

## **Introduction:**

### **I- Historical-political background:**

In Africa, the general trends are quite different, far from moving in the direction of a more “multicultural» or “multination” conception of the state, many countries in these regions like Algeria cling to the project of building centralized and homogenized nation-states<sup>1</sup>.

Algeria officially known as the People’s Democratic Republic of Algeria, is a country located in North Africa, it is the largest country on the Mediterranean sea, the second largest on the African continent and the eleventh-largest country in the world in terms of land area.

Its size 2481741 km<sup>2</sup> with an estimated population near to 35000000 (census 2008), the capital of Algeria is Algiers. Algeria is the member of the United Nations since October 1962, African Union, OPEC (Organization of Petroleum Exporting Countries), and the Arab League, it also contributed towards the creation of the Magreb Union.

The Berbers <sup>2</sup>have inhabited Algeria since at least 10.000 BC and after 1000 BC, the Carthaginians began establishing settlements along the coast. Algeria has been occupied in different times during its history by: Phoenicians and Romans among others, but the Arab invasions of 7<sup>th</sup> and 11<sup>th</sup> centuries had the greatest social, cultural and political impacts.

The Berbers seized the opportunity offered by the Punic Wars <sup>3</sup> to become independent from of Carthage, and Berber Kingdoms began to emerge, most notably Numedia<sup>4</sup>.

In 200 BC, however, they were once again taken over, this time by Roman Republic. When the Roman Empire collapsed, Berbers became independent again in many areas, while the Vandals took control over other parts, where they remained until expelled by the generals of the Byzantine Emperor, Justine I. The Byzantine Empire then retained a precarious grip on the East of the country until the coming of the Arabs in the seventh century.<sup>5</sup>

After the waves of Muslim Arab armies that conquered Algeria from its former Berber rulers and the rule of the Arab Dynasty fell, numerous Dynasties emerged therefore.

This continued the influx of Arabs into the region since numerous other tribes than migrated Banu Hilal (Arab tribe), such as Sulaym, Banu Muqal, Banu Khalt and other Arab tribes.

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<sup>1</sup> Will Kymlicka, Navigating the New International Politics of Diversity, Oxford University Press, UK, 2007, p 251.

<sup>2</sup> Berbers are first inhabitants and indigenous people of North Africa in general and particularly of Algeria, they have lived in North Africa since earliest recorded time, before all invasions (Arab, French,...).

<sup>3</sup> The Punic Wars are a series of three wars fought between Rome and Carthage from 264 to 146 BC.

<sup>4</sup> Numedia (202 BC-46BC), was an ancient Berber Kingdom in present-day Algeria and part of Tunisia.

<sup>5</sup> Chris Scare, the wars with Carthage, the Penguin Historical Atlas of Ancient Rome (London: Penguin Books, 1995) pp24.25.

On the pretext of a slight to their consul, the French invaded Algiers in 1830. The conquest of Algeria by the French was also long and violent, and it resulted in the disappearance of about a third population<sup>6</sup>. Meanwhile, however, the French made Algeria an integral part of France, a status that would end only with the collapse of the Fourth Republic in 1958. Algeria got its independence in 1962. These cultural-historical circumstances brought us to wonder about “forced” integration, assimilation or/and exclusion that Algerian Indigenous People and Minority groups have undergone during centuries.

We attempt to analyse the Algerian political system (II), and the Berbers ethnic groups, process of arabization and religious minorities (III).

## **II- The Algerian political system:**

Social and political organization of Maghreb’s States, “especially Algeria” is inherited at moment of independences from their coloniser (France) whose main purpose is how to manage the question of decolonization, to consolidate the bases of modern State.

A mixing of nationalism, bureaucratic centralisation and Islam<sup>7</sup> and the unitary State system, a new constitution based on colonial history and supervised by FLN (the National Liberation Front) was approved by a referendum in September 1963, and Ben Bella was appointed as the party’s choice to lead the country for a five-year term.

Under the new constitution, the president combined the functions of chief of state, head of government with those of supreme commander of the armed forces, the president and his government had almost absolute power without any check and balances.

Algerian first president was the FLN (the National Liberation Front<sup>8</sup>) leader Ahmed Ben Bella who was nominated by the same and unique party. He was removed from power by his former ally and defence minister Houari Boumedienne in June 19th 1965 (coup d’Etat).

