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"The Maghreb, the Middle East and Mediterranean Cooperation: A View from the South"

"Challenges to Nato's Transformation: A Look across the Mediterranean"

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North Africa represents a human and geographical entity located on the southern shore of the Mediterranean Sea. Initially thought of as a potential union of three former French colonies (Algeria, Morocco and Tunisia), it has finally grasped two other neighboring countries (Libya and Mauritania) and formed, in 1989, the UMA (Union of the Arab Maghreb). It thus covers a territory of 6,045,591 square kilometers (a little larger than Australia, twice the size of India and almost the size of Canada). Most recent censuses estimate its total population however at about 82 million inhabitants.

As part of the MENA region, it aspires to multiple communalities with its neighboring Arab Middle eastern countries. The five members of the UMA are active partners in the Arab League. Actually, Algeria is its president. Morocco is the acting president of the "Al Qods" [Jerusalem] Committee (let's not forget that not long ago, Moroccan military contingents fought both in Sinai and in the Golan on the side of Egyptian and Syrian troops!). And Tunisia has hosted for a long period of time both of the headquarters of the Arab League [1979 to 1990] (before they returned to Cairo) and the political leadership of the PLO [1982 to 1994] (before they finally settled in Ram Allah). These five UMA members have constantly proven to be actively involved and totally concerned with the Middle East conflict and with the perspectives of peace in the region. All have verbally been active advocates of the right of the Palestinian people. Yet, at the same time, some of them have openly been developing cooperative initiatives with Israel. One might therefore wonder about the various motivations, the nature and the extent of such a "Maghrebi" involvement in the Middle Eastern scenery?

Tight imbrications of interests and of common cultural identities that have long presided over the definition of strategic positions of the regional partners may certainly be also worth exploring. Yet, beyond the seeming uniformity of diplomatic and political positions of the UMA partners on some Middle Eastern issues, divergent

attitudes may also be traced on key regional and local problems. Sources of conflicts and of permanent tension have enormously hampered all union attempts to a point that cooperation between North African countries has been adamantly suffering. The utopian Maghreb has therefore been considered by many local and regional observers as more of a wishful thinking than of a potential political and economic reality. Here again, analytical insights may also help in further exploring the imbrications of the "Maghrebi" cooperative imbroglio.

Seen from a western perspective, the North African region represents more than a mere southern neighbor of Europe and a simple strategic ally of the U.S. Beyond its geographic proximity to the EU countries, and its historical links with most European countries, the southern shore of the Mediterranean may as well represent a real security threat and a source of common potential wealth. The analysis of a few aspects of western Euro-Mediterranean cooperation might as well prove to be extremely instructive, as may also prove to be indications of potential paths to be followed.

I.   Presenting the North African Region:

It is located on the western part of the southern shore of the Mediterranean Sea. It covers a mass of mostly desert and semi-arid spaces. The Atlas and Riff mountains represent its most culminant peaks (Djebel Toubkal, near Marrakech reaches 4,165 meters high). Its Mediterranean coast is about 2,830 miles long, while its Atlantic shore is 1,950 miles long. Its mostly known coastal towns are Nouakchott, Nouadibou, Dakhla, Agadir and Casablanca (on the Atlantic), Tangiers (on the strait of Gibraltar) and (occupied) Ceuta and Mellila, along with Alhoceima, Oran, Algiers, Tunis, Tripoli and Benghazi (on the Mediterranean).

Initially populated with "Berber" inhabitants, the North African region has historically developed commercial relations with most Mediterranean civilizations (Mesopotamians, Phoenicians, Carthaginians, etc…) before passing under Roman domination. The Arab conquest of the region in the seventh century, led by Okba Ibnou Nafii Al Fihri, launched the regional prevailing of the Islamic religion and civilization. Various local dynasties governed the region and even extended their influence and

occupation to parts of Europe: Under the "Almoravid" and "Almohad" dynasties (12th and 13th centuries), Spanish Andalusia stood to be a brilliant Islamic civilization.

