"ROUND UP THE UNUSUAL SUSPECTS": U.S. POLICY TOWARD ALGERIA AND ITS ISLAMISTS

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or most Americans, Algeria's civil conflict for the last decade has been a distant concern. It seems to impinge on no important U.S. interests. The horrific violence reported periodically, and mostly dutifully, in the American media has seemed incomprehensible. Few have an appreciation of the context in which the conflict between government and Islamists emerged, let alone who has been committing the violence. For American policy makers, Algeria was a cause for concern in the 1990s, but hardly at the top of the policy agenda. North Africa has never fit well into a regional policy for the Middle East or Africa as a whole. North African developments have been of secondary importance compared to broader U.S. concerns in the Middle East, like the Arab-Israeli peace process, protection of Gulf oil supplies, control of weapons of mass destruction, and prevention of terrorism.² The State Department has largely deferred to France, the ex-colonial power, in North African matters. Algerian turmoil has been viewed primarily in terms of its potential impact on Euro-Mediterranean security, should an Islamist regime come to power in Algiers.

However, Algeria burst onto the radar

screen of American public consciousness in December 1999, when a young Algerian, Ahmed Ressam, was arrested in Port Angeles, Washington, driving a rented car from Canada loaded with explosive devices. Evidence that he and other Algerians were planning to set off bombs during millennial celebrations in Seattle and elsewhere in the United States led to a massive antiterrorist investigation by the U.S. and Canadian governments. The American media closely covered the arrest and indictment of a slew of Algerian Islamists suspected of planning attacks under orders from Osama Bin Laden. In April 2001, a federal court in Los Angeles convicted Ressam on nine criminal charges, including conspiracy to commit an act of international terrorism.

The actions of Ressam and his cohorts give cause for a reexamination of U.S. policy toward Algeria's military regime and the Islamists opposed to it. This article advances three major arguments. First, Algeria is significantly more important to the United States than prevailing wisdom would suggest, and the U.S. government has squandered a number of important opportunities to influence developments in the country. Second, the Algerian case

calls into question the wisdom and consistency of U.S. policies toward democratization, Islamism, terrorism and market reform in the Arab world. Third, the spillover of the Algerian imbroglio into domestic politics has important implications for the U.S. judicial system and the antiterrorism battle.

Algeria is important to U.S. national interests in the Arab world.³ A key U.S. goal in the Middle East is to insure peace and security. Yet in the 1990s, no other Arab country except Iraq experienced as much death and destruction as Algeria. As many as 150,000 people may have died since 1992, tens of thousands have been injured, and more than 20,000 are missing. Since January 2000, there have been an estimated 200 deaths per week. Close American allies - Egypt, Morocco and Tunisia – have also been threatened by the bloodshed. Another key U.S. goal in the region has been to secure the flow of oil and promote economic reform and investment. Among Arab countries, only Saudi Arabia and Iraq export more to the United States than Algeria. American oil and gas companies have made major investments in the energy sector since 1991, and American engineering companies have been heavily involved in building Algerian infrastructure. Still, Algeria has one of the most dismal records of economic reform in the world. Finally, the United States has a strong interest in promoting democracy in the region. If pluralistic, competitive elections are the necessary start of serious democratization, Algeria was once on the same fast track as Eastern Europe and Latin America. The freest and fairest elections the Arab world has experienced in decades were Algeria's 1990 local elections and first-round 1991 parliamentary elections. When the Algerian military staged a

coup to halt the democratization process in 1992, the United States stood by helplessly. Algeria has made a mockery of American policies to promote security, economic change and freedom in the Arab world.

THE POLITICAL DIMENSION

Historically, American relations with Algeria have oscillated wildly. The first war the U.S. Navy ever fought was against Algerian corsairs from 1798-1805. Now, Algeria's modern-day pirates – the military junta whose members are plundering the economy – are being wooed by the U.S. Navy, which has conducted minor exercises with the Algerian navy. In September 1999, U.S. Sixth Fleet Admiral Daniel Murphy met newly-elected President Abdelaziz Bouteflika and Chief of Staff Mohamed Lamari, who is notorious for his campaign to "eradicate" Islamists. Murphy insisted that U.S.-Algerian relations "have matured to the point where we are able to discuss ways to cement a permanent military program of Algerian and United States interaction" and held out the hope of "regular U.S. Navy port visits" in Algeria.4 This new-found military friendship, strengthened by visits to Algeria since 1999 by high-ranking American military officers, is with one of the most brutal regimes in the Arab world. A former Algerian army officer shocked French public opinion in early 2001 with his book describing torture, executions and other atrocities against civilians committed by Algerian military units and intelligence services in their fight against Islamist insurgents.5

Americans can take some pride in having helped liberate Algeria from oppressors, first as part of Allied forces that entered the country during World War II. John F. Kennedy supported the independence aspirations of Algerians in their guerrilla war against France from 1954 to 1962.⁶ Although provoking the wrath of Paris, he put the United States on the right side of an anti-colonial struggle that claimed at least 750,000 lives. The irony at the time was that some of the weaponry supplied by the United States to France was used against Algerian *mujahideen*. In today's second battle of Algiers, a good number of the opponents of the regime have also been struggling for liberation from injustice,

military rule and French influence, yet the United States has no interest in championing their cause. In fact, soon after Algeria's rigged June 1997 parliamentary elections, the Clinton adminis-

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tration approved a \$32 million contract by Gulfstream Aerospace to sell six radar-surveillance aircraft to the Algerian military for use against Islamists. In November 2000, the Export-Import Bank approved a loan guarantee of \$195 million for the Ministry of Defense to buy surveillance aircraft from Raytheon and Northrop Grumman. S

In the 1970s, Algeria's president, Houari Boumediene, earned the enmity of the United States because of his active support for the Nonaligned Movement, national liberation struggles, anti-Zionism and a New International Economic Order. In that troubled decade, his regime harbored Third World freedom fighters and American black nationalist exiles like Eldridge Cleaver. Ironically, Boumediene's long-time foreign minister, Bouteflika, who spent most of his professional political career trashing U.S. foreign policy, is now touted by Washington as Algeria's best hope for reconciliation.

Beginning in 1979, U.S. relations with Algeria warmed with the arrival to power of President Chadli Benjedid, whose government played a key role in securing the release of American hostages in Iran.

