

UNDERSTANDING THE MARGINAL ROLE OF THE ELECTION MANAGEMENT BODY (EMB) IN ALGERIA'S 2014 GENERAL ELECTION

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Abstract

The ideological struggle between the West and former liberation movements on the veracity of the post-cold war multiparty democracy is still alive. In Algeria, the ruling Front for the Liberation of Algeria (FLN) continues to view with suspicion this notion, convinced it's a neo-colonial ploy to remove them from power. It is against this intensely contested background that Electoral Management Bodies (EMB) have emerged and trying to find a role. In the Algerian April 2014 Election, the ruling party was confronted by the surging popularity of the Islamic Salvation Front (F.I.S). In that election, the EMB played a marginal, if not overtly partisan role, in spite of the 2012 recommendations by the European Union to undertake reforms. In this case study, it is clear that establishing and consolidating EMBs on the African continent as part of democratisation is still very much work in progress.

Keywords: Algeria, the FLN, F.I.S, electoral management body and democracy

INTRODUCTION

The study of electoral management is a relatively new field of study, especially as it related to democratization in new and emerging democracies. (Lopez-Pinto 2000: 4)

Africa's former liberation movement states, which fought colonial powers in order to deliver independence, are now faced with a new domestic demand: compelled to allow participatory, electoral democracy, exercised in a multiparty context, where citizens are likely to choose other players with no struggle credentials (Klay Jr and Ogaba Agbese 2004: 1–8). This trend has been particularly evident after the 1990s, when the one-party-state-system that had dominated the immediate post-colonial era from the 1960s to the 1990s ended and the new multiparty democratic trend manifested itself in Algeria, Angola, Burundi, Democratic Republic of Congo, Mozambique, Namibia, Rwanda, Uganda and Zimbabwe. (Pita Agbese 2004: 71–189). An unchanging political environment had characterised the first thirty years

of African independence. In this era, political power rested in the immediate post-colonial authorities who were quick to change the constitution and ban any other competing political party. This was true in such countries as Algeria, Egypt, Ghana and Tanzania, to name but a few.

Reflecting on the lack of power transfer and elections during the first generation of the postcolonial period in Africa, an intellectual discussion noted that:

Between 1960 and 1990, no single ruling party in Africa lost elections. (The African Union At Ten 2012: 4)

During this first electoral golden period, from the 1960s until the early 1990s, there were therefore no electoral management bodies (EMBs). It is therefore true that, only after the late 1990s, when multiparty democracy was introduced, was it also necessary to create new institutions associated with the management of elections – the EMBs. Furthermore, the genesis of this new state institution has passed through different innovations with some located and controlled from the presidential state house, others under pliant ministries, all funded by dominant states in which the independence of parliament or even the new institutions was welcome. Worse, soon the second era of the post-colonial experience, characterised by multiparty democracy and elections delivered the ‘unintended’ result, culminating in the loss of political power by incumbents through the ballot box. The loss was not simply of political power, but had seismic proportions, challenging the ideological underpinnings of former incumbent regimes and extending to socio-economic as well as security dimensions. Where this happened, traditional alliance partners of the country were jettisoned for new partners by the new political authority. In Algeria, for example, the implications of the 1990s loss by the ruling FLN meant that the secular underpinnings of the state would now be replaced by adherence to Islamic tendencies, including the introduction of Sharia law. Soon after annulling the late 1990 election result in which the Islamic Brotherhood-aligned parties were poised to win, early in 1991, the ruling party launched a military coup in Algiers and unleashed state agencies against the potential winners.

It is therefore true that the loss of power was not without rancour and recrimination by alarmed incumbents, but also, generating a perception of a citizenry that has no gratitude towards the role played by liberation movements. In the often publicly stated opinion of former liberation movements, the notion of multiparty democracy, which allows power transfer to political parties with no struggle history, is akin to allowing the imperialists to return and recolonise African countries through the back door. It was not surprising, therefore, to witness some of the incumbents refuse to accept the poll verdict and leave office. In some instances, the result was met with the military coup syndrome and the re-entry of the military in politics in Africa.

(Kristen Angela Harkness 2012: iii). Clearly, the march towards democracy through multi-party elections was now viewed as retrogressive and yet another imperialist ploy to remove the armed struggle parties in government. Stated differently, when we examine former liberation movements states, the so-called liberal democracy concept that underpins the current wave of democratisation has to answer the ideological question located between the new agenda and that of the specificities of the armed struggle? In the view of liberation movements, for example, their role in taking up arms and fighting off the colonial power was itself the greatest ideological and practical example of democratisation.