Under Ben Bella, the government had already become increasingly socialist, centralized and<sup>9</sup> authoritarian, and this trend continued fanatically through Boumedienne’s government.

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<sup>6</sup> Alistair Horne, *A savage War of Peace: Algeria 1954-1962* (New York Review Books Classics), New York, 2005, pp24-62.

<sup>7</sup> Camille et Yves Lacoste, *l’Etat du Maghreb*, La Découverte, France, 1991, p333.

<sup>8</sup> The FLN was a socialist political party in Algeria; it was set up on October 1954 as a merger of other smaller groups, to obtain independence of Algeria from France.

<sup>9</sup> Article 77 of the Algerian constitution of November 28th 1996.

However, Boumedienne relied much more heavily on the army and reduced the sole party to a merely symbolic role. According to the 1963 Constitution, the head of State is the president of Algeria, who is elected for five-year-term, after he is appointed by the party (FLN)<sup>10</sup>. Due to a constitutional amendment passed by the Parliament in November 2008, two time limit for the president has been removed.

The president is also head of Council of Ministers and of the high Security Council. He appoints the Prime Minister (chief of government) who is also the head of government. The Prime Minister appoints the Council of Ministers.

The Algerian Parliament is bicameral, consisting of a lower Chamber, the National People's Assembly (APN), with 380 members, and an upper Chamber, the Council of Nation, with 144 members. The APN is elected every five years.

## **II.1 - Vertical power distribution in Algeria:**

Algeria is divided in 48 provinces (wilayas)<sup>11</sup>, 553 districts (daira)<sup>12</sup>, and 1541 municipalities. Each province (Wilaya), district and municipalities is named after its seat, which is mostly also the largest city.

According to the Algerian constitution<sup>13</sup>, a wilaya is a territorial collectivity enjoying some economic freedom. The People's Provincial Assembly (APW) is the political entity governing a province, which is led by a "president", who is elected by the members of the Assembly and directed by the Wali<sup>14</sup>(prefect or governor) direct each province. This person is appointed by the Algerian president to execute the PPA'S (People's Provincial Assembly) decisions. The administrative decisions have changed several times since independence .When introducing new provinces, the numbers of old provinces are kept, hence the alphabetical order.

Algeria is a unitary system<sup>15</sup>, in which the all levels of government depend totally on the central government. Political authority, religious and economic power, controlled by the only central government, which is constitutionally authorized and allowed to determine the limited powers. The central government has the power to make laws for the whole country including provinces (wilayas)

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<sup>10</sup> Article 39 of Constitution of September 10<sup>th</sup> 1963.

<sup>11</sup> A Wilaya is an administrative division, usually translated as « province »or « governorate », as Canton in Switzerland, Lander in Germany.

<sup>12</sup> A Daira is an administrative division of a wilaya in Algeria.

<sup>13</sup> Article 15 of the Algerian constitution of November 26<sup>th</sup> 1996.

<sup>14</sup> In Algeria, a Wali is the « governor »and administrative head of each the 48 provinces (wilayas) of the country, and he is appointed by the president (chief of the state).

<sup>15</sup> Article 1 of Algeria's constitution of Novembre 28th 1996.

and municipalities (communes) which are managed by wilaya's Code<sup>16</sup> and commune's Code<sup>17</sup>. It also processes all governmental authority.

Central government within this structure is government ministries, departments and agencies to which the ministers of government are assigned.

Powers are concentrated in the central government thus the National People's Assembly (APN), The People's Provincial Assembly (APW) and municipalities (local assemblies) can exercise only those powers given to them by the central government<sup>18</sup>.

This central government directly exercises its authority and powers over all the Algerian citizens; however, it may choose to delegate responsibility for certain policy areas or activities to local bodies<sup>19</sup>. None of these sub-governing bodies possesses competence to deal policies areas, which are exclusively under their control (wilayas, communes), therefore, any decisions they make may be overturned by the central government.

Furthermore, they, and their delegated powers and areas of responsibilities exist only by the will of the central government. After all, in delegating political duties to regional or local governments, political powers still ultimately rests with the central government.

Moreover, the functions and prerogatives of these bodies are specified only in statutes and tend more administrative, than legislative in nature<sup>20</sup>. The primary benefit of this system is the clear, hierarchical and centralized authority structure which eliminates statements legislation among the local or regional political units.

The constitution that was prepared in 1963 declared Algeria as a one-party state to be ruled by National Liberation Front (FLN)<sup>21</sup>. This constitutional frame work suffered a set back when it was suspended by the military coup of June 19th 1965.