As Algeria's economy began to collapse after the 1985 drop in world oil prices, riots erupted in October 1988 and led to a rapid process of political liberalization. Prime Minister Mouloud Hamrouche (1989-91)

initiated structural reforms in the economy and presided over a burgeoning democratization process, yet the United States failed to adopt an activist policy toward Algeria. Part of the hesitancy stemmed from the fact that, unlike circumstances in the collapsing Soviet bloc, Islamists were the main advocates of, and winners from, political change. Moreover, the Algerian government had condemned American involvement in the Gulf War.

Washington can take credit for having indirectly contributed to the rise of 1980s Algerian Islamism and the subsequent civil conflict. It had made a temporary "marriage of convenience" with militant Sunni

Islam in the 1970s and 1980s, especially through support for the Afghan resistance to Soviet occupation.9 Large numbers of Muslims, including up to 3,000 Algerians, joined the resistance financed largely by the United States. Many of the Algerians who had experience in Afghanistan and Pakistan went back home in the 1980s and early 1990s, taking up violence against the regime. The returning "Afghanis" have had important roles in the Armed Islamic Groups (GIA), one of the most violent factions in the Algerian civil war. The "blowback" from America's financing of the Afghan resistance has continued through the 1990s via the export of radical Islam to Algeria, France and the United States by Islamists trained in camps run by the Taliban and Osama Bin Laden, whom former president Bill Clinton accused of financing and directing Ahmed Ressam's terrorist network.10

When the army staged a coup in January 1992 to prevent a second round of parliamentary elections that would have given the Islamic Salvation Front (FIS) a two-thirds majority in the legislature, the United States squandered an opportunity to demonstrate to the Arab world the sincerity of its global advocacy of democratization. It meekly expressed regret over the coup. While calling for a return to the democratic process, the Bush administration showed no particular hostility to the military junta, adopting a policy of wait-and-see.¹¹

From 1993 to 1995, America's Algeria policy underwent a remarkable evolution, spurred largely by the perception of a number of U.S. officials that the junta was losing the battle against Islamists. ¹² The generals headed by President Liamine Zeroual were increasingly isolated, and despite their eradicationist policies, had lost

control of parts of the country and were unable to prevent guerrilla attacks against infrastructure and the assassinations of foreigners. As the conflict escalated, the new Clinton administration called for an end to violence by all parties and urged the regime to integrate the opposition back into the political system. A division emerged in the American foreign-policy establishment between hardliners in the National Security Council and the Department of Defense, who supported an eradicationist line, and area specialists in the State Department, who thought that a negotiated settlement was desirable.¹³ Some in the State Department believed that an Islamist government would not necessarily destabilize the region or weaken American involvement in the oil and gas sector.14 Based on pragmatism and a willingness to make a distinction between political Islam and Islamist extremism, Washington called on the Algerian government to open a dialogue with the Islamist opposition that renounced violence. 15 The U.S. position, promoted by Robert Pelletreau, then assistant secretary of state for Near East affairs, caused considerable tension with Parisian and Algerian hardliners.

Furthering this policy, in late 1993 the Clinton administration began discreet talks with exiled members of the FIS who were considered moderate. Among their interlocutors was Anwar Haddam, leader of the FIS Parliamentary Delegation in Exile, who had been living in the United States. Lasting more than a year and a half, these talks were "preemptive U.S. diplomatic contact with fundamentalists who have grass-roots strength and, potentially, the power to topple regimes." The rationale was that they could encourage moderates like FIS leader Abassi Madani to constrain

radicals and decrease the possibility of an "Iranian scenario." The strategy seemed to be paying off when Haddam represented the FIS in 1994-95 talks with all the major Algerian opposition parties.

Held in Rome under the aegis of the Catholic lay community Sant'Egidio, the talks resulted in the January 1995 Rome Platform, in which the FIS and the other parties called for a negotiated settlement and formally pledged to reject violence, respect alternation of power through elections, and guarantee a multi-party system, fundamental liberties and religious freedom. The Clinton administration welcomed the platform and criticized the Zeroual regime for immediately rejecting it. In a 1995 hearing before the Senate Foreign Relations Committee, Pelletreau insisted that a state-Islamist dialogue leading to a return to elections would be the best way to end violence, enlarge the narrow base of the regime and reinforce pragmatic Islamists.17

In late 1995, the administration abandoned its short-lived activist approach to Algeria and shifted back to a (non-) policy of wait-and-see. Turning its back on the FIS representatives in exile, it tried not to undermine the military junta. Platitudinous statements counseling dialogue and patience and touting minor progress toward political reform indicated a U.S. attempt to avoid taking sides and to let inertia resolve the conflict.¹⁸ A confluence of factors apparently persuaded the United States to change course and squander its potential leverage over moderate Islamists and the regime. In 1994 and 1995, Algeria rescheduled its onerous external debt through the Paris and London Clubs and implemented an American-supported IMF structuraladjustment program. As a result, the

regime had a temporary surplus of resources to buy new weapons and pay off supporters.

The army rapidly regained control of ground lost to the Islamists. Confident that he had mastered the security crisis, Zeroual staged a multi-candidate presidential election in November 1995, which he won with over 60 percent of the votes. The aura of pluralism and fairness in the election convinced the Clinton administration that the regime had a stronger base of legitimacy. Morocco, Tunisia and Egypt had been complaining that a U.S. tilt toward the Algerian opposition would undermine their own efforts to deal with Islamists. Most important, 1995-96 bombings by Algerian Islamists in the Paris metro won the administration over to France's hardline approach. Although during a visit to Algiers in March 1996 Pelletreau had said that a dialogue between all parties that rejected violence was the key to reconciliation, a few months later the United States, France, Belgium and Germany launched a crackdown on Algerian Islamists in their countries. In Washington, Haddam was denied political asylum in October 1996, arrested by the INS in December and threatened with deportation.

The United States continued to warm up to Algiers in 1997, especially after Zeroual held parliamentary elections in June in which opposition parties, including two legal Islamist parties, gained seats. However, relations were complicated by a series of horrific massacres in late 1997 and early 1998 that gained widespread international attention. The United States joined a chorus of calls from Europe that Algeria allow outside investigators to enter the country. There were even rumblings

that an international peacekeeping force should be dispatched. The European Union and the United Nations ended up sending innocuous fact-finding delegations.

