al-Watan (The Call of the Homeland), while another bloc, Al-Massar Al-Jadid (The New Path), enjoyed explicit official support during its establishment, and its coordinator was welcomed by the President. Similarly, the Algerian National Media Forum enjoys official sponsorship, and its members are welcomed by public administrations in provinces. In return, these three blocs openly express their support for the regime.

These blocs played a prominent role during the period following the Hirak, and all indicators show that they will play a role in the upcoming phase after the establishment of the National Observatory of Civil Society.

On every occasion, President Tebboune reiterated the need to involve civil society in public affairs to enhance participatory democracy. The authorities are also preparing a new draft law on associations which, they claim, will comply with the 2020 Constitution. On the other hand, the political field has suffered a noticeable decline in political freedoms and debates. Is civil society in this case, as defined by the regime, a primary means used to cover up the authorities’ disruption of politics and media? Will the authorities once again resort to it as an alternative to political parties in the upcoming phase?

### **- Associations as mechanisms for social and political advancement**

The regime used associations as a mechanism for local political participation, with the Law on Association enabling associations to participate in the deliberations of the parliament. At the regional and national levels, the heads of associations are given priority to participate in welcoming officials during their visits or organizing cultural events and national occasions attended by State officials. This situation created by the practices of the regime forces anyone seeking to advance socially or build a political career to join associations known to be close to the regime or to establish an association and use it as a mechanism to curry favor with the authorities and trade loyalty and support in exchange for privileges.

### **- Controlling funds**

The financial support card is considered one of the most

important mechanisms for containing the associative movement. The texts governing the conditions for granting financial aid to associations are mere ink on paper, according to many respondents. Not everyone receives the same amount of financial support, as this depends on the member's relationship with the local or central authorities. Many associations are inactive in their declared area of activity but still receive substantial aid in exchange for the political support they provide.

### **- National Civil Society Observatory: A Mechanism to Support or Contain Civil Society's Independence?**

Algeria is characterized by an abundance of laws, but a lack of their implementation. Over the past 30 years of pluralism, the authorities have successfully developed skills to nullify the effect of partisan and associative pluralism and freedom of the media. That is one of the reasons many of the respondents expressed their pessimism about the future of civil society in Algeria considering the constitutional and institutional measures established after the Hirak. Although the respondents' perceptions of the independence of civil society are different and sometimes contradictory, they still largely agree that the Hirak has been unable to change the reality of civil society in Algeria. A mere look at the National Civil Society Observatory's formation, positions, and activities is enough to realize that it cannot be independent but rather serves as the regime's tool to structure, subdue, and recruit association activists. There have been talks about the need to create federations and associative blocs that perform civil society's functions as envisioned by the authorities.

The regime envisions civil society as a supportive force for its development efforts and, therefore, should help it in raising awareness about the challenges that the country is facing and participating in setting development programs. This version is different from the one that prevailed during the one-party system, whereby various professional associations and organizations were viewed as an extension of parties that use them to implement the authorities' programs and visions. The authorities insist that civil society should not practice politics, but at the same time demand its support. In the eyes of the regime, politics means supporting the opposition or practicing political activities that oppose or contradict its orientations while supporting the regime itself is not a political practice but rather a national duty.

## **Conclusion**

The Hirak movement that erupted on 22 February 2019 is perhaps the greatest political event in Algeria since its

independence, in terms of its inclusiveness, timing, and forms of peaceful expression. However, its outcomes were lower than the hopes, aspirations, and demands expressed by Algerians who took to the streets for a year and a half. Civil society as one of the main pillars of democracy does not seem to have benefited from the Hirak, at least at the associative level, nor has it been able to rid itself of the clientelist and containment practices that have plagued it since pluralism was adopted.

Although the Hirak succeeded in weakening the ability of traditional political parties to garner Algerians' support for the various proposals put forward by the authorities, it failed to free the associative space and turn it into an environment conducive to the emergence of an independent civil society.