This incident created a lot of confusion by political instability, therefore to make things under control of Houari Boumedienne issued a second constitutional amendment in 1976, which particularly emphasized on the essentiality of arabization and the return to the arabo-islam past of Algeria<sup>22</sup>.

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<sup>16</sup> Law no: 90/09 of April 7th 1990 according to the Wilaya (province).

<sup>17</sup> Law no: 90/08 of April 7th 1990 according to the commune (municipality).

<sup>18</sup> The only article which refers to territorial collectivities (wilayas and communes) is the article 15 of Algerian constitution of November 28<sup>th</sup> 1996, and it just stipulates that: territorial collectivities of the state are communes and wilayas, the commune is the basic coollectivity.

<sup>19</sup> Idem, articles 77, 78,79 and 85 .

<sup>20</sup> Law no: 90/09 of April 7th 1990 according to the Wilaya (province) and law no: 90/08 of April 7th 1990 according to the commune (municipality).

<sup>21</sup> Op-citato, p 2 of this document.

<sup>22</sup> Aricles: 2 and 3 of the constitution of Algeria of November 14<sup>th</sup> 1976.

## II.2 – The Berber people(s) and balances power in the Algerian State:

From the mid seventh century waves of Arab invasions into Algeria brought cultural changes and introduced by imposing Islam which is always associated with the Arabic language, although the character of Algeria remains Berber.

Rural Berber life remained largely unchanged by Arab influences while those living in the cities found their language, tribal law and oral literary traditions being replaced by Arabic traditions. The Berbers refused to recognize central authority or to pay taxes for central government.

The Berber-speaking population of Algeria may consist up to one quarter of the Algerian population and it is concentrated in the mainly mountainous areas of Kabylia<sup>23</sup>, Chaouia<sup>24</sup>, the Mزاب<sup>25</sup> and the Sahara (Touareg)<sup>26</sup>. About half of the Berber-speaking population comes from the area of Kabyle and it is this area its language, which has played the most important Berber role in modern Algeria. Kabyles Chaouia played an important role in the war of independence against the French. During the colonial period the French administration attempted to shield the Berbers from the propagation of Arabic language and culture, and slowed down the process of arabization and islamization, which began in the mid of seventh century.

At independence in 1962, Arabic became the sole national and official language of Algeria, both as a rejection of colonialism and means of unifying the nation by the ruling FLN. Linguistic and cultural expressions of Berber were not allowed and this created resentment among Berber speakers. When the central government attempted to increase the numbers of Arabic speakers in the administrations. The 1976 National Charter emphasized the theme of national unity attempts to promote and enforce literary Arabic as the language of government<sup>27</sup>.

The Berber resistance to the imposition of literary Arabic has taken several forms. Although the government has feared Berber separatism, there appears to be little support for separatism as such

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23 Kabylia is a region of strong symbolic value for Algeria, The people of Kabylia are Berbers, it includes three main wilayas(Bejaia,Tizi-ouzou,and Bouira),and great part of Boumerdes wilaya and Algiers,Setif, Jidjel, Bourj-bouararej,Oran, Telemcen,etc.

<sup>24</sup> is the eponymous Berber language spoken by the Chaoui people of eastern Algeria around Batna , Khenchela , Sétif , Constantine , Oum El Bouaghi , Souk Ahras , Tébessa and the north part of Biskra . It has over two million speakers.

<sup>25</sup> is a region of the northern Sahara, in the Ghardaïa *wilaya* "province" of Algeria, around 500 km south of Algiers, The Mozabites ( people who speak the M'zab language and live in Ghardaïa wilaya) are a branch of a large Berber tribe

<sup>26</sup> The **Tuareg** (also *Twareg* or *Touareg*, ) are a Berber nomadic pastoralist people. They are the principal inhabitants of the Algerian Saharan ( Adrar,Illizi,Tamenraset Wilayas ), see the Algerian map on page 13.

<sup>27</sup> The Algerian National Charter of June 27th 1976.

rather more for a greater recognition of Berber identity and rights for Berber speakers within more democratic and pluralist Algerian state. There have been a number of Berber opposition movements both in Algeria and France. However the most enduring form of Berber opposition has come from broader based cultural movements.