In February 1998, in testimony before the House International Relations Subcommittee on Africa, Ronald Neumann, a former ambassador to Algeria, outlined the evolving American policy. While blaming the GIA for most of the violence, he admitted that security forces were involved in some killings. He reiterated "friendly" advice that the Algerian government should

be more transparent by allowing fact-finding missions by international NGOs but noted that the regime "has yet to

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respond positively or definitively." While announcing American support for Zeroual's professed goals, he pointed out that economic reforms were slow and political reform had "mixed results." He suggested that Washington might help by inviting a few parliamentarians and civil society representatives to come to the United States and by releasing some money from the Middle East Regional Democracy Fund "to finance activities and training supporting the development of democratic governance." "Any action we take," he offered, "is meant to be supportive and in the direction of greater political openness, respect for human rights, marginalization of extremism, elimination of terrorism and political violence, of market reform, and of hope for the citizens of Algeria." While the Clinton administration

began to call more attention to humanrights abuses by government forces, its policy was bereft of vision without an insistence on fully democratic elections. Supporting far-reaching reforms implemented in slow, halting steps by the regime is hardly a realistic means for the United States to achieve ambitious goals in Algeria.

Zeroual did give the Clinton administration cause for optimism when he announced in September 1998 that he would resign and schedule a presidential election

> for April 1999. Seven prominent candidates entered the race, but on the eve of the election, six pulled out on the basis

of perceived fraud, leaving Abdelaziz Bouteflika, the military's favorite, the winner.²¹ The Clinton administration expressed disappointment over the elections and initiated a three-month review of relations with Algeria. Yet the blunt-talking Bouteflika soon earned the support of Washington – and many Algerians – with a civil-concord plan providing amnesty to thousands of Islamists who laid down their weapons. Observing that Bouteflika had reduced the level of violence and pushed ahead with reforms, Washington sent a steady flow of officials to Algiers to enhance relations. Cameron Hume, U.S. ambassador to Algeria 1997-2000, outlined American policy towards the current regime just before his departure.²² Though he claimed that the United States "may have no vital interests at stake in Algeria,"

he insisted that Bouteflika's turn toward peace provided an opportunity for the United States to encourage the development of democratic institutions and the rule of law. He suggested that the United States support non-governmental organizations, cooperate on antiterrorism with the government, and help train the police. He also urged further cooperation in regional security matters and greater American foreign investment.

Despite good intentions associated with calls for human-rights protection, judicial reform, and political reconciliation, the American policy of standing on the sidelines has done little to resolve the internal crisis. The reforms the United States has encouraged have come too little, too late. In dealing with Islamists, no one in Algiers listens much to Washington. Most of the moderate FIS leaders with whom the Algerian government could open a dialogue are either under house arrest (Abassi Madani), in exile in the West (Anwar Haddam), or have been assassinated (Abdelkader Hachani, shot to death in an Algiers dentist office in 1999). All of the principled, pro-democracy candidates for president who pulled out of the 1999 race seem to have been forgotten by Washington.²³ Bouteflika ran unopposed in a tainted election and is now the undisputed master of a still-brutish regime. Since Ramadan in late 2000, a large surge in massacres and other atrocities in the country has effectively unraveled his civil concord plan. On top of the festering violence between the regime and Islamists, mass rioting and demonstrations from April to June 2001 by Berbers in the Kabylie region concerned with police abuses and cultural rights tarnished Bouteflika's legitimacy. None of these troubling

developments deterred the new Bush administration from welcoming Bouteflika to the White House in July 2001 for talks focused on bolstering trade and investment.

U.S.-ALGERIAN ECONOMIC RELATIONS

U.S. economic relations with Algeria are filled with as much irony as its political relations. American companies in the 1970s built many of the country's socialist enterprises; since then, American investment has helped the regime garner more rents and delay deep market reforms in a thoroughly corrupt and failed economy. In the 1970s, as part of his effort to decrease dependence on France, Boumediene welcomed large-scale support from the likes of Bechtel and Ingersol Rand. American companies were deeply involved in heavy engineering and construction projects. This involvement continued in the 1980s, despite the bitter collapse of a major gas-export contract with El Paso early in the decade.²⁴ The Bush administration viewed the economic reforms of 1989-91 positively, but made no particular effort to support them directly.

The United States has been one of Algeria's principal trading partners for two decades, and American companies have been major investors. Since 1997, the United States has been Algeria's second most important source of imports and its second largest export market. In the same period, only one Arab country has exported more to the United States than Algeria: Saudi Arabia.²⁵ Among Arab countries, only Egypt, Saudi Arabia and the UAE now import more American products than Algeria, effectively making the United States one of the best trading partners of one of the nastiest regimes in the Arab

world.²⁶ The commercial relationship accelerated when the Algerian government - desperate for money to finance its debt and keep the public sector afloat - opened up the hydrocarbons sector to foreign investment. Key U.S. companies like ARCO, Exxon, Oryx, Mobil, Sun Oil and Anadarko became involved in major oil and gas exploration, development of gas fields, and co-production with Sonatrach, Algeria's public hydrocarbons giant. In 1996, ARCO signed a \$1.5 billion investment and production-sharing agreement with Sonatrach. In June 1998, before it merged with BP, Amoco signed a \$900 million agreement with Sonatrach to develop a major gas field. BP Amoco has since become involved in another \$2.5 billion gas scheme. Anadarko, the largest independent oil and gas enterprise in the United States, has been Algeria's largest foreign investor, developing oil and gas fields and leading a consortium to build a pipeline. Algeria accounts for 29 percent of the company's total proved crude-oil reserves. In April 2000, the U.S. oil company Amerada Hess signed a contract with Sonatrach in which it pledged to invest \$550 million over 25 years in enhanced oil recovery. In most of the deals, Western oil companies pledge to invest heavily in hydrocarbon exploration and recovery, and they have a stake in any production that results from their investment. Sonatrach, the regime's main source of income, also gets a cut of production.27 American investment after 2001 will likely increase if the Algerian parliament passes a new hydrocarbons bill, one of the most liberal in the Middle East, designed to open up all upstream and downstream gas and oil activities to foreign investors.