Its decay, not only generated Moorish withdrawal from the European continent, but also launched European penetration and occupation of North Africa: Portuguese conquistadors first occupied a few coastal cities in the fifteenth century, later followed by the Spaniards, the French and, to a lesser extent, the British. Further east, the Ottoman Empire started its infiltration as early as 1518, when the Turkish pirate "Barberousse" chased the Spaniards from Algerian ports and placed them under Turkish influence. France later took hold of most of the region by first occupying Algiers in 1830, the rest of Algeria after defeating the Emir Abdelkader, establishing its protectorate on Tunisia (Bardo Treaty of 1881) and Morocco (Fez Treaty of March 1912) and finally conquering Mauritania in 1920. As of Morocco, it has particularly been coveted by various colonial powers. To mention just the Algesiras Conference of January to April 1906, which further opened the country to foreign influence, not less than 13 western nations took part in it. For its part, the Madrid Treaty of November 1912 gave Spain the colonial right to occupy the Riff Mountains, Sidi Ifni, Tarfaya and the Rio de Oro while mainland Morocco was put under French Protectorate, and the city of Tangiers submitted, in accordance with the Paris Treaty of 1923, to a multination occupation progressively implying Great Britain, France, Spain, Belgium, Germany, Italy, Holland, Portugal, Sweden, USA and the USSR!!!! The Spanish penetration of North Africa extended also as far east as Tripoli ((1510) before the Ottomans occupied the whole land for a few centuries until they finally ceded it to the Italians in 1912, who later give it up in favor of the allied forces of world war II. Recent history thus shows multiple facets colonial confrontations between the peoples of the opposite shores of the Mediterranean. Most independence movements were thus built on the call for resistance to occupation and rejection of European exploitation.

From an institutional point of view, all five North African Nations have developed trends to integrate the call for democratization launched both by late President Francois Mitterrand in the "La Baule" Conference in 1991 and, more recently, by President George W. Bush. These initially authoritarian style systems, varying from a monarchical choice to military regimes, have thus been trying to adapt their basic institutional choices to pluralistic demands, electoral processes and various schemes of separation of power. All five States have built their institutional reform on written Constitutions. Long series of newly adopted texts and amendments have led to the presently existing documents: the Algerian Constitution of 1996, the Libyan Constitution of 1969, the Mauritanian Constitution of 1991, the Moroccan Constitution of 1996 and the Tunisian Constitution of 1959.

All of these Constitutions acknowledge the attachment of these countries to their Middle Eastern Arab roots. In all of them, Arabic is confirmed as the official language, Islam as the religion of the State and the Maghreb and /or Arab unity as primary national objectives [1].

All five of them refer, in a form or another, to the importance of the 'People' as a source or justification of power holding by the governing elites [2]. Let's not forget in this context that most classical political science theories (J.J. Rousseau, Charles de Montesquieu, Alexis de Tocqueville, and others…) underline the importance of the governed as a source of legitimacy. Furthermore, the American 'Declaration of

Independence' (July 4, 1776) stresses the necessity for power to be derived from the consent of the governed: "…*That to secure these rights, governments are instituted among Men, deriving their just powers from the consent of the governed…*".