Through the 1970s Berber musicians and poets used a modernized form of traditional Berber music to implicitly criticize the Algerian regime. Although popular demands eventually forced the government to allow such music in the media, singers and groups were not allowed to perform in the Kabyle. In March 1980 the government banned a lecture on ancient Kabyle poetry by a lecturer and linguist “Mouloud Mammeri” at Tizi-ouzou (Wilaya in the East of Algiers) university in Kabyle. Demonstrations and strikes throughout the Kabyle (Kabylia) and other Berber areas and by Berber students at Algiers, Tizi-ouzou and other universities followed, and were met by violent crack down by government troops. In repression, many people died, several hundred were injured and many Berber activists, including intellectuals and musicians were arrested.

The government later allowed a Chair of Kabyle studies to be restored at Algiers University (it had previously been abolished) and an other was created at Tizi-ouzou. However the Arabization programme continued<sup>28</sup>.

The Berber Cultural Movement<sup>29</sup> and other Berber organizations have generally supported the ideal of Algeria as a bilingual state, with recognition given to Berber languages and colloquial Arabic, which is in fact the language of majority of the population, rather than literary Arabic.

They also stressed the fusion of Berber and Arabic cultures which has taken place in Algeria. As a result they have often allied themselves with non-Berbers who wish to achieve a more democratic and pluralist government<sup>30</sup>. In 1985 there were further arrests and imprisonment of Berbers activists.

Once remarkable for their distance from matters indigenous, political theorists are now considering the political and historical issues of native people with their recent works on constitutionalism, citizenship and multiculturalism<sup>31</sup>. Concerning Berber identity, this large movement (Berber Cultural Movement) of cultural affirmation and promotion is very developed and

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<sup>28</sup> MIRAND BRUCE-MITFOORD, HUGH POULTON, DR JOHN RUSSEL and KAYE STEARMAN, World Directory of Minorities, Minority Rights Group, St James Press, USA, (1989), p 185.

<sup>29</sup> Berber Cultural Movement was created during the 1970 for claiming and promoting Berber culture and language in Algeria.

<sup>30</sup> Idem, p 186.

<sup>31</sup> DUNCAN IVISION, PAUL PATTON and WILL SANDERS, Political Theory and the Rights of Indigenous peoples, Cambridge University Press, UK, 2000, p 113.

extended particularly in Kabylia during the 1980, with a view to the constitutional and institutional recognition of Berber identity<sup>32</sup>.

The BCM insisted on an amendment of the constitution and demanded that an official text must guarantee the legitimate character of Berber claiming as constituent of national identity, not only Islam and Arabic language which constitute it, as the case of all Algerian constitutions (1963, 1976, 1989), except the one of 1996 which just mentioned Berber as a component of national identity<sup>33</sup> “with and after” Islam and Arab thinking. Also, Berber language is slightly incorporated in article 3 of that constitution, but just as “National” language, not “official”. It is important to notice that, mentioning “Numid Kingdom (Numedia)<sup>34</sup>” in its constitution (1996), Algeria, recognize officially and “superficially” its past ante-Islam and ante-Arab<sup>35</sup>.

### **III- Berber ethnic groups, process of Arabization and religious minorities:**

Berbers constitute approximately 30% of Algerian population. They are divided among Kabylia, South-East (Chaouia), Algiers regions, bordering regions on Morocco, and the South of Algeria (M'zab and Touareg in the Sahara)<sup>36</sup>. Three main Berber groups cohabit: Kabyles, Chauois and Toureg. For Islamic reasons, Mozabits ( inhabitants of M'zab region) were thrown in desert region, where, in 11<sup>th</sup> century founded the M'zab's towns .The six or seventh million ( but much more today ) of Berber-speaking are dispersed islets very unequally divided and with variable density.<sup>37</sup>

#### **III.1 – The Berber ethnic groups:**

In the oasis of the Sahara, Touaregs localized in the South and South-east of Algeria, where they are nomads, they preserved since the antiquity written version of Berber language<sup>38</sup>. This Berber tribe is recently and very weakly represented in the National People's Assembly (APN, Parliament), and are not represented in the government, since, they are very far from the Capital (more than 2000 km from

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<sup>32</sup> Salem Ckaker, « Berbérîté et émigration Kabyle »,in *Peuples Méditerranéées*,numéro spécial, Migrations et Méditerranée,Paris, avril-septembre 1985, n° 31-32, p 217,225.

<sup>33</sup> See the Preamble of Algerian constitution of November 28th 1996.