By the late 1990s an estimated 500-

600 American engineers and technicians were working in Algeria's tightly-guarded, Saharan oil and gas enclaves.²⁸ Many of them have been employed by major American engineering companies and corporate giants working in concert with Algerian public enterprises and European investors. Bechtel, the world's largest private company, was in charge of building a massive 530-kilometer pipeline, the Gazoduc Maghreb-Europe, which supplies gas to Spain and Portugal through Morocco. Subsidiaries of the Halliburton Company have been involved in major energy and engineering projects in Algeria.29 In early 2000, Brown and Root-Condor, a joint venture company in which Halliburton's Brown and Root is a partner, signed a \$331 million engineering and construction contract to boost gas production. Air Products and Chemicals, an American company, helped build a helium plant. Lucent Technologies recently won a contract to supply 14,000 new telephone lines. GE Power systems, a U.S. company that has the largest installed base of power-generation equipment in the global energy business, has been a major player. Algeria is GE's second largest Middle East customer (including Israel and Turkey) in terms of installed capacity of gas and steam turbines.30 It has installed almost as many gas turbines in Algeria as in Saudi Arabia. In an early 2000 deal, an Italian subsidiary of GE signed a \$107 million contract to build a power plant at Hassi Berkine. GE's turbines, generators and services to power-generation plants are vital to Algeria's hydrocarbons industry, which finances more than 60 percent of the government's budget.

America's corporate giants have historically been the darlings of Algeria's

top technocrats.³¹ Algerian public companies desperately need technical expertise, and American corporations are eager to enter the largely untapped Algerian market, as evidenced by a flurry of visits to Algiers since 1998 by American business elites.³² Most of the agreements American companies make are with Algerian public enterprises that historically have squandered much of the economy's resources.

Deals with Westerners help public companies survive and the government budget grow. American investment does not make the Algerian government more accountable or strengthen civil society. It reinforces a corrupt, rentier state instead of promoting free markets and new domestic private businesses. To the extent that the U.S. government continues to make promotion of American corporate investment a cornerstone of its Algeria policy, it may actually exacerbate the structural problems it proposes to alleviate. In 1998, Stuart Eizenstat, undersecretary of state for economic, business and agricultural affairs, formulated a U.S.-North African economic partnership (a.k.a. the Eizenstat Initiative) to bolster American trade and investment in the region.33 The deregulation, privatization, procurement transparency and intellectual-property protection at the heart of the Eizenstat Initiative will likely embolden the existing economic powerholders in Algeria and their American partners. In January 2000, the U.S. Export-Import Bank lifted a \$2 billion ceiling on financing to Algeria, opening credits for long-term public-sector transactions. Within days it had received requests for letters of interest worth \$1 billion. By October 2000 the Bank had an existing exposure to Algeria of \$1.6 billion, its second highest in the Middle East after

Saudi Arabia and eleventh highest in the world.³⁴ Focusing on opportunities for U.S. companies in hydrocarbons and aviation, the Bank has since 2000 approved loans and loan guarantees of nearly \$400 million for exports by Boeing, Northrop Grumman and Root and Brown.

What have been the results of the economic reforms repeatedly encouraged by the United States? Since 1994 a number of inflation, debt, budget and finance figures seem to show things improving. However, as in other reforming countries, most things have gotten a lot worse before they have gotten a little better. The 1994-95 rescheduling of debt released billions of dollars for the security forces, "enabling a huge recruiting drive and the tripling in the size of the paramilitary antiterrorist force, gendarmerie and part-time armed 'village guards."35 The housing crisis has never been worse, and import liberalization has primarily benefited a military-Mafia elite.³⁶ Positive growth figures for some of the years since 1995 are due mostly to good rainfall and rising oil prices rather than government policies. Official unemployment has risen to 30 percent. There has been no export diversification: by the end of 1999 non-oil exports were a measly \$410 million. In the last ten years, few large public companies have been privatized. State banks still control 95 percent of the banking system's total assets and deposits. A state body (CALPI) set up to promote regional investment by private businessmen revealed in October 1999 that of the more than 13,000 investment projects registered with it since 1994, less than 4 percent were operational.³⁷ By February 2001, Algeria had only three companies listed on its stock exchange – and they were all public enterprises.

The United States has repeatedly stressed the necessity of privatization, promotion of the private sector, and opening to the global economy, little of which has occurred in Algeria. It believes that Bouteflika is sincere in his pledge to fight corruption and bureaucracy. At the moment he has some breathing space, as his Treasury is awash in new money due to high oil and gas prices.³⁸ Yet his ambitious plans to partially privatize major public enterprises such as financial institutions, railways, electricity and gas distributors and mining companies face enormous resistance from organized labor, public sector managers and some military officers. Whether he can avoid wasting the windfall and tame the real masters of the economy is questionable.

ANWAR HADDAM AND AHMED RESSAM

America's foreign policy toward Algeria also involves domestic policy. The cases of two Algerians who have recently faced the American judicial system illustrate the inconsistency of American policy and the dangers that result from loss of principle. Anwar Haddam and Ahmed Ressam are two very different faces of Algerian Islamism, the former an articulate, exiled politician, the latter a lackey in a terrorist conspiracy. America's encounter with these Islamists is a reflection and outcome of U.S. policies toward the Algerian government discussed above. Their rounding up is a reminder of how foreign policy chickens do come home to roost. These "unusual suspects" tell us as much about the injustice in Algeria as they do about the American justice system.

Anwar Haddam is one of the few Algerian Islamists who knows quite a lot

about the United States. For six years in the 1980s he was a graduate student at Iowa State University, where he became active in the Muslim Students' Association. He went back to teach nuclear physics at the University of Algiers. In 1991 he ran for a seat in parliament and won in the first round of voting. After the coup, he fled to France and then entered the United States in 1992 on a visitor's visa. In April 1993, he applied for political asylum. Heading the FIS Parliamentary Delegation in Exile, he was allowed to occasionally exit and reenter the United States, speak around the country, and engage in political activities against the Algerian regime.³⁹ He was an example of the kind of moderate, welleducated Islamist with whom the State Department could talk. Three of his four children were born in the United States. In January 1995, he signed the Rome Platform on behalf of the FIS, pledging his party's support for pluralism, free elections and tolerance. Rarely has an Islamist party in the Arab world formally committed itself to such principles.