Beyond all diversified forms of undemocratic access to power in the region, has grown a real conviction that some sort of referential needs to be made to the prevailing of popular will in power justification. In fact, a quick glance at the prevailing institutions in the five target countries (and beyond them to most of the political regimes of the Middle East) will easily determine that the massive fringes of the population had initially little or no say in the choice of their governing leaderships. Besides the case of the only remaining multi centuries old monarchy in the area (Morocco), where the "Beya" (allegiance) process has been serving as a fundamental legitimating act for the whole system [3], all other regimes in the region have stemmed out of coups that ousted other formerly prevailing political systems: Houari Boumediene's Coup in Algeria in 1965 against Ahmed Benbella, Muammar Qaddafi's Coup in Libya in 1969 which ousted King Driss Essenoussi, Zine El Abidine Ben Ali's Coup in 1987 which medically deposed the historical president of Tunisia Habib Bourguiba, and, finally, Mouaouia Ould Sid Ahmed Taya's coup in 1984 that overthrew other colonels who had themselves overthrown the first president of independent Mauritania, Mokhtar Ould Daddah. It is relevant to underline though, that all these dynasty founding leaders or their successors have been tempting to gain acceptance through various forms of legitimating electoral processes; the most recent ones having been: the April 8, 2004 Algerian presidential election that reelected President Abdelaziz Bouteflika for a second term with 85% of the suffrages, leaving very little to his political opponents Ali Benflis (6.4%) and Abdallah Djaballah (5%) and seemingly establishing his popularity over the multiple non apparent forms of resistance to his power by military establishments [4]! the October 24, 2004 Tunisian presidential election that reelected President Zine El Abidine Ben Ali for a fourth term with 94.5% of the suffrages, again leaving too little casted votes for his opponents Mohamed Bouchiha (3.8%) and Mohamed Ali Halouani (1%) [5]; the November 7, 2003 Mauritanian presidential election which reelected President Mouaouia Ould Sid Ahmed Taya for a third term with 60.8% of the suffrages [6]. As of Libya's genuine system of "Jamahyria" (the state of the masses), it is based on Colonel Muammar Qaddafi's own political vision, the "*Third Universal Theory*" implementing a sort of military dictatorship dissimulated behind a seemingly popular regime governed by the populace through local councils; within this system, Qaddafi has continuously played the role of its "Guide" since September 1, 1969 [7].

II.   The Institutional Framework of the Maghreb Countries:

In all five North African countries have grown forms of government concerned with stability and institutional continuity. To various degrees, they have all been facing significant challenges to their legitimacy. Pluralistic egalitarian patterns have been forged. Election has also stood to be more and more as an obligatory tool for choosing the governing elites. In all five countries, all national and local deliberative assemblies are elected; the conditions under which the elections are carried out need to be further scrutinized; but the process is certainly well established. In all five countries, and to various degrees, constitutional reforms have taken place and the momentum is certainly been maintained for the establishment of better functioning democratic institutions. Be it only for the purpose of clearly defining competencies of the various governing bodies and major institutions, thus generating more hope for protection against

the arbitrary, it can be affirmatively ascertained that tangible progress is taking place. Both for genuinely local considerations and also under international pressure, democratic reforms are taking place. They may be timid and still unsatisfactory in many cases, but the launched process may be considered as irreversible. Within these reforms, and with the exception of Libya, the clear choice of Charles de Montesquieu styles of regimes of "Separation of Powers' in which the executive, legislative and judicial branches are independent of each other and effectively counteract within the constitutional process has been retained. To what extent it has been operational remains to be proven and appreciated. But, at least, it has the merit of being there to be capitalized upon and further developed.