<sup>34</sup> « Numedia », noun given the Romans to the Northern part of Africa, which corresponds to actual Algeria. Numedia had been populated by Berbers who are the ancestors of Algerians.

<sup>35</sup> See the same Preamble. Idem.

<sup>36</sup> JOSEPH YACOUUB, *Les Minorités Dans Le Monde, Faits et Analyses*, Desclée De Brouwer, Paris, 1998, p675.

<sup>37</sup> G.H, Bousquet, *les Berbers*, PUF, ED, que-sais-js ? Paris, 1974, p7.

<sup>38</sup> Roland Breton, *Atlas des Minorités dans le Monde, Panorama des Identités Ethniques et Culturelles*. Ed Autrement, Paris, 2008, p 42.

Algiers). In the political sphere, for geopolitical reasons at the moment of independence in 1962, the new Algerian State attempted to integrate the Sahara populations into the Nation<sup>39</sup>.

Today's Berbers, became Arabs or not, do not constitute, under no circumstances, a homogenous ethnic whole<sup>40</sup>. Most Algerian successive governments since its independence until our days have aspired and, to found "Nation-state". In this model, the Algerian state was "is" seen as the possession of a dominant national group, which use the state to privilege its identity, ideology, own interests, language, culture, literature, religion, and so on, and which defined and lead the state as the expression of its Nationhood. The group that established dominance and consolidated it since 1970s under the military regime (military elite), which possesses all types of powers such as: political, ideological, economic...etc power<sup>41</sup>. Anyone who does not belong to this dominant national group was subject to forced assimilation, integration or exclusion. Either marginalisation or exclusion from the institutions of the state using political jobbery as bureaucracy, corruption, favouritism and other unfair and illegal practices.

A repeated theme among anti-Berber propagandists is that the Berber identity was created by the French and that the Berber militants and parties are working for the French.

Berber tribes (ethnic groups), do not participate actively in television programme as the rest of the population. Algerian government has forbidden the installation of television channel in Berber language in Algeria; the Berber Television was created and installed in Paris (France).

It says that all Algerian citizens must depend on the sole public "Arabic" television channel, and no private one, the quasi-totality of the programme (cultural, scientific, variety show) is diffused in the unique official Arab language.

### **III.2 - The institutionalized process of Arabization (Islamization):**

The process of "arabization"<sup>42</sup> was institutionalized and sped up under the post-independence regime, which is influenced by the pana-arabist ideology of the former Egyptian president "Gamal Abdel Nasser", particularly during the 1970s.

This political process disregards spoken languages in Algeria, and does not take into consideration the particularities of the populations: Kabyle, Chaouis, Touaregs and Mozabits.

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<sup>39</sup> André Bourgeot, *Les sociétés touaregs. Nomadisme, Identité, Résistances*, Ed : KARTHALA, Paris, 1995, p 404.

<sup>40</sup> G, H, Bousquet, *Idem*, p 12.

<sup>41</sup> Jean Du Bois De Gauduson, Gerard Conac et Christine Desouche, *les Constitutions Africaines*, T1, La Documentation française, Paris, 1997, p 14.

<sup>42</sup> Arabization, the verb is to Arabize (Arabiser in French): political and cultural measures taken by the government in order to promote and propagate the Arab language and culture.

The Algerian State implements and generalizes the role of Arab language in the official sphere<sup>43</sup>. Algeria belongs to the Arab World<sup>44</sup>, and was for many times referred as the “Capital of Arab Culture”. This means Algeria is an Arab-Muslim country on the one hand, and denying its real identity which is Berber on the other hand.

The preamble of Algerian constitution defines “Islam, Arabity and Amazighity (Berburity)<sup>45</sup> ” as fundamental components of Algerian people identity, but many laws are elaborated in consideration of Arab language and culture, to the detriment of Berber ones, there are more than 15 laws that deal with arabization of Algeria<sup>46</sup> .

This law is made in order to generalize, promote and protect the Arab language in different domains of national life by the institutions of Algerian state. The Arab language, the present law stipulates, is a component of national personality and a constant of the nation<sup>47</sup>, and the public administrations, companies and associations must use only the Arab language in the whole of all kind of their activities, such as communication, administrative management, Etc<sup>48</sup> .