The holding of elections is about losing or gaining power in a democracy and in a former liberation movement state, the EMB can be seen as partly responsible for divesting power and authority from the incumbent by simply doing its work. However, the major triumph by former liberation movements is now threatened by neo-liberal notions clothed around the new phenomenon of democratisation through elections. (Klay Jr and Agbese 2004: 1–15; Agbese 2004: 189). Furthermore, given these contradictions, what role do state-funded institutions such as electoral management bodies (EMBs) play in an election in which the incumbent is convinced they have the right to rule – almost forever as derived from the liberation era? Against this background, the function of EMBs is not neutral. At a minimum, they participate directly as an instrument designed to complement governance, but not necessarily aimed at removing the state from power. (Lopez-Pinto 2000: 13). Hence, the question arises, what has been the response from the sitting governments, ushered into office after independence through the armed struggle, to EMBs?

WHAT IS AN EMB GENERICALLY?

Associated with the consolidation of the nation state through regular, open and transparent elections, an EMB is the structural and technical body designed to manage the holding of elections. The purpose of this body is complex and sensitive. Existing EMBs range from the theoretical ‘independent’, which is not possible as it has to work closely with other government departments, to a government body and even a body controlled and managed by the presidency, if not the ruling party. The body can also be a mixed model, permanent or temporary. Much more importantly, the relative independence of an EMB is measured by how it is resourced, either by a strong and independent parliament or placed under a ministry and sometimes even within the presidency. In each case, its location in an election and the advantages of the incumbency provide the EMB with the distance or vulnerability to state manipulation. Allowed to have access to primary government information as well as that concerned with competitive political power cycles of elections. The latter

has different phases that include constituency delimitation, voter and candidate registration, political parties and their peculiar rules and norms, the conduct of campaigning, polling, collating and the announcement of results. This can also be for referendums, local council or national elections. Given the diversity of election systems, the different phases of an electoral cycle and the relationships of institutions with governments, the role and function of an EMB is still an area still evolving. As the texts admit, there are at least 12 distinct electoral systems and in each one finds diverse differences of electoral management bodies from Mexico, Australia, the United States and the United Kingdom. (ace: Electoral Systems: 2015)

This discussion argues that, in assessing the role of EMBs in former liberation movement states, the jury is still out there on whether or not this body can serve in a neutral, transparent and independent manner for purposes of equalising access to political power among the competing contestants, based on the secret ballot box? This stalemate is the outcome of the unsettled conceptual and methodological interrogation and interpretation of democracy brought about by the armed struggle and notions of the post 1990s neo-liberal electoral democracy. (Neve 2012: 39-11; Kang 2011: 734-6; Kurki 2010: 362; Dryzek 2000) Hence, until this question is settled when it comes to elections in former liberation movements' political environments, EMBs will remain weak, subjective and characterised with partisanship performance.

In order to discover the complexities around this question, a critical examination of the recent April 2014 elections held in Algeria is illustrative.

The Algerian liberation movement, the *Front de Libération Nationale (FLN)*, and its armed wing, *Armée de Libération Nationale (ALN)*, represent Africa's leading and oldest former liberation movement state. How that country has and continues to battle with democratisation and the roles and functions of the EMB in that competitive environment offers important insights and partly answers the question of whether or not Africa is on the right path to democratisation. There are a number of domestic and external drivers that would explain why Algeria is embracing what is potentially the ruling party's removal from power and reducing the FLN to the level of just another political party.

First, the country is also concerned with restoring its battered international image, after annulling the 1991 elections in which the Muslim Brotherhood inspired opposition, the *Front Islamique de Salut (FIS)*, and its military wing, the *Armée Islamique du Salut (AIS)*, had taken a lead in a development that was later followed by a military coup. That 1990s plebiscite had marked the highest point of the intensity of the Civil War that had spanned the 1980s 'Black Decade', as claimed by Eleanor Beardsley when, by 2011, over 200 000 people had died. By 2014, estimates cited over 300 000 dead and the causes of that civil war have been cited as, political suppression and refusal to democratise by the ruling party. (Schulhofer-