In **Morocco**, for example, the constitutional process launched in October 1908, with the first Moroccan modern draft Constitution, aimed at creating a bicameral legislative institution, the "*Consultative Council*", comprising two separate Chambers: the *"Council of the Nation"* and the *"Council of Notables"*. After its independence from French and Spanish occupation, Morocco has elaborated and applied 5 Constitutions: December 7, 1962; March 20, 1970; March 15, 1972; September 4, 1992; and September 13, 1996. The most recent one stipulates in its article 36 that "*The Parliament shall be made up of two Houses, the **House of Representatives*** [Majlis Annuab: composed of 325 members, 295 of them elected by multi-seat constituencies and 30 from national lists of women; all members are elected by popular vote for five-year terms] *and the **House of Counselors*** [Majlis Al Mustasharine: composed of 270 members, elected indirectly by local councils, professional organizations and labor unions, for nine-year terms]. *Members of the Houses shall hold their mandate from the Nation*", while its article 45 stipulates that "*Legislation shall be voted on by Parliament*". The actual functioning of this "Constitutional Monarchy" clearly allows for a western style type of regime of separation of powers where all of the legislative, executive and judicial branches of power are given constitutional, legal and practical guarantees of real independent deployment. Mechanisms of government responsibility in front of elected representatives of the Nation are also stipulated for and applied: vote of investiture of the government by the House of Representative, as stipulated for by article 60 of the Constitution [8], vote of confidence (article 75) [9], vote of motions of censorship (article 76) [10], vote of warning (article 77) [11], parliamentary investigations through fact-finding committees (article 42) [12], etc… Constitutional guarantees are assured through the Constitutional Council (article 78 to 81 of the Constitution), while judicial guarantee of due process of law is tentatively approached through various appeal and cassation mechanisms in civilian, commercial and administrative courts. "*The Judiciary shall be independent from the legislative and executive branches*" stipulates article 82 of the Constitution and "*Magistrates in the bench shall be irremovable*" guarantees article 85. The Supreme Court and the Supreme Council of Magistracy actually play an important role in further strengthening the normal functioning of the system. Yet, a long path of sinusoidal obstacles still needs to be crossed before full democratic aspirations may really be reached through fully guaranteed justice for all! Furthermore, local democracy has also been a major concern and a source of meaningful accomplishments: "*Local assemblies shall be elected to be responsible for the conduct of their affairs on the basis of democratic principles and in accordance with provisions defined by law*" (Article 101). Be it at the national or at the regional, provincial and communal levels, political parties have also been playing a major role in democracy building through a real deployment of pluralism. Since the creation of the first political party in 1934 (The Committee of

Moroccan Action), the Moroccan political scene has witnessed the birth of no less that 51 political parties, 29 of which are still operational at all electoral deadlines. Civil society is also extremely active as are many women's lobbies which have favored the launching of important gender reforms in the country. Definitely, the democratic process is fully under way [13]; it just needs continuous vigilance, follow up and strengthening [14].

In **Algeria**, a similar trend, involving four Constitutions has been observed: these have been the Constitution of September 1963, promulgated immediately after independence and, under the jurisdiction of which former president Ahmed Benbella ruled the country [15], followed by the Constitutions of November 19, 1976; February 23, 1989 and November 28, 1996 subsequently legitimating the power holding by the military junta which took over in 1965 under the leadership of late president Houari Boumedienne [16]. The context of these Constitutions is completely different from the Moroccan one as they advocate a popular republic: "*The President of the Republic is elected by direct, secret and universal suffrage*" (Article 71); "*The duration of the presidential mandate is five (5) years. The President of the Republic can be reelected once only*" (Article 74). Yet, here again, the legislative power is independent from the executive and judicial powers: thus article 98 of the Constitution stipulates that "*The legislative power is exercised by a Parliament composed of two Chambers: The **National Popular Assembly*** [Al-Majlis Echaabi Al Watani: composed of 389 members who are elected by popular vote to serve for five-year terms] *and the **Council of the Nation*** [Majlis Al Umma: composed of 144 members, one third of whom are appointed by the president and two-thirds elected by indirect vote; all are due to serve for six-year terms]; *the Parliament elaborates and votes the law sovereignly*". Mechanisms of reciprocal interaction between the main branches of government are also stipulated for: Approval of the government's program by the Parliament [17], yearly general policy declaration by the government [18], oral and written questions [19] as well as motions of censorship [20]. All other main constitutional institutions pertaining to a guarantee of good justice, control and consultation are stipulated for. What remains lacking, however, as in the case of most of its other neighboring countries, is a confirmed and fully operational culture of democracy. Pluralism is a recent notion as the country has been run for a long period of time under a one party system: the National Liberation Front (FLN). After Boumedienne's death (1978), Chadli Benjedid succeeded (1979) him as president. Under president Chadli Benjdid, Algeria seemed to have openly opted for real democratic choices. The government established a multiparty system in September 1989 and, as of 31 December 1990, over 50 legal parties existed. Algeria's first-ever fair election led to an Islamist political landslide (The Islamic Salvation Front), rapidly aborted by reactionary forces: this has plunged the country into a bloody civil war. In fact, and after Islamic fundamentalists won 42% of the seats in the first round of parliamentary elections in December 1991, the army forced Benjedid to resign (1992) and canceled the election. A civilian-led state council was installed, but real power resided with the army. The fundamentalist party was banned and its leaders arrested. Fundamentalists launched a guerrilla insurrection and Algeria was torn by violence. In 1994 General Liamine Zeroual, the defense minister, was appointed president, replacing the state council; he won a presidential election the following year [21]. Zeroual resigned early in 1999 and presidential elections held in April, 1999, were won by Abdelaziz Bouteflika, the candidate of the military oligarchy; the opposition candidates had withdrawn before the vote. Nowadays, more cautious moves towards democracy have been slowly and certainly ascertained. With Abdel-Aziz Bouteflika's ascension to the presidency,