Teaching, education and formation in all areas, in all levels and all branches are done in Arab language. Algerian Academy of Arab language was created in order to enrich, promote and develop this language, for ensuring its influence<sup>49</sup>, until the total and definitive Arabization. There is not equality of opportunity in matters of public teaching between Berber and Arab language, Algerian government has made laws which ridicule or abridges the rights stated by the constitution, in spite of its contradiction with the social reality. The large gap between what is provided in the constitution or other laws, and the implementation of these laws or rights, in an other way, the evident contradiction between theory and practice.

The right to equality<sup>50</sup> is “in theory” considered as being protected under the constitution, is recognized as the “fundamental right” by Algerian laws and claimed by marginalized ethnic groups. Human rights are based on the acknowledgement and acceptance of the human person in all of his or her diversity (cultural, religious, linguistic, national, political, etc...). International human rights such as non-discrimination, freedom of expression and religion and others are all founded on the

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<sup>43</sup> Article 3 of Algerian Constitution of November 1976.

<sup>44</sup> An Organization of 22 states which have in common a dominant Arabic and Muslim culture.

<sup>45</sup> Arabity: Arab ideology and culture. Amazighity (Berburity) : Berber ideology and culture.

<sup>46</sup> the Law 91-05 of January 16th 1991 according to the generalization of Arab language

<sup>47</sup> Articles 1, 2, and 3 of the law 90-05, op-citato.

<sup>48</sup> Article 4 of the same Law.

<sup>49</sup> Article 26, idem.

<sup>50</sup> Article 29 of Algerian constitution of November 28th 1996 stipulates that: “citizens are equal before the law, without any discrimination...”

recognition of the intrinsic value of the human person's dignity and worth. These rights are based on tolerance of human differences, such as linguistic and religious differences, and respect and recognition of human diversity.

The concept of “minority” in all its typology as: National, linguistic, religious, ethnic minorities and “indigenous people” are never mentioned in either Algerian constitution or other laws. The State authorities, at national or local levels, prohibit all discussions, debates and opinions according to these two concepts. To date, it is a taboo to speak about indigenous people or minorities under the Algerian unitary system. Diversity in Algeria is institutionally eclipsed behind the imposed homogeneity, notwithstanding the social reality which confirms the heterogeneity of Algerian people.

These situations would engender opposition movements which claim their rights, where the State refuses to use Berber language and does not admit their culture and the difference. The assertion of Berber cultural rights enhances the rise of a Movement for the Autonomy of Kabylia (MAK), in the beginning of 2000s, led by a Kabyle political personality “Ferhat Mehenni”. Which is not yet recognized by Algerian authorities, on the pretext of being anti-constitutional<sup>51</sup>, and it is considered as a regional party or movement. Many months of rioting, beginning in April 2001, the Berber region of Kabylia have led to the death of scores of people, all killed by the security forces’ gunfire ( more than 120 assassinated and 2000 wounded ). The Kabyle riots were about Berber calls for official recognition of their language and culture even that was one of many themes of the demonstrations.

Kabylia is the most politicized region in Algeria, with awareness of its distinct identity. The region has a history of agitation against the central government dating back to the 1960s, soon after Algerian became independent from France<sup>52</sup>. In the Mozabite region, during these last times, riots and demonstrations occurred, and many people claim their rights to live in dignity as human being and recognize their differences. At a distance of about 1000 km from the central government (Algiers) makes the inhabitants of this region marginalized, forgotten and neglected by State authorities. And they are never considered as a distinct population which has its own particularities, social organization and way of life.

Meanwhile, the Algerian successive government since the independence up today, try to assimilate them into “artificial homogenized Algerian society”, in this case, the same politics has been exercised against Touregs in the Sahara and Chaouia in the East of Algeria.

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<sup>51</sup> Article 42-2 of Algerian constitution of November 28th 1996.

<sup>52</sup> Haba Saleh, The Kabyle riots: repression and alienation in Algeria, MERIP Press Information Note 56, May 11, 2001.

As regards to national resources, they are entirely controlled by the central government which decides how to share these resources “which turn between the hands of a junta”. Officially, these financial means have not been distributed basing on ethnic, religious or linguistic basis.

But in distribution of resources, some regions are neglected, marginalized and submitted to the blackmail unitary system.

### **III.3 - Religious Minorities:**

Christianity came to North Africa in general and particularly in Algeria in the Roman era. Its influence declined especially in the chaotic period of the Arab invasions of the seventh century. Today, Algeria is primarily Muslim; Islam is the State religion of Algeria<sup>53</sup> .