Yet American goodwill toward Haddam had soured by early 1996, partly as a result of Haddam's own blunders and partly as a result of American reassessment of the solidity of the Algerian regime. Between 1994 and 1995, Haddam had flirted with the GIA, at one point announcing a unification of Algerian mujahideen – including fighters from the FIS's Islamic Salvation Army (AIS) – under the banner of the GIA. Following a February 1995 bombing in central Algiers in which more than 40 civilians died and 300 people were injured, he condemned the loss of civilian life but claimed that the bomb was meant for police headquarters and insisted that "the armed struggle is continuing and will

not stop until the military accepts" conditions of the Rome Accords. 40 Like many opponents of unconstitutional and repressive regimes, he defended the legitimacy of the struggle through methods that included violence. After the GIA assassinated several of his close associates, he had a falling-out with the group. In 1995, he also had a falling-out with Rabah Kebir, another prominent FIS leader based in Germany, whom he accused of having committed treason. In early 1996, Kebir issued a communiqué claiming that Haddam represented no official FIS authority. In May 1996, Haddam inaugurated a newsletter that criticized the "U.S.-backed New World Order" and condemned Robert

Pelletreau for recognizing Zeroual's election as president.

The stage was set for the State Department to end its discreet contacts with

Haddam. In October 1996, his claim for political asylum was denied, and in December the Immigration and Naturalization Service arrested him and started deportation proceedings. His asylum request had been rejected on the grounds that he had incited others to commit acts of persecution and human-rights violations. He was held in detention because of the risk that he might abscond and because, based on secret evidence, he was deemed to be a national security threat.

To complicate matters, soon after his arrest Haddam faced a civil lawsuit initiated in a U.S. District Court by a group

of Algerian women and journalists who alleged that he had assisted in various crimes against humanity in Algeria such as assassination, torture, rape and the burning of schools.⁴¹ Suing on behalf of family members, the Algerians were represented by the Center for Constitutional Rights at the City University of New York. Moreover, in mid-1997 a French court indicted Haddam for alleged membership in an association related to a terrorist enterprise, based on French roundups of Algerian Islamists since 1993. Among other things, he was accused of involvement with Islamists falsifying documents for the GIA and suspected of participation in the planning of terrorist acts in France. A

> Parisian judge, Roger Le Loire, went to Washington to meet him in jail and inform him of the indictment.

After his arrest, Haddam faced these legal challenges and a

series of court battles to appeal his asylum denial, deportation and detention. He went on hunger strike several times and continued to issue statements condemning the Algerian government and the rigged elections in 1995, 1997 and 1999.⁴² At Haddam's first deportation hearing in July 1997, an immigration judge found him ineligible for asylum. In September 1998, after reviewing classified evidence against Haddam, a judge for the Board of Immigration Appeals found no evidence that he was a "persecutor of others" and declared him statutorily eligible for asylum, but sent his case back to an immigration judge to review

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the secret evidence. By this time Haddam could not be deported to Algeria because he had been sentenced to death in absentia by the Algerian government in November 1997. In late 1998, he filed a writ of habeas corpus claiming his imprisonment was illegal and challenging the use of secret evidence to keep him in custody. Under the 1996 Anti-Terrorism and Effective Death Penalty Act and the Illegal Immigration Reform and Immigrant Responsibility Act, secret evidence can be used to keep an alien in custody who is considered a nationalsecurity threat. Almost all those detained on the basis of secret evidence since 1996 have been Muslims, prompting complaints by Arab-American groups.⁴³ Haddam's lawyers claimed the secret evidence was mostly taped phone calls, transcripts of which they wanted released in full to be refuted in court.

Haddam's case represents a failure in the American system of justice: he was charged with no crime by the government and could not see the evidence upon which basis he was being held in custody.44 Bizarre twists in the Haddam saga since 1999 point out the shaky basis of his detention. In May 1999 another immigration judge again denied Haddam asylum. Yet in early May 2000, the INS informed Haddam's wife, Nassima, by mail that he had been granted asylum and then sent her a fax several days later revoking the asylum, claiming that it had made a mistake.45 Nassima herself had been granted asylum in November 1999 and thus had the right to apply for family members. The INS argued that asylum could not be granted to the husband through her application because his case was already pending before the Board of Immigration Appeals.46 Moreover, in July 2000 French

judge Roger Le Loire dismissed charges against Haddam, along with another Algerian Islamist charged with connection to a terrorist enterprise, citing fabrication of evidence by the French police.⁴⁷ In November 2000, a judge on the Board of Immigration Appeals granted political asylum to Haddam, finding no evidence that he was a threat to the United States. He was released from jail in December, yet the INS asked Attorney General Janet Reno to vacate the BIA ruling. Reno initially issued a 45-day stay on the grant of asylum, then on the last day of the Clinton presidency issued an indefinite stay.

The administration's bungling of Haddam's case reflects the inconsistency in policy toward Algeria. When Robert Pelletreau was questioned about Haddam's presence in the United States during a visit to Algiers in March 1996, he replied, "The First Amendment of the Constitution guarantees freedom of speech." However, in September 1999, Ronald Neumann, then deputy assistant secretary for Near Eastern affairs, said,

There was a period when we spoke with Anwar Haddam. There was a period, then that period ended frankly because of a political judgment on our part that he was not an authentic representative of any current within the Islamic movement in Algeria. He was speaking neither definitively for the FIS nor for the GIA, a position I think he got himself into by trying to keep a foot in both camps. The fact that he is currently under detention, however, is simply not a reflection of political policy. It is a decision by an immigration judge that he be deported.⁴⁹

The State Department has suggested that the Justice Department was solely respon-

sible for his detention and that Washington had not changed its policy toward Algeria's opposition. Whatever the truth in the buckpassing game, the dialogue with Haddam is off, and U.S. channels to moderate Algerian Islamists damaged. In its Algeria policy the Clinton administration tried to please everyone but alienated many who once believed that the United States would stand up for Algerian freedom.

Instead of Haddam, Ahmed Ressam is now the sort of Algerian Islamist the United States must deal with. He is not unlike the vast majority of young Algerians, who have had their promise in life destroyed by decades of FLN and military rule. He grew up in Bou Ismail, a poor, working-class town west of Algiers, where workers are bused to dreary jobs in Greater Algiers and jobless young men hang out in cafes along the Mediterranean. According to his family, he was the first to get a modern education, along with an ulcer when he was 16 years old.50 Fresh out of high school, he was turned down for a job in the police force. Like many disillusioned youth, he left for France in 1993. In early 1994, he arrived in Canada and filed for political asylum but was turned down. In the following years he got arrested for shoplifting and robbery, and presumably joined up with GIA supporters in Montreal.