appearances of democracy seem to be progressively erasing reminiscences of what has remained in essence a multi decade military dictatorship. Fourteen political parties are variably active in the Algerian political scene. The most prominent and influential of them have recently been: the National rally for Democracy (Abdelaziz Bouteflika: 85%), the National Liberation Front (Ali Benflis: 6.4%), the National Reform Movement [Islah] (Abdallah Djaballah: 5.0%) and the Rally for Culture and Democracy (Said Sadi: 1.9%) [22]. Locally, *"The 'Commune' is the basic collectivity…The elected assembly represents the basis of decentralization and a place of the citizens' participation in the management of public affairs" (Articles 15 & 16 of the Constitution)*.Yet, still and as in the case of Morocco, Freedom House rates Algeria on political rights with a 6 and on civil rights with a 5, both on a scale of 1 to 7 (in which 1 is the most free). Freedom House also considers Algeria to be a not free country [23].

In **Tunisia**, article 1 of the Constitution adopted on June 1, 1959 and substantially amended on July 12, 1988, defines the country as "*a free state… and its form is a republic*". Article 18 further stipulates that ""*The people exercise the legislative power through a representative organ called **National Parliament***"[Majlis Annouab*, a unicameral legislative body composed of 189 members, 148 of whom are elected by popular vote for party lists on a winner-take-all basis to serve for five-year terms, while an additional 34 seats (20% of the total) are distributed to opposition parties on a proportional basis as provided for in 1999 constitutional amendments], which *"exercises the legislative power"* (Article 28); a referendum in 2002 created a second chamber: "Majliss Al Moustacharine". As of the executive power, it is "*vested in the President of the Republic assisted by a Government directed by a Prime Minister"* (Article 37). Forms of reciprocal controls between the government and the Parliament are stipulated for: "*Any deputy may address written or oral questions to the Government"* (Article 61); "*The National Parliament may, by a vote on a motion of censure, oppose the continuation of the responsibilities of the government, if it finds that the government is not following the general policy and the fundamental options… When a motion of censure is adopted by a majority of two-thirds of the deputies, the President of the Republic accepts the resignation of the government presented by the Prime Minister"* (Article 62); "*If the National Parliament has adopted a second motion of censure with a two-thirds majority during the same legislative period, the President of the Republic may either accept the resignation of the government or dissolve the National Parliament. The decree dissolving the National Parliament must include the calling of new elections within a maximum period of thirty days"* (Article 63). Yet, the President of the Tunisian Republic remains an important piece of the puzzle [24]. Various indicators clearly show that his powers are actually more extended than what appears through the constitutional provisions. Zine al-Abidine Ben Ali, whose tenure, according to many independent observers, has been marked by repression, a poor human rights record and the rise in Islamic fundamentalism among the populace. He was reelected in Oct. 1999 with 99% of the vote in an election criticized by many human rights observers. In May 2000, his Constitutional Democratic Assembly Party swept local elections with 92% of the vote, in a contest many opposition leaders boycotted. In May 2002, a referendum passed that ended the three-term limit for the presidency. It permitted Ben Ali, who has served as president for more than 15 years, to run for two more terms. Opposition parties protested. In October 2004, he was reelected with a 94.5% electoral landslide. Political pluralism is timidly allowed. Seven political parties are presently animating the electoral scene; but, little fair chance is available for opposing forces to deploy their influence [25]. For 'Freedom House', Tunisia may be rated on political rights