The practice and expression other faiths than Islam is not guaranteed by law.. For example, for being eligible for the presidency of Republic, one must first of all has Muslim confession<sup>54</sup>, as the second condition of having Algerian origin nationality.

There is some evidence that a number of Algerians have converted to Christianity in recent years. The percentage of Christians in Algeria is 2/.( 2009). In 2009, the UNO counted 20.000 Roman Catholics and between 200.000 and 320.000 Protestants in the country<sup>55</sup> , but real and effective statistics are so difficult to be obtained in a non-democratic regime.

Christians have at times been subject to religiously-motivated attacks. This small population some times practices its faith without government interference. An other religious minority live under the total domination of Muslim religion in Algeria. Jewish settlement in present-day Algeria can be traced back to the first centuries of the Common Era. In the 14th century, with the deterioration of conditions in Spain, many Spanish Jews moved to Algeria. After the French occupation of the country in 1830, Jews gradually adopted French culture and were granted French citizenship after being granted independence in 1962, the Algerian government harassed the Jewish community and deprived Jews of their economic rights . In 1955 there were 140,000 Jews in Algeria.

Judaism and Christianity are put at unfair disadvantage compared to Muslim religion, a “High Islamic Council” has been created during the 1990s as a consultative institution which acts with the president of Algeria, in order to promote and give advices religious affaires<sup>56</sup>. It is important to mention that a “Ministry of religious affaires”, officially exists since decades and it is considered as

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<sup>53</sup> Article 2 of Algerian constitution of November 28th 1996.

<sup>54</sup> Article 73 of the same constitution.

<sup>55</sup> [http://en.wikipedia/wiki/christianity\\_in\\_Algeria](http://en.wikipedia/wiki/christianity_in_Algeria), August , 5th 2009.

<sup>56</sup> Article 171 of Algerian constitution, idem.

other different Ministries of Algerian State. This can show the important place that Muslim religion takes in Algerian life. And its indispensable to emphasize that Algerian State has signed and ratified the most Conventions according to Human Rights, especially, the article 27<sup>th</sup> of IPSEC,<sup>57</sup> unfortunately the implementation is not yet effective.

## **Conclusion:**

We note that Algerian unitary system has failed in its roles, such as: real national unity, respect of human rights, and promotion of diversities. In order to reach the accommodation of multiculturalism and preservation of diversity, Algeria has to start the process of decentralisation and federalisation, so, in federal system we can really balance between unity and diversity. Federalism is to search to balance between respect of “Diversities” and need of “Unity”, between separatism and mutuality, and between particularities and living together.

Sovereignty among the federal State is the object of sharing between central government and other levels of government. Federalism allows the best results for the respect of cultures and the development of societies. The distribution of political and legislative, administrative powers and financial resources in federal arrangement helps to improve and develop the people’s life. The federal studies are generally interested into the institutions and relationships between levels of power. When we study the Algerian State structure, we will need to light the way for understanding the territorial and functional arrangement of power in unitary system.

Algeria has all means and conditions for being, “would and must” be a federal State at the least, just after its independence in 1962. It is at one and the same time, very large (the second in Africa), and multicultural (ethnic, linguistic and religious diversity). During a half century, since 1962 till now, Algerian unitary system has failed in all its objectives such as: national unity, popular sovereignty, and the respect of human rights.

On the other hand, the “future Algerian federal State”, can, I do believe, resolve all these Algerian problems which are growing and developing in the unitary system and put in concrete both principles of federalism: autonomy and participation.

The power sharing among the federal State and the different levels of government, in other words, between provinces “48 Algerian Wilayas” and central government will be fair and balanced. But the People’s Provincial Assembly (APW), have to be transformed into “local Parliaments” and wilayas in so far as the representative of central government, into “local governments” with their own