Wohl 2007:111; Beardsley 2011). Offered the opportunity to join the European Union economic zone in 2020, based on domestic political reforms, Algeria has been at the forefront of opening up in the debates on its challenges towards multiparty democratisation amidst the 2003 public commitment by the military that they would divest themselves from politics in that country. As if to demonstrate conformity, in February 2011, the Algerian government cancelled the 23-year-old State of Emergency declared in 1991. Finally, the Algerian case study also provides important lessons for other African former liberation movement governments that are struggling to make the leap from a rather static one-party-state system to electoral democracy. The point to note in former liberation movements is therefore this, even when political rights are suppressed by, this will result in sections of the community, who are denied expression, to seek arms in order to assert themselves. As they say, force begets force. In the case of Algeria, with citizens denied opportunities to express themselves, frustrated and feeling helpless, hundreds of ‘self-immolations’, consisting of self-induced burnings, known locally as *hogra*, in front of government buildings escalated, with many deaths by people drawing dramatic attention to their desperate and humiliating plight. (Achy 2013: 9; Algeria Country Report 2014: 11)

Just weeks before the constitutionally scheduled elections were to be conducted, in April 2014, the Algerian ruling party and military popularly known in French as the ‘*Le Pouvoir*’ or ‘The Power’, became divided into rival factions, unable to agree upon an ‘anointed’ successor to the 77 year-old and ailing president, Abdelaziz Bouteflika, who had served three terms since 1999. During 2013, Bouteflika had suffered cardiac arrest and was hospitalised in a French military hospital in Paris for several months. The long period of hospitalisation left him unable to speak loudly, unable to walk and reportedly, unwilling to stand for a fourth term.

However, unable to agree on a successor, Bouteflika was hauled from his hospital bed and literally seated in a wheelchair and presented as the FLN candidate for a short three-week electoral campaign in which the six main opposition parties were either banned or boycotted. Physically weak and barely able to wave his hand, Bouteflika did not appear in public, but was merely shown on national television meeting key senior officials of his party and family members.

When the results were announced, Bouteflika was shown to have won the poll with an overwhelming 81.53% lead. This barely concealed one-sided poll was slammed as a ‘stage managed national electoral fraud’ by Benfis, his main opposition rival (Markey and Chikhi 2014). In comparing this with his previous three wins, the 17 April 2014 win was slightly down on his 90% in 2009 poll and that of 2004, when he gained the presidency with an 85% win (Markey and Chikhi 2014; Agbese 2004: 189).

Given the limited space in a journal article, this paper will begin by summarising the history of the political and armed struggle, led by the *Front Nationale de Liberation* (FLN) and its military wing, the *Armee de Liberation Nationale* (ALN), resulting in the Avian agreements leading to the Algerian independence from France in July 1962 (Naylor 2006: 83). This immediate post-colonial period provides the fundamental underpinnings of the preferred preferences and worldview of the FLN of the Algerian state following the departure of the French. Without fully appreciating this, we would be not able to appreciate what are some of the pillars put for the new nation state. These elements have remained as the key drivers to how the FLN perceives and responds to its domestic political challengers to this day. Fast forward to the crisis in 1990 when the elections were showing an unmistakable triumph of the Front for the Islamic political opposition, the pronouncements and objectives of the Moslem Brotherhood were at variance with the ideological foundations laid at independence. In this first cycle of political stalemate in which the one-party-state syndrome dominated, we seek to draw and define key political and security developments that emerged during the local government election held in June 1990 pitting the *Front Islamique du Salut* (Islamic Salvation Front), known by its French acronym, (FIS) and the ruling *Front National de Liberation* (FLN). At the time, when polls from 612 stations had been counted, the FIS had won 53% (Ibrahim 1990). Consternation of the coming to power of a party that sought to impose an Islamic State and Sharia Law reverberated both at home, in Europe and the United States (Ibrahim 1990). This trend was repeated in the National Elections of 1991, securing 188 seats, 28 short of the majority in the national legislative elections in 1991, signalling the rise of one of the most potent and well-organised political and social movements, the FIS (Layachi 2009: 4–5). Given the fundamental differences between the FIS and the FLN – the latter enjoying Western international support – the momentum of abandoning the elections began to mount, effectively nullifying the role of the Algerian Election Management Body. Ultimately, in January 1992, the FLN and its partisan military moved to take over the reins of the state in a military coup, banning the political opposition and jailing its leaders, amidst widespread support from the West. In this event that had a multiplicity of domestic, regional, religious and international concerns, the role of the country's EMB was effectively marginalised.