On December 14, 1999, Ressam was arrested in Port Angeles, Washington, smuggling explosives and bomb-making equipment in a rented car. Some of the serious charges against him included conspiracy to bring explosives into the United States to destroy property, and carrying an explosive device in the commission of a felony. His case spawned a plethora of American media reports on

reputed Algerian terrorists. Intense pretrial publicity in Seattle forced a judge to move his trial to Los Angeles.

In the immediate aftermath of his arrest, the FBI rounded up a number of Algerians in places like Boston and New York, and Canada arrested a number of Ressam's friends.⁵¹ President Clinton later announced that Ressam was part of a major terrorist conspiracy linked to Osama Bin Laden. Abdelmajid Dahoumane, an Algerian who stayed with Ressam in a Vancouver hotel, was indicted in January on terrorism and explosives-related charges. In April 2000, the U.S. State Department offered a reward of up to \$5 million for information leading to his arrest and conviction. In late 2000, Algerian police arrested Dahoumane in Algeria. Abdel Ghani Meskini, an Algerian living in Brooklyn, was arrested soon after Ressam, based on allegations he had tried to meet Ressam in Seattle. In March 2001, he pled guilty to one count of conspiracy to provide material support to terrorism. Meskini had been in phone contact with Abdel Hakim Tizegha, an Algerian arrested in December 1999 in Blaine, Washington, on immigration charges.⁵² Meskini was supposedly told to meet Ressam by Mokhtar Haouri, an Algerian in Montreal who was indicted on charges of terrorism by the United States in January.⁵³ Haouri waived his right to an extradition hearing in Montreal and was later handed over to U.S. marshals and arraigned in Manhattan Federal Court in August 2000.54 In July 2001, he was found guilty of conspiracy to provide support for a terrorist act. He was said to be connected to Mohambedou Ould Slahi, a Mauritanian national whose brother-in-law is a close aide of Bin Laden. Also arrested in connection with Ressam's millennial

bombing plan were a Canadian, Lucia Garofalo, and an Algerian, Bouabide Chamchi, who both sneaked across the border into Vermont in December. Garofalo pleaded guilty to two immigration charges and was released after two months because prosecutors had no evidence she was tied to the Ressam network.

As part of a plea bargain before Ressam's March 2001 trial in Los Angeles, Meskini agreed to provide evidence against Ressam. During the trial, prosecutors were barred from making references to Osama Bin Laden. On April 5, a federal jury found Ressam guilty of nine counts, including conspiracy to commit an act of international terrorism, and he faces a probable sentence of life in prison. On the same day, a French court that had been trying Ressam in absentia sentenced him to five years in prison for involvement in a network supporting Islamist terrorists.

Before Ressam and his alleged associates were arrested, the United States had not been a direct target of Algeria's GIA or other Algerian Islamists. The motives for the recent conspiracy against U.S. targets are unknown. The United States has finally encountered violent Algerian Islamists in its own backyard at the same time it has warmed up to the militarybacked regime in Algiers. Had Algeria's generals not halted the democratic process in 1992, one wonders whether Ressam, Tizegha and over 10,000 other Algerians would have fled to Canada and the United States in the 1990s looking for jobs and safe haven.

CONCLUSIONS

Since January 2000, House and Senate hearings have shown that the costs of

making the U.S.-Canadian border less porous are very high, particularly given the demands of NAFTA. Philip Wilcox, Jr., a former ambassador and coordinator of counterterrorism at the State Department, has argued that Draconian border controls would not keep out terrorists.⁵⁵ Instead, he believes that Washington should address the root causes of terrorism and violence by restoring funding for foreign affairs, especially for programs and diplomatic activities designed to alleviate social problems in developing countries.

His advice is commendable, but only the first in a number of measures that the new Bush administration, the State Department's Bureau of Near Eastern Affairs, and Janet Sanderson, the U.S. ambassador to Algeria since October 2000, could pursue to reestablish a principled and forceful policy toward Algeria. None of the measures is easy: insisting on a return to free and fair elections open to the FIS; reestablishing a dialogue with moderate Algerian Islamists; demanding accountability for human-rights violations; pressuring for deep economic reforms in banking and the public sector; and deferring less to France on regional matters while coordinating more policies with the European Union.56

Change in policy will come not only from a reassessment of what is best for Algerians but what is best for American interests. Civil society in Algeria is vibrant, and the human-rights activists, journalists and secular politicians who have struggled against enormous odds deserve much more American support. Moderate, well-educated and popular Islamists like Abassi Madani, Mahfoud Nahnah and Ahmed Taleb Ibrahimi also deserve greater American recognition. Although neither

they nor Anwar Haddam are exemplars of the kind of pro-democracy leaders the United States has embraced elsewhere in the world, they do promote rapid change, political accountability, a rule of law and economic fairness. Their opponents in Algiers have pursued goals much less worthy. Whatever his good intentions, Bouteflika is still beholden to a coterie of ruthless generals and economic Mafiosi. To the extent that improving economic relations with Algeria means that American companies mostly invest in hydrocarbons or win contracts to supply state companies with aircraft and telecommunications equipment, economic policy will not foster free markets. Quite the contrary: it will help a rentier state remain rentier, squeeze out local private investment and reduce the impetus for structural change. Instead, the United States could leverage its economic influence by channeling direct support to domestic private entrepreneurs and standing firm toward Algeria at the IMF and World Bank.

There has been much of principle in American policy towards Algeria since 1992. Washington decision makers have significantly advanced American economic interests in the country while stressing the need for political reconciliation and humanrights protection. Moreover, there are clear limits to U.S. leverage over the regime. Still, an insistence on truly democratic elections should become the axis of U.S. policy in Algeria. None of the elections since the 1992 coup have been free, fair or inclusive. The coup itself annulled the results of the fairest elections Algeria has ever witnessed. There are few regions in the world where the United States would tolerate such a mockery of democratic principles. Perhaps Americans will begin to worry about the injustices in Algeria as much as they once did about the injustices in South Africa and Nigeria. In all three African countries, U.S. multinational corporations helped keep the money flowing to oppressors. South Africa and Nigeria have gone democratic, and American relations with both have improved dramatically. Algeria has bucked the historical trend. The irony in U.S.-Algerian relations will likely continue, yet one can only hope future policy includes an American rediscovery of astute Algerian Islamists, struggling entrepreneurs and families of the disappeared.