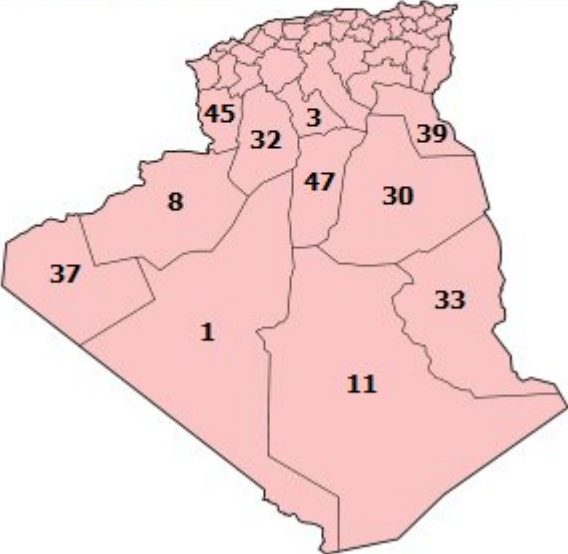
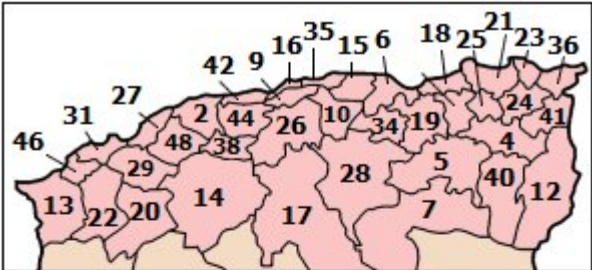
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<sup>57</sup> International Pact on Social, Economic and Cultural Rights of December 16th 1966.

constitutions legitimately, rationally and democratically elaborated, in a way, the sovereignty belong really to people. It is very important to change slightly the administrative boundaries of the 48 provinces which are made by unitary State authorities, in order to create a permanent dominance, and impose homogeneity.

Of course, Algerian constitution must not be just amended but, we have to change its foundations and bases, so that it will reflect Algerian social realities, diversities and multiculturalism.

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## References:

### English

- Alistair Horne, A savage War of Peace: Algeria 1954-1962(New York Review Books Classics), New York, 2005.
- DUNCAN IVISION, PAUL PATTON and WILL SANDERS, Political Theory and the Rights of Indigenous peoples, Cambridge University Press, UK, 2000.
- Chris Scare, the wars with Carthage, the Penguin Historical Atlas of Ancient Rome (London: Penguin Books, 1995).
- Haba Saleh, The Kabyle riots: repression and alienation in Algeria, MERIP Press Information Note 56, May 11, 2001.
- MIRAND BRUCE-MITFOORD, HUGH POULTON, DR JOHN RUSSEL and KAYE STEARMAN ,World Directory of Minorities, Minority Rights Group, St James Press ,USA, ( 1989) .
- Will KYMLICKA, Multicultural ODYSSEYS, Navigating the New International Politics of Diversity, Oxford University Press, UK, 2007.
- Chris Scare, the wars with Carthage, the Penguin Historical Atlas of Ancient Rome (London: Penguin Books, 1995).

### French

- André Bourgeot, Les sociétés touaregs. Nomadisme, Identité, Résistances, Ed : KARTHALA, Paris.
- Camille et Yves Lacoste, l'Etat du Maghreb, La Découverte, France, 1991.
- G.H. Bousquet, les Berbers, PUF, ED, que-sais-js ? Paris, 1974.
- Jean Du Bois De Gauduson, Gerard Conac et Christine Desouche, les Constitutions Africaines, T1,La Documentation française , Paris, 1997.
- JOSEPH YACOUB, Les Minorités Dans Le Monde, Faits et Analyses, Desclée De Brouwer, Paris, 1998.
- Roland Breton, Atlas des Minorités dans le Monde, Panorama des Identités Ethniques et Culturelles. Ed Autrement, Paris, 2008.
- Salem Ckaker, « Berbérîté et émigration Kabyle », in Peuples Méditerranées, numéro spécial, Migrations et Méditerranée, Paris, avril-septembre 1985, n° 31-32.

### Law

- The Algerian Constitution of September 10<sup>th</sup> 1963.
- The Algerian National Charter of June 27<sup>th</sup> 1976.
- Algerian constitution of November 14<sup>th</sup> 1976.
- Algerian constitution of November 28<sup>th</sup> 1996.
- Law no: 90/09 of April 7<sup>th</sup> 1990 according to the Wilaya (province).
- Law no: 90/08 of April 7<sup>th</sup> 1990 according to the commune (municipality).
- - Law 91-05 of January 16<sup>th</sup> 1991 according to the generalization of Arab language.

### International law

- International Pact on Social, Economic and Cultural Rights of December 16<sup>th</sup> 1966.

### Electronic reference

- [http://en.wikipedia/wiki/christianity\\_in\\_Algeria](http://en.wikipedia/wiki/christianity_in_Algeria), August, 5<sup>th</sup> 2009.