with a 6 and on civil rights with a 5, both on a scale of 1 to 7 (in which 1 is the most free). Freedom House also considers Tunisia to be a not free country [26].

As of **Mauritania**, it became an independent nation on Nov. 28, 1960 and was admitted to the United Nations in 1961 despite the strenuous opposition of Morocco, which claimed the territory for historic reasons linked with the Moroccan Berber Almoravid dynasty of the 11th century, which had sought to spread Islam in western Africa through Mauritanian lands and tribes. Morocco hasn't recognized Mauritania's independence until 1969. The institutional evolution of Mauritania may be summarized in a cycle of brutal governmental changes. A civilian government, espousing the liberal democratic principles inherited from the colonial regime, came to power on the eve of independence. After it had ruled for nearly a generation, during which time the expectations born at independence remained largely unfulfilled and government became increasingly capricious and corrupt, a military regime toppled the civilian government and suspended the Constitution. In the following years, a succession of military rulers, each promising to end the corruption, abuse of authority, and economic waste of earlier regimes, proved as unwilling and inept as their civilian predecessor at ensuring the territorial integrity of the state, achieving national unity, and fostering economic development in the face of severe environmental challenges. The subsequent ascendancy in 1987 of what appeared to be a reformist government, albeit military, demonstrated for the first time Mauritania's growing understanding of the limits of government as this new regime grappled with the problem of adapting the longstanding cultural values of a very poor society to the needs of a modern developing state [27]. In line with the constant political and regime changes that independent Mauritania has known in recent decades, various constitutional sources have been set forth: the Ould Daddah May 20, 1961 Constitution launched the path before its abolition in 1979 by the Haidallah junta; Then came the December 1980 unexpectedly announced return to civilian rule, through the promulgation by Haidallah of a new provisional constitution. That draft constitution provided for a multiparty system and freedom of association. Following an abortive coup attempt in March 1981 by former members of the military government Haidalla reneged on his intention of returning Mauritania to civilian rule and scrapped the draft constitution. The Constitutional Charter which was promulgated on February 9, 1985, served as a de facto constitution in 1987. The charter unequivocally eliminated any of the pretenses of democracy embodied in the 1961 constitution. At the same time, it pledged adherence to the 1948 Universal Declaration of Human Rights and, in Article 14, presaged a return to democratic institutions and a new constitution that would bear some semblance to the 1961 Constitution. Then came the promulgation of the July 1991 Constitution: the republican character of the state is clearly established in article 1, while basic freedoms are guaranteed by article 10. "*The President of the Republic is elected for six years by direct, universal suffrage*" (Article 26); he "*exercises the executive power*" and "*presides over the Council of Ministers*" (Article 25). Within the executive branch, "*The Prime Minister, under the authority of the President of the Republic, defines the policy of the government. He divides the tasks among the ministers. He directs and coordinates the action of the government*" (Article 42); "*The government oversees the implementation of the general policy of the State in accordance with the orientations and options determined by the President of the Republic*" (Article 43). Furthermore, the wording of articles 45 to 47 attribute the exercise of the legislative power to a Parliament "*composed of two representative assemblies: the **National Assembly** [The Majlis al-Watani: composed of 81 members elected by popular vote to serve five-year terms] and the **Senate***