¹ For an examination of why the American media has given little coverage to Algeria, see Laura Flanders, "Algeria Unexamined: Tens of Thousands Dead and It's Barely News," *On the Issues*, Spring 1998, pp. 24-28

² See José Garçon, "L'Algérie, si loin de Washington . . .," *Politique Etrangère*, Vol. 60, No. 2, Summer 1995, pp. 427-434; John Entelis, "Democracy Denied: America's Authoritarian Approach Towards the Maghreb – Causes and Consequences," paper presented at the XVIIIth World Congress of the International Political Science Association, August 1-5, 2000, Quebec, Canada.

³ A recent book identified Algeria as one of nine "pivotal states" in the Third World from the point of view of future U.S. foreign policy. See the chapter by William Quandt in *The Pivotal States: A New Framework for U.S. Policy in the Developing World*, eds. Robert Chase, Emily Hill and Paul Kennedy (New York: W.W. Norton, 1999).

⁴ MEED Quarterly Report – Maghreb, February 7, 2000 (from Dow Jones Interactive).

⁵ Habib Souaïdia, *La Sale Guerre* (Paris: La Découverte, 2001).

⁶ For an excellent analysis of American policy toward Algeria from 1954-1962, see Robert Kumamoto, *International Terrorism and American Foreign Relations*, 1945-1976 (Boston: Northeastern University Press, 1999).

- ⁷ *Le Monde du Renseignement*, No. 317, August 28, 1997. In the first few months of 2000, direct commercial sales to Algeria by American military enterprises reached \$29 million, almost as much as sales to Morocco, America's closest ally in the region (*Maghreb Confidentiel*, May 11, 2000).
- ⁸ Export-Import Bank of the United States, www.exim.gov/summary/nov00wk4.html, April 30, 2001.
- ⁹ See John K. Cooley, *Unholy Wars: Afghanistan, America and International Terrorism* (London: Pluto Press, 1999).
- ¹⁰ See Ahmed Rashid, "The Taliban: Exporting Extremism," *Foreign Affairs*, November-December 1999, pp. 22-35. Ahmed Ressam and fellow Algerian conspirator Abdelmajid Dahoumane were alleged to have trained in a Bin Laden camp (*Seattle Times*, March 5, 2000, p. A3).
- ¹¹ Robert Mortimer, "Les Etats-Unis face à la situation algérienne," *Monde Arabe Maghreb Machrek*, No. 149, July-September 1995, pp. 4-5.
- ¹² Robin Wright, "U.S. Sees Algeria as Top Crisis in 1995," *Los Angeles Times* (reprinted in *Seattle Times*, December 27, 1994, p. A1); Andrew Pierre and William Quandt, "Algeria's War on Itself," *Foreign Policy*, No. 99, Summer 1995, pp. 144-148.
- ¹³ Garçon, op. cit., p. 435; Mortimer, op. cit., pp. 5-6.
- ¹⁴ This view is presented in a 1996 RAND report commissioned by the U.S. Army. See Graham E. Fuller, *Algeria: The Next Fundamentalist State?* (Santa Monica: RAND, 1996).
- ¹⁵ Garçon, op. cit., p. 431.
- ¹⁶ Edward G. Shirley (pseudonym), "Is Iran's Present Algeria's Future?" Foreign Affairs, May-June 1995.
- ¹⁷ Garçon, op. cit., p. 431.
- ¹⁸ Shirley (op. cit.) recommended this approach, arguing that "though there is much to dislike about the ruling regimes in Algeria, Tunisia, Morocco, Egypt, and Saudi Arabia, they all possess one quality that should incline us strongly in their favor: they can evolve."
- ¹⁹ "Statement of Deputy Assistant Secretary of State for Near Eastern Affairs Ronald E. Neumann Before the House International Relations Committee Subcommittee on Africa," February 5, 1998 (from Federal Document Clearing House).
- ²⁰ Since 1997, the State Department has officially listed the GIA as a terrorist group.
- ²¹ Among the six who withdrew were prominent politicians representing a wide political spectrum: Ahmed Taleb Ibrahimi, a former Boumediene minister courting the FIS vote; Mouloud Hamrouche, former reformist prime minister; Abdallah Djaballah, an Islamist; and Hocine Ait Ahmed, a secular-Berber leader.
- ²² Cameron R. Hume, "Encouraging Algeria's Recovery," *North Africa Journal*, May 2000, www.globe.com/northafrica/months/may00/art13.htm, June 18, 2000.
- ²³ After the elections, Ahmed Taleb Ibrahimi sought to form a political party, Wafa, drawing upon FIS supporters, but his application for official approval of the party was rejected.
- ²⁴ See Belaid Abdesselam, *Le gaz algérien: stratégie et enjeux*, (Algiers: Bouchène, 1991); Azzedine Layachi, *The United States and North Africa: A Cognitive Approach to Foreign Policy* (New York: Praeger Publishers, 1990).
- ²⁵ In 2000, American imports from Iraq topped those from Algeria.
- ²⁶ See United States International Trade Commission, "U.S. Trade Balance, by Partners, 2000," http://dataweb.usitc.gov/scripts/cy_m3_run.asp, April 30, 2001.
- ²⁷ For more background, see Mary-Jane Deeb, "U.S. Oil companies in Algeria: Challenges and Contributions," *Middle East Insight*, November-December 1999, pp. 29-30, 54; John Entelis, "Sonatrach: The Political Economy of an Algerian State Institution," *The Middle East Journal*, No. 53, Winter 1999, pp. 9-27.

 ²⁸ Cooley, op. cit., p. 205.
- ²⁹ Halliburton's former CEO is Dick Cheney. The company has \$15 billion in annual revenue and more than 100 subsidiaries, of which Brown and Root-Condor and Kellogg Brown and Root are active in Algeria. Halliburton conducts much of its business abroad, especially in countries that are undemocratic and/or plagued with civil conflict. See Marego Athans and Ann LoLordo, "Cheney Profited Richly from His Time in
- ³⁰ MEED Weekly Special Report, March 31, 2000 (from Dow Jones Interactive).

Office; His DC Connections Served Business Well," Baltimore Sun, August 16, 2000, p. A1.

- ³¹ See Mahfoud Bennoune and Ali El-Kenz, *Le hazard et l'histoire: entretiens avec Belaid Abdesselam*, 2 vols. (Algiers: ENAG/Editions, 1990).
- 32 Coca-Cola, Pfizer and Eli Lilly have made important investments in recent years. In 1998, Citibank was the

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first international bank to reestablish an onshore branch since the civil war began. It plans to open several more branches. *MEED Weekly Special Report*, March 31, 2000 (from Dow Jones Interactive).