In its place was the voice of the Ministry of Interior, asserting that, 'in spite of a few incidents and some 130 complaints to be investigated, the election went smoothly.' (Schemm 2014). The Interior Ministry, anticipating civil strife during the election, had deployed over 186 000 police to supervise the 23 million registered voters. A voter turnout of 51.7% was registered, giving the massive 81% to the ruling party (Schemm 2014).

The next important step that has been fundamental in the creation of the Algerian state is the decade of the civil war, from the 1980s until 1990. This is sometimes referred to as ‘Algeria’s Black Decade’ (Beardsley 2011). Finally, the article will examine the constitutional framework, political mindset and electoral platform for the April 2014 Election, noting the obvious limitations restraining the effectiveness of local EMB, unable to function in an environment characterised by open warfare and mounting casualties before concluding and making recommendations.

The *Front Nationale de Liberation (FLN)*, the military wing, *Armee de Liberation Nationale (ALN)*, directing the political trajectory of the *Algeria State*:

The FLN and its armed wing, the ALN, have dominated the history and the political trajectory of the Algerian state. Its politico-military role stretched over the intense violent period from the mid-1950s that ended with the reaching of the Evian Accords leading to independence in July 1962 (Naylor 2006: xxxix, 83).

However, political stability was short lived. The defence minister, Houni Boumediene, supported by the military, deposed President Ben Bella on 19 June 1965. This event, occurring only three years after independence, decidedly placed the role of the military at the centre of future Algerian political life. Having seized the state, the FLN decided to explicitly lay out some fundamental ‘do’s and don’ts’ that would guide the Algerian state henceforth.

The first was to continue to guard against the return of the hated French and former colonial masters, whilst safeguarding the hard won political freedom. Secondly, the party decreed that Algeria would be a secular state in which all faiths and religious liberties would be guaranteed. As the 2014 *Algerian Country Report* (2014: 6) attests:

The Algerian secular elite are highly sensitive to any influence from radical Islamic movements.

In order to effect this, the Algerian state has put into place stringent controlling measures, over the appointments and management of the country’s Imams and Mosques. This is closely supervised, as part of government responsibility under a designated Ministry of Religious Affairs and Endowment, who have sole authority to regulate the sector and provide the necessary resources. This decision followed the long established existence of the Muslim Brotherhood, in 1928 – an organisation perceived as constituting a threat to the secular state. Even under state sequestration, the Islamic Brotherhood, working on the flaws in the social and economic flaws within the Algerian state, has succeeded to give life to the Islamic al-Qaeda in the Maghreb (IAQM). This has also successfully spread outside Algeria to find common cause with similar sects in North Africa, sub-Sahara and the Western Sahelian region in the Sahara desert, where active cells have appeared in Mauritania, Mali, Niger

and Libya, as well as the Middle East, since the 2011 Arab Uprising. Furthermore, the presidency also enjoys the prerogative to appoint 30% of parliamentarians, an institution that remains weak and symbolic, as he is also able to pass decrees without reference to the legislative assembly. This concentration of power around the presidency makes this office particularly powerful in relation to other state institutions. Third, the FLN also decided to use the country's precious natural resources such as the oil and gas, to act as the catalyst to industrialise the country for purposes of poverty reduction and the upliftment of lifestyles all Algerians. The fourth pillar of state construction laid as a fundamental by the FLN was that, the ruling powers should continue to recognise the centrality of the liberation struggle, led by the party and the military as an important conduit that brought about independence. In other words, the FLN and the AIS are accorded a special place and treatment in the history and life of independent Algeria. Consequently, the presidency, together with the party and the armed forces are 'constitutionally and legally' immune from criticism as these constitute the foundational pillars of power in Algeria, collectively known as the *awqaf*.

ALGERIA AND THE 'SECOND' CYCLE OF AFRICAN DEMOCRATISATION: 1990S TO THE PRESENT

What has been the track record of democratisation in Algeria that provides insights into the challenges faced by the EMB?