[Majlis al-Shuyukh: (composed of 56 members elected by municipal leaders to serve six-year terms]. Beyond the law making process, the Parliament is also entitled to exercise control over the government through motions of censure and questions of no confidence [28]. The president of the republic may also dissolve the Parliament (Articles 31 and 77). In the 2003 presidential elections, the official candidate of the 'Social and Democratic Republican Party", Mouaouiya Ould Sid'Ahmed Taya won with 67.8 % of the votes over his opponents Mohamed Khouna Ould Haidalla (18.7%), Ahmed Ould Daddah (6.9%) and Messaoud Ould Boulkheir (5.0%). As of political party activities, 13 main parties have particularly stemmed out; these are: the Action for Change, the Alliance for Justice and Democracy, the Democratic and Social Republican Party (ruling party), the Mauritanian Party for Renewal and Concorde, the National Union for Democracy and Development, the Party for Liberty, Equality and Justice, the Popular Front, the Popular Progress Alliance, the Popular Social and Democratic Union, the Progress Force Union, the Rally of Democratic Forces, the Rally for Democracy and Unity, and the Union for Democracy and Progress. Yet, the political scene has not been that quiet; in 2002, the government banned a political party, Action for Change (AC), which has campaigned for greater rights for blacks, calling it racist and violent. Two other opposition parties have also been banned in the past few years. Institutional instability and political uncertainties have led to two 'Coup' attempts in June 2003 and August 2004. The rating of Mauritania by Freedom House has not been that flattering either; this human rights institution has rated the country on political rights with a 5 and on civil rights with a 5, both on a scale of 1 to 7 (in which 1 is the most free). Freedom House also considers Mauritania to be a partly free country.

As of **Libya**, it has adopted its revolutionary Constitutional Proclamation on December 11, 1969 [29] and produced such interesting visions as these described in Qaddafi's "Green Book". From the earliest days of his rule following his 1969 military coup, Colonel Muammar Abu Minyar Al-Qaddafi has espoused his own political system, the "***Third Universal Theory***". The system is a combination of socialism and Islam [30] derived in part from tribal practices and is supposed to be implemented by the Libyan people themselves in a unique form of "direct democracy." Qaddafi has always seen himself as a revolutionary and visionary leader. Thus, articles 18 and 20 of the 1969 Constitutional Proclamation are very clear about the exercise of legislative powers [31]; it belongs to the Revolutionary Command Council which constitutes the supreme authority in the Libyan Arab Republic. Furthermore, and in accordance with the stipulations of article 3 of the 1977 "*Declaration on the Establishment of the Authority of the People*", the authority is in the hands of the People alone who exercise it through the People's Congresses, the People's Committees, and the Professional Unions [32]. Within this reality, function such institutions as the ***General People's Congress*** [Muatamar Ashab Al Am: a unicameral legislative chamber], which is "elected" nationally through a hierarchy of people's committees! A complete change in language and practices thus occurs in the '**Socialist People's Libyan Arab Jamahiriya':** "*The terms 'Council of Minister', 'Prime Minister', and 'Minister' are to be replaced, wherever mentioned, by the terms 'General Secretariat of the General People's Congress', 'Secretary General', and 'The Secretary'*" (Article 10 of the 1977 Declaration). A new form of "state of the masses" is thus born in the southern shore of the Mediterranean Sea. In theory, it appears to be governed by the populace through local councils; in fact, it looks more like a disguised military dictatorship. A completely different logic of governance thus prevails in the context of the 'Jamahiriya' [33]. Freedom House has rated the country on political rights with a 7

and on civil rights with a 7, both on a scale of 1 to 7 (in which 1 is the most free). Freedom House thus constantly considers Libya to be a not free country "Election World" [34] considers the country as a 'grass-root democratic' republic without parties and where there is no chance for the opposition and The Mu'tammar al-sha'ab al 'âmm (General People's Congress) as a circa of 2700 representatives of the Basis People's Congresses [35]. No political parties are allowed either [36]. In Qaddafi's appreciation, "*The party system is the modern tribal and sectarian system*". For him, "*To allow such actions means abandoning the logic of democracy*". Little room is therefore left in modern Libya for open contestation or free expression. A few Arab nationalist movements as well as a few Islamic elements, with almost negligible memberships, may be functioning clandestinely; but the only outspoken anti-Qaddafi Libyan voices (27 of whom are actively using internet) speak from exile and have very little influence [37].