- ³³ For background, see "Eizenstat on U.S.-North Africa Economic Partnership," United States Information Agency (June 16, 1999). The Initiative can be seen as a U.S. response to the European Union's recent association agreements with Mediterranean states designed to establish a free trade zone within a decade.
- ³⁴ Export-Import Bank of the United States, *2000 Annual Report*, www.exim.gov/annrpt/8_auth_sum_market_loans.pdf, April 30, 2001.
- ³⁵ Cooley, op. cit., p. 208. See also Fatiha Talahite, "La corruption: le prix de la contre-réforme," *Libre Algérie*, No. 5, November 5-22, 1998.
- ³⁶ See Bradford Dillman, *State and Private Sector in Algeria: The Politics of Rent-Seeking and Failed Development* (Boulder: Westview Press, 2000).
- ³⁷ MEED Quarterly Report Maghreb, March 31, 2000 (from Dow Jones Interactive).
- ³⁸ Algeria has traditionally been a hardliner in OPEC, calling for output reductions and higher oil prices. Since 2000, Washington has urged OPEC to raise output and lower prices, based on pressure from angry American motorists. Ironically, it is hard to imagine any single American policy that, if successful, would do more damage to the Algerian economy.
- ³⁹ Other Islamic activists, such as Tunisia's Rachid Ghannouchi, Hamas's Musa Abu Marzook and leaders of the Jordanian and Egyptian Muslim Brotherhood, had similarly been granted legal entry into the United States to attend conferences and engage in fundraising.
- ⁴⁰ UPI, February 2, 1995.
- ⁴¹ The lawsuit was filed under the Alien Tort Claims Act and the Torture Victim Protection Act. For details, see *The Washington Post*, December 22, 1996, p. A4.
- ⁴² Most Algerian opposition parties Islamist and secular alike share his assessment that the elections have been unfair and non-transparent. Many have urged the international community not to recognize the results. The June 1997 elections left Zeroual's National Rally for Democracy (RND) and the former ruling FLN in control of the lower house of parliament. The upper house, two-thirds of whose members were named by the president, has the power to block legislation. Haddam criticized "rampant and flagrant fraud" in the 1999 presidential elections, calling it "a clear sign by the putschists of their rejections of any political solution." *Al-Hayat*, April 17, 1999 (from BBC Summary of World Broadcasts, April 21, 1999).
- ⁴³ Former CIA director James Woolsey has championed the cause of six Iraqis who, like Haddam, were locked up on the basis of secret evidence. See Andrew Cockburn, "The Radicalization of James Woolsey," *The New York Times Magazine*, July 23, 2000, pp. 26-29.
- ⁴⁴ See the arguments by Milton Viorst, "Pollard and Haddam: Prisoners of Secret Evidence," *The Nation*, February 28, 2000; Asma Youcef, "Algerian Victim of Secret Evidence Dr. Anwar Haddam Embraces Freedom," *Washington Report on Middle East Affairs*, No. 20, January-February 2001, p. 14. In May 2000, Tom Campbell (R-CA) and David Bonoir (D-MI) introduced in the House Judiciary Committee a bill, the Secret Evidence Repeal Act, which would bar the use of undisclosed classified evidence in immigration proceedings. Both representatives, who have supported Haddam, reintroduced the bill in the new Congress in March 2001.
- ⁴⁵ Associated Press, May 15, 2000; The Washington Post, May 16, 2000, p. A19.
- ⁴⁶ Right after the asylum reversal decision, Haddam was moved to a new jail in Hanover, VA, two hours farther from his family and lawyer. *St. Petersburg Times*, May 18, 2000, p. 5A.
- ⁴⁷ Reuters French News Service, July 6, 2000 (from Dow Jones Interactive).
- ⁴⁸ Cited by Agence France Presse, March 20, 1996.
- ⁴⁹ Cited in "Prepared Testimony of Steven Emerson before the House Committee on the Judiciary Subcommittee on Immigration and Claims," January 26, 2000 (from Federal News Service).
- ⁵⁰ Newsweek, May 8, 2000, p. 39.
- ⁵¹ See coverage in Mike Carter and Steve Miletich, "Phone Calls, Stolen Papers Tie Algerians to Terrorism," *Seattle Times*, January 16, 2000; Mike Carter and Steve Miletich, "Arrest in Senegal Links Bomb Plot to Bin Laden, Authorities Say," *Seattle Times*, January 27, 2000.
- ⁵² Tizegha was smuggled into Boston in 1993 aboard a ship. He was later denied political asylum in the United States and Canada. Another Algerian, Ouali Mohamed Abdel Aziz, who was arrested in Boston but later released, had gotten to the United States by jumping off an Algerian ship in Boston Harbor in 1997.

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⁵³ Haouri, Dahoumane and Ressam, who all entered Canada from 1993 to 1995, had applied for refugee status but were denied it.

⁵⁴ Two months before his extradition, Haouri appeared "battered and bruised" before the Quebec Superior Court after having had his chin bone broken by another inmate who thought he was taking too much time on the telephone. See *The Gazette* (Montreal), June 14, 2000, p. A4.

^{55 &}quot;Statement of Philip C. Cox Jr. before the Subcommittee on Immigration and Claims, Committee of the Judiciary, U.S. House of Representatives," January 25, 2000 (from Federal Document Clearing House).
56 A forceful U.S. policy might draw upon some of the ideas presented in two recent documents. In June 2000 a group of prominent Algerian academics, human-rights activists and Islamists issued a "Geneva Declaration" stating: "A pre-requisite to re-establishing dialogue between Algerians and to a genuine national reconciliation, in a way that is transparent and respectful of the political and ideological opinions of all, is the duty of remembrance, truth and justice. To this effect, the institutions of the state must be the sole medium for the public authority embodied in a civilian government stemming from reliable, credible and internationally recognized elections" "Geneva Declaration," www.hoggarbooks.org/Geneva%20Declaration.htm, July 18, 2000. Since March 2001, a number of French, Algerian and American intellectuals have signed a petition to President Bouteflika calling on him to establish an independent commission to investigate alleged atrocities committed by the Algerian armed forces. See Algeria-Watch, "Lettre Ouverte au Président de la République Algérienne," www.algeria-watch.org/farticle/lettreboutef.htm, May 1, 2001.