As we have noted above, taking the foundational pillars of the Algerian state into account, the overarching environment in which the post 2000 EMB emerged is the political context that provides preconditions on how political, national affairs are framed and conducted. A secondary, but undeclared, component is the nature of the post 1990s multiparty democratic elections and its associated institutions such as the EMB that are partly designed to facilitate the exit from power of the incumbents. Because of this, the call to create credible and independent EMBs was treated with suspicion by the liberation movement. This has continued to be true in other similar cases.

The insights of the fate of the beleaguered EMB, as the country approached the 2014 Presidential Election, have emerged from the contradictory transparency exercised by Algeria to perceived Western allies. In that relationship, the former have been able to document and publish the goings on with government acquiescence. For both, the higher objective is to maintain the relationship with Algeria as one of the closest allies of the War on Terror, as defined by Washington. This is a position closely and actively supported by Western Europe, Japan, China, India and Australia. For those documenting the marginal experience of the Algerian EMB, the hope is

that, when the situation stabilises, this institution will be created, complete with a robust mandate. However, the current political environment warrants the collusion on limiting the democratic rights of the FIS activists and its leaders; anxious to show that there are weaknesses, but that these have to be seen in context and, much more importantly, there is political will to address the identified flaws. Furthermore, Algeria in 2011–12 allowed 150 European Union Observers to candidly evaluate the preparations for the election. The rationale for this was informed by pragmatic politics, based on Algeria's interest to meet some of the pre-conditions in order to be allowed access into the lucrative European Zone by 2020.

ALGERIA: ROBUST RESPONSES TO THE EARLY ARAB UPRISING BY OTHER MEANS

Before we move to the late 2012–13 period, that was the run-up to the 2014 elections in which the Algerian EMB played a role, we must quickly run through critical changes that occurred during the 1980s up to 2011–12. These events have significant bearing on the nature of the establishment and limited integrity of the EMB that emerged. As the evidence will show, in Algeria, the political transformation from a one-party-state system to a multiparty democracy has been violent and protracted, costing over 200 000 lives.

The opening shots to the key democratic reforms that emerged emanated from two parallel but interlinked processes. The one dimension was the rapidly receding state revenues from the falling oil and gas prices during the 1980s. Lacking resources, this forced government to accept the International Monetary Fund (IMF) conditional support that included an undertaking to adopt the Structural Adjustment Programme (SAP). The mainstay of the SAP focuses on cutting on state expenditure in the critical areas of education, health as well as removing the subsidies that offer the most vulnerable, welfare support. The categories that sought state intervention included a large percentage of unemployed youths, hovering just under 27%. (Archy 2013: 7). With the Algerian state forced to abandon the vulnerable, the Muslim Brotherhood, who took the opportunity to garner massive audiences and support, immediately occupied this space. The relationships included religious, cultural and even language closer association from a position where these perceived that they had been under suppression. The association also quickly morphed into preferred armed resistance against the state. To this end, the Berber community, popularly known as *Kabylia*, and their language, *amazighte*, quickly became part of those prepared to take up arms. In the fratricidal conflict that followed, from December 1991 until February 2002 when a truce was signed between the government and the FIS, has been described as one of the most destructive civil wars in which over

200 000 (two hundred thousand) people lost their lives, an estimated 70 journalists were murdered and nearly 18 000 people disappeared (Wikia 30 March 2015).

Under what circumstances did the EMB, as part of the political reforms, emerge? The background to the civil war, which broke out in 1992, dates back to the attempted political and constitutional reforms launched in 1989 that sought to move with the times and allow the participation of other groups in the Algerian politics. However, this opening of political space by the ruling party came under fierce internal resistance. The initial steps taken at instituting the reforms alarmed the incumbents as the polls confirmed the unpopularity of the FLN. Faced with political oblivion from the poll results which gave the local government and later the national assembly elections to the FIS. On 11 January 1992 the military launched a coup, which included the imposition of a State of Emergency while forcing President Chadli Bendjedid from office. The latter was viewed as weak and accommodating of opposition opinion. The military seizure of power was to remain in place for the next 13 years.

Buoyed by increasing hydrocarbon commodity prices for its 12 billion crude oil reserves, the military regime sought to 'throw resources at the national divisive problem' (Achy 2013: 3). Isolated politically and anxious to re-engage the international community, the beleaguered state, from 1996 to 1997, adopted multi-pronged policies of reconciliation, institutional and socio-economic reconstruction as well as a progressive foreign policy posture in order to repair its international image. In 1999, following the election of Abdelaziz Bouteflika, the new government adopted a new approach, reaching out for national reconciliation and passed an amnesty law. The new environment encouraged the majority of guerrillas to 'repent' resulting in the February 2002 treaty and what has been described as the official end of the civil war.