The emphasis, at the beginning of the study, on the need to retrace the concept of civil society back to its bourgeois origins was not an intellectual gesture. Rather, it was based on our understanding that social and popular movements in the street cannot lead the process of political change if other material conditions that support civil society and enhance its financial and legal independence are absent. The Hirak was able to overthrow the Bouteflika regime and launch campaigns to fight corruption, but its political agenda of liberating the dynamics of democratic transition from its deadlock seems to be facing difficulties, even resistance. This resistance is believed to be the same resistance that thwarted the first attempt at democratic transition in the early 1990s, and is represented by:

## **The perpetuation of the rentier nature of the Algerian economy**

Despite the adoption of economic liberalism in 1989, the Algerian economy is still more than 97% dependent on hydrocarbon revenues. The retraction of the reforms undertaken by the government of Mouloud Hamrouche (1989-1991) prevented the formation of an independent national bourgeoisie that generates an added value capable of reducing the Algerian economy's dependence on hydrocarbons. On the contrary, it strengthened the authority's ability to monitor the economic field and control the process of wealth distribution within society. The rentier economy is based on distribution and privatization, and it makes the political authorities and their decision-making centers (institutions) primary actors in society: the closer a person gets to them, the more opportunities they have to receive rent. It is also based on opposing and preventing market forces from operating according to market laws (supply and demand and freedom of competition). The massive revenues collected by

the State treasury between 2000 and 2014 made the regime more appealing than the market, especially since the latter already suffered from restrictions and political interventions that hindered the legal and economic conditions. As such, attempts to establish the economic field as a space for producing wealth were stifled by the political authority, thus making the latter the only resort for all those seeking easy and quick gains in society, whether by approaching the authorities to be awarded public projects and contracts or by showing loyalty in exchange for privileges and resources. In this context, associations are used as a means to approach the authorities, while the latter exploits oil revenues as a tool to buy loyalty. The article stipulating that associations must be funded by the administration would not have been preserved had it not been for massive rentier revenues. The regime and its bodies would also not be as appealing had it not been for the privileges that they distribute with no oversight. The same goes for private capital. In a rentier economy where the authorities occupy the economic field with non-economic tools, private capitalists are more attracted to speculative investments that require acquaintances and relationships with the administration to obtain facilities and privileges in public contracts, which represent the main investment sector in the country. These sectors are easily monitored by the regime. Therefore, Bouteflika was able, during his two-decade rule, to create a class of affluent individuals he relied on to consolidate his rule, by granting them privileges and facilitating their access to loans, information, and public contracts, as well as protecting them from the judiciary, labor inspectors, and tax authorities. This form of bourgeoisie cannot put forward a democratic agenda and cannot support civil society, because, in essence, it relies on privileges resulting from the absence of democracy and transparency and the lack of an independent judiciary.

In reality, civil society in Algeria is not dependent on the productive and independent bourgeoisie, but rather on the political authorities that finance the associative movement and prevent it from receiving other forms of financing, or set strict conditions that make it impossible to obtain financing. At the same time, the authorities embrace the private capital that emerged from within it and through its rentier practices.

## The deep-rooted political culture of the ruling elites

The ruling political elites in Algeria are the outcome of a populist ideology, which was represented by the one-party system and economic socialism until the 1990s, and later persisted beyond pluralism as a basic structure for the culture of political elites in power.

Populism views the social body as a single bloc with no

disputes or conflicts between its members. A national group, according to populism, consists of brothers and sisters represented by a political leader who aims to serve them and ensure the unity of the nation by monitoring society and preventing all expressions of dissent and political differences. Thirty years of ostensible pluralism will not be able to effect even the simplest change in this political culture. Therefore, the apprehension of and the obsession with independent parties and associations remain unchanged, just as they were before pluralism.

It is evident, from the authorities' discourse on civil society after the Hirak that the same perceptions held before the adoption of pluralism persist. That is, civil society is viewed as an extension of the authorities, just as loyalist organizations were perceived during the one-party system. According to the authorities, civil society is not a space in which society expresses its diversity and disagreements, and the contradictory interests of various social and socio-professional groups institutionally and legally, but rather a framework in which individuals are organized to allow them to engage in the political, social and economic projects determined by the authorities.