Earlier, in 2001, concessions were made to provide amnesty, employment opportunities, infrastructure and housing projects as well as integrate the Berber language in the curriculum. Stung by international criticism and numerous reports on massacres committed by both sides, the army publicly issued a statement, in 2003, announcing that it would, henceforth distance itself from interfering in politics. In 2004, the sitting president, Abdelaziz Bouteflika, was re-elected with a 'massive majority' of 85%, even though the poll was boycotted by the harassed political opposition.

However, the investment in the peace dividend was beginning to bear fruit. In the following year, 2005 and 2006, the now much vaunted *Charter For Peace and National Reconciliation* – regarded as the cornerstone of Algerian unity – was reached. This has since become an important cornerstone of equality and recognising Algerian unity.

In spite of the winds of change approach to undertaking political and constitutional reforms, the former liberation movement appeared still wedded to unilateralism and the record shows that implementation has remained tardy. As if to confirm that ‘old habits die hard’, in 2008 and 2009, increased powers of the presidency, sufficient to suspend parliament, as well as providing for a third term in office, were decreed – without debate, in the National Assembly.

Reacting to increased international pressure to introduce reforms, Bouteflika, on 23 February 2011, repealed the State of Emergency that had been in place for more than a decade. This was undertaken with a contradiction as, ‘on the same day, the president signed a decree that allowed the army to undertake anti-terrorist methods that curbed civil liberties’ (Algeria 2014: 10; Achy 2013: 9). In practice, this measure had simply replaced the name of the State of Emergency rule with yet another similar piece of legislation. As Achy (2013: 22) correctly argues, ‘by July 2013, the Algerian government had failed to jump start effectively, the political and democratic reforms.’ Significantly, the 2014 Elections were therefore held under this alternative to the country’s state of emergency.

ALGERIA’S EMB AND THE APRIL 2014 ELECTION – A MARGINAL ROLE?

The independence of institutions, including the judiciary, although provided for under Constitutional Act, 138, 139 – 140, in practice, experienced unbridled political interference and lack of respect was commonplace. The result was that this affected the integrity of both the judiciary and prosecutors, as publicly admitted by the Algerian President of the Human Rights Commission, Forouk Ksentin, in December 2012 (Algeria Country Report 2014:7) As a result, those dealing with the Algerian judiciary were forced ‘to tiptoe around confronting the political elite’ (Algeria Country Report 2014: 7). As Lopez-Pinto (2000) observes, “EMBs are important institutions for democracy-building. They deal directly with the organization of multi-party elections and indirectly with governance and the rule of law” (13).

An important point to take, from what Lopez-Pinto is asserting above, is that EMBs are supposed to be professional and technical pillars, useful in consolidating democracies. However, this fails to acknowledge the charged political environment from which they emerged and seek to play a role, almost given birth by incumbents who are then expected to walk away from power as a result of the effectiveness of a properly constituted EMB. This challenges common sense and the reality on the ground, of the incumbents concerned about weakening and controlling the participation of the EMB as nothing more than part of the civil service at whose

apex sits the armed forces and other related agencies. In Algeria, the subordination of state institutions has become a refined art since independence in 1962.

Before the April 2014 Election, recommendations that had emerged in a review of the EMB in 2012 were highlighted. The following points emerged as critical, as cited in the European Union (EU) Electoral Assessment and Observer Mission to Algeria. The EU mission made the following recommendations, which had to be implemented before the next election, in other words, the April 2014 elections.

- The mission noted that ‘the Voters Roll/National Register was Absent.’ It therefore called for this basic electoral document to be put into place urgently before the next election – pointing out that in its “absence” incumbents were able to control the outcome
- The mission also pointed towards limitations to the transparency of the Operations of the Electoral Commission
- Furthermore, the EU Observer mission noted deliberate constraints and impediments placed before other political parties intending to register for the elections in a process where the EMB had no power or influence to level the playing field.
- Even where independent candidates would have stood: many were scared -fearing assassination – a feature that was commonplace in the Algeria political environment. The restrictions also included:
 - w Banning the public display or announcement of electoral results by any organization except the government appointed Electoral Commission
 - w The legal provisions also provided for any Appeals to be lodged with Constitutional Council – or the Courts – headed by a Judiciary whose independence was compromised, effectively undermining the integrity of the electoral process
 - w Given the foregoing, it was clear that the independence of the EMB was questionable and did not provide confidence to contending political parties
- Finally, on these select dimensions of the Algerian EMB as noted by the EU Observer Mission, the electoral process did not provide for equitable access to state media by political parties, allowing an unrestricted monopoly for the ruling party (Algeria Country Report 2014: 7)

The track record of implementation of the political and constitutional reforms, begun in 1989, reveals that, in practice, the Algerian government has dragged its feet

towards transforming. It is also important to note that the political environment in which the FLN has remained dominant did not change to allow more political space for new entrants, nor did the regime soften its performance in controlling competing power centres such as parliament, the mosques and even the judiciary from being openly subordinate to the state president. It is in this sense that the creation of the EMB, an integral part of the civil service and a body, which, theoretically, is designed to limit and even usher in political change, did not enjoy robust support and resources. Furthermore, as we have seen in the definition of the diverse EMBs, these require constitutional reform and empowerment and in Algeria, this enabling legal facilitation was not provided. Achy also argues, convincingly, that challenging the state by activists or citizens has been muted after the violent and brutal conduct of the 1990s civil war that has left terrifying and enduring memories. There has been little appetite for resisting instructions by the ruling elite, spread through the three branches of the presidency, the military and the intelligence organization, the *Department du Renseignement et de la Securite* (Department of Intelligence and Security), that has emerged as one of the key players in the succession and political power retention by the FLN since independence.

Hence, the Algerian April 2014 elections were held while a state of emergency was still in effect, implemented unilaterally by a decree from the presidency that was enjoying almost unlimited powers including subordinating parliament.

Under the above constraints, Algeria's EMB could only play a cameo role in the April 2014 Presidential and National Assembly Elections.

Defined challenges facing the Algerian EMB before the April 2014 Election

The April 2014 elections and an “emasculated” EMB

In January 2014, four months before the scheduled Algerian election was due, the incumbent ruling party had no agreed to candidate to stand in the highly competitive political environment. In practice, most aspiring candidates were being disqualified on spurious grounds and forced to seek recourse from a judiciary that was itself compromised and taking instructions from the military. (Algeria Country Report 2014: 7). Meanwhile, the restive Islamic Brotherhood, the organisation that had ‘won’ the then annulled local and parliamentary elections during the 1990s and other opposition political parties were ready, yet again, to mount a formidable challenge.

Weeks before the April election, a shadowy army and intelligence group of officers, announced that Bouteflika was going to run for the fourth term. (Ouali AFP 22 February 2014). One of the emerging opposition leaders, former prime minister and FLN party cadres, who had fallen foul of FLN, Ali Benfis, called this move a ‘flagrant fraud’ arguing that the country needed a leader with capable mental and

physical faculties for the demanding role of president. He (Ouali AFP 22 February 2014) continued, 'those pushing the (ailing President) are being irresponsible and seeking to protect their interests and not those of the nation.'

Benfis was not far wrong, for Bouteflika was shown to the public, only on television, seated and unable to stand. When he spoke, his voice was barely audible and eventually, when he was wheeled in a chair in front of the public, he could only raise his hand and smile. Worse, were in the past the *La Pouvoir* was a three-pillar institution: made up of the Intelligence, the Military and the Presidency, now – the latter is but not a serious player. What remained of the managers of Algerian political affairs are the two pillars – the intelligence and the military – while the reputed reconciler, Bouteflika, was permanently bedridden.

The result of the elections, with the opposition banned from competing and others boycotting, was an almost foregone conclusion. This was not helped by the compliant EMB, which announced the result as free and fair with no serious complaints except for 130 minor incidents. The result indicated that the ailing Bouteflika swept to victory with an 81.53% win, followed by those candidates who did not boycott the election and appeared to have been 'created' by the ruling party securing a distant 20% in the region of Tizi Ouzou and 23.58% in Bejela. (Achy 2013: 9).

The April 2014 elections in Algeria has therefore not settled the political crisis. Instead, we must be ready, not only in waiting out the next five years secured by Bouteflika, but for increased signs of a power struggle among the ruling political elite now that attention can be focused elsewhere and not on the closeted and nominal president, who is barely aware of what is going on around him.