The bitter experience of the 1990s turned into a true concern for the regime, which viewed freedom of expression and association as well as independent political parties as a threat to social peace and national unity. This is why the authorities fear independence and freedom and insist on monitoring all associative, partisan, or media organizations, especially in light of the roles played by non-governmental organizations since the beginning of the Arab Spring. Through the establishment of a civil society observatory, the authorities seem to want to set a formal framework for associative activity, in which associations play secondary roles that is supportive of the authorities' agenda and economic and social choices. However, will this option withstand the regime's thirst for unchecked power? Unfortunately, the ruling elites who inherited power from the one-party system do not have a historical perspective of the dangers of the containment and subjugation of civil society, nor do they have intellectual awareness about the logic and anthropology of political power. It is true that the authorities have recognized the need for a civil society. However, an associative movement that emerges in a rentier context will inevitably turn into a means to curry favor with the authorities. Thus, both the regime and civil society will work to hide this alliance of interests using various tools, including demagoguery, blatant lying, and political platitudes as well as work to eliminate all outlets that could threaten this alliance to ensure everything is monopolized under the pretext of serving the public interest. For instance, talks about democracy and freedom of expression are monopolized by the same parties, bodies, and people who are doing their best to fight freedom of expression and independent media outlets. Hence, a civil society that has been subjugated by



the authorities has turned into a false witness of a faltering democratic transition sought by Algerians, especially since most of the youth involved in the associative movement that has been dominated by the authorities inherited the same populist political culture and relentlessly worship its by-products. Thousands of young people ran in the legislative and local elections organized after the Hirak, but their political discourse was no different from that of the eldest members of the National Liberation Front.

Therefore, to help overcome the dilemma facing the associative movement:

- Public authorities should realize that the strength of civil society can only be achieved through financial and legal independence and that this strength does not undermine the State or compete with it over its powers and sovereignty. The deviation in State functions throughout the years of Bouteflika's rule would not have been possible had it not been for the weakening of civil society, which was turned into a tool for reproducing clientelism and political corruption. The power of the State stems from the power of an independent civil society.
- The authorities justify the restriction of associative activity to the fields subject to its oversight in the name of protecting society from a return of extremism and the exploitation of the associative movement by Islamist and separatist groups. However, unless the regime offers alternatives to society, instead of viewing civil society as being synonymous with the loyalist movements that prevailed before pluralism, the problem will not be solved. Society will rather lose its trust in the State when it sees that the mechanisms introduced after the 22 February Hirak, such as the National Civil Society Observatory, are ineffective in integrating Algerians into the political field and in deterring supporters of the rentier system and opportunists.
- The authorities continued role as the primary funder of associations will increase the spread of corruption within the public administration and the associative field alike.
- Civil society cannot achieve its independence, and thus greater effectiveness in performing its roles, except through financial independence. Therefore, the struggle to liberate the economic field from the dominance of politics represents an essential part of the struggle for democracy.

**Survey Questions****First Axis:**

1. What is your role within the association:
2. President of the Association..... - Board Member..... - Actively engaged individual.....
3. How old is the association to which you belong?
4. What is the nature of the association to which you belong?
5. Are you involved in a political party?

**Second Axis:**

1. Do you think that the process for registering a new association is accessible?
2. With regards to your association: How did you come up with the idea of establishing the association?
3. Did you face bureaucratic obstacles in establishing the association?
4. How did you overcome these obstacles?

**Third Axis:**

1. How would you assess the association's relationship with the local authorities (president of the municipality, head of the department, provincial governor...)?
2. Do you receive subsidies from local authorities?
3. Are there certain conditions for receiving financial or non-financial support from local authorities?
4. What activities do the local authorities involve you in?
5. Do local authorities exercise *a posteriori* control over the disbursement of your financial aid?
6. Do you participate in the deliberations of the People's Municipal Assembly (PMA)?

**Fourth Axis:**

1. Have you ever run in local or legislative elections?
2. How has associative action helped you engage in politics?
3. Is your association involved with any political party?
4. Do political parties ask you for support in elections?
5. What kind of associations are most vulnerable to the political influence of parties?
6. Which parties influence and exploit associations the most?

**Fifth Axis**

1. How true is the statement that many associations are exploited by their owners to achieve political and material gains and interests?
2. Do you know of any associations that are used by their owners for political and electoral purposes?
3. How is the association used for personal gain and interests?

**Sixth Axis:**

1. What does the idea of the independence of civil society mean to you? Do you believe it is necessary?
2. What is the current state of civil society independence in Algeria?
3. What conditions do you think are necessary for associative action to succeed in fulfilling its role?

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### About the Arab Reform Initiative

The Arab Reform Initiative is an independent Arab think tank working with expert partners in the Middle East and North Africa and beyond to articulate a home-grown agenda for democratic change and social justice. It conducts research and policy analysis and provides a platform for inspirational voices based on the principles of diversity, impartiality, and gender equality.

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**26** **Algerian Civil Society after the Hirak:**  
*Independent or Further under Containment and Political Clientelism?*