Against this background, what has been the view of Algerians on democracy and elections? In a survey taken in 2012, 56% of the population agreed that, 'in spite of its problems, a democratic system is better than other systems', 61% were happy with the army playing a political role that had kept the country stable against the instability witnessed in neighbouring Tunisia, Libya and Egypt. A rather low 48% was happy with the performance of government, which had provided citizens with over 2 million housing units and moved between 80 to 85% of the population into the urban areas. In targeting youth unemployment, the state had managed to reduce this from 27% to 12% by extending vocational paid training in public institutions, while preparing the private sector for the 2020 free trade environment with the European Union (BTI Algeria 2014: 13).

ELECTIONS IN AFRICA: IS ALGERIA ON THE RIGHT PATH?

In directly answering this question, we must begin by acknowledging the context facing former liberation movement governments, who wrested political

independence from the colonial masters and ushered in universal adult suffrage, racial equality and basic human rights. This inheritance from history survived in the one-party state system until the 1990s when the new and understudied version of multiparty democracy, based on regular elections, emerged. As we have noted, authors such as Lopez-Pinto, Kang, Neve and Dryzek are at one in suggesting that no democratic model fits all contexts and that existing notions of democracy are all under contestation. Based on this discussion, the specific examination of the role and function of EMBs therefore reveals that this post-1990s institution is located in the governance and rule of law arena and its wholesale acceptance is still to happen.

In the case study on Algeria, reviewed against the one-sided April 2014 elections, the EMB was faced with a) constitutional constraints placed in the path of aspiring candidates designed to discourage, intimidate or even block their participation; b) an election hosted under thinly disguised state of emergency conditions supported by the West; c) elections conducted without a voters role; d) an election conducted by the former liberation movement intelligence services and the military – the *Le Pouvoir* hoisting an ailing former president, who was barely able to speak and unable to walk and, finally, an election held in an environment admitted to lacking an independent judiciary or even neutral state institutions – including the EMB itself.

However, having said this, the lesson that comes out clearly for other African former liberation movement governments is that Algeria has been open and transparent about identifying its electoral shortcomings and democratic deficits. The deficits for Algiers can also be contested as the former liberation movement laid clear criteria for state construction and nation building in 1965 and has remained consistent on these goals of a secular state in which the military is accorded a special place. Accepting this begins to allow us to accept the development phase at which Algeria's EMB is and not necessarily measured by other criteria outside that country.

RECOMMENDATIONS

The first recommendation this paper makes is that the new multiparty democracy and its related structures, including the EMBs, is being heavily contested by former liberation movement governments, that have accused the EMBs of being yet another method of undermining the struggle project. Hence, in order for us to better understand this nexus, further research is required. In the past, African scholarship has tended to accept the transmitted notions of liberal democracy, without critically interrogating the same. The time has come for this position to be abandoned and to undertake the more difficult, but rigorous inquiry to identify the true fit of democratic tenets for each case study.

A second recommendation is that, research and analysis must continue to follow the Algerian case study that has offered stark and revealing lessons. The oldest former liberation movement and ruling party, the FLN, has been noted for its preparedness to confront domestic democratic processes by the Islamic movements, while always prepared to review, adjust and develop appropriate safeguards and measures in its constitution, rules and regulations. Few former liberation movements can provide the lesson learnt drawn by the May 2012 EU Electoral Observer Mission.

Finally, a special programme, aimed at providing increased capacity building, needs to be developed for EMBs that are from former liberation movement governments. These face common but diverse challenges located conceptually and methodologically as they strive to make a difference without acting as a substitute political opposition in the view of the incumbents.

CONCLUSIONS

While no serious elections were actually held or lost during the first generation of the post-colonial period, the post-Cold War era of the 1990s ushered in a new electoral phenomenon, that of regular multiparty democratic elections.

However, this notion has created the greatest challenge to former liberation movement governments who are convinced that, by virtue of having fought the liberation war, they are entitled to rule ad infinitum. This is a case study of one country, Algeria, where a former liberation movement government, the oldest on the continent and perhaps one of the most confident, if not brazen, undertaken with the hope of demonstrating the contexts and challenges faced by similar EMBs in former liberation movement governments on the continent. The overall conclusion is that, while the desire to democratise societies in the second cycle of post-1990s to the present exists, the modalities are subjective and must respond to each unique case.

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