Considered separately, the five nations of the Maghreb represent five clearly distinct components with divergent interests, conflicting claims and intense disagreements; yet, they have all been striving for some forms of regional unity that the "UMA" (Arab Maghreb Union) has been tempting to fulfill.

III.   Cooperative Integration of the North African Countries:

The geographic proximity between the five North African countries along with various other historical legacies have generated multiple conflict sources, mostly centered around territorial claims, nationalist pretensions and strategic calculations. None of the concerned countries can pretend to have been out of any sort of tension with one or more of its neighbors. They have all been affected, in a way or another, during the last five decades. Resurgent conflicts have continuously been hampering all union attempts, despite the existence of a real regional cooperation organization called the 'Union of the Arab Maghreb', launched in Marrakesh in February 17, 1989 by the five heads of states of Algeria (Colonel Chadli Ben Jdid), Libya (Colonel Muammar Qaddafi), Mauritania (Colonel Mouaouia Ould Sid Ahmed Taya), Tunisia (General Zine El Abidine Ben Ali) and Morocco (King Hassan II, Commander in Chief of the Royal Armed Forces).

Civilian peace and cooperation has been sought, in this context, by wisely experienced military leaders, in coat and tie, acting in their capacity of key political actors. Complementarity has been clearly looked for through diplomatic, political and economic endeavors.

The Maghreb remains a politically, economically, and strategically important area for evident foreign policy objectives of all five nations. Sharing economic, cultural, linguistic, and religious characteristics, as well as national borders, the Maghreb nations have historically maintained highly integrated diplomatic interests. The greatest significance of the UMA is also its symbolism. The North African economic union presents a potential counterpart to the European Community, whose cooperation threatens to undermine the position of Maghreb exports and migrant workers. Political cooperation has also presented a means of countering the rise of Islamist radicals, who in the early 1990s were (and are still) challenging the political regimes in most if not all of the North African nations. The notion of a Greater Maghreb has historical allusions to a more glorious and pre-colonial past and has provided a unifying objective to which all Maghreb leaders have subscribed. Achieving more concrete steps toward political and economic cooperation, however, has proved much more difficult because political and economic rivalries and strategic regional interests have frequently inhibited amicable relations. In 1964, a Maghreb Permanent Consultative Committee was established to achieve a Maghreb economic community. This committee was plagued with differences, however, and could not reach an agreement on economic union. In the late 1980s, following the historic diplomatic reconciliation between Algeria and Morocco, an accord finally established an economic and political Union of the Arab Maghreb. Morocco, in June 1988 acceded to the formation of an inter-Maghreb commission responsible for developing a framework for an Arab Maghreb union. This action broadened the scope of the Treaty of Fraternity and Concord that had originated in 1983 as a bilateral agreement between Tunisia and Algeria. The treaty pledged each nation to respect the other's territorial sovereignty, to refrain from supporting insurrectionist movements in the other country and to abstain from using force for resolving diplomatic controversies. Prompted by Tunisian diplomatic concerns about Libyan ambitions and Algeria's hope to solidify its regionally predominant position through a solid political confederation, Tunisia and Algeria opened the agreement to all other Maghreb nations, and Mauritania joined later the same year.

The UMA treaty, signed in February 1989 in Marrakech, Morocco, by Algeria, Libya, Mauritania, Morocco, and Tunisia, provided a loose framework for regional cooperation. In its preamble, the UMA treaty underlines the solidarity links that unify the Peoples of the Arab Maghreb: links based on a common history, a common religion and a common language. The authors of the treaty have sought a search for "*a progressive and full regional integration*". Thus, the UMA treaty has set specific objectives pertaining to the consolidation of friendly relations between the member countries and their peoples, the progressive achievement of free circulation of goods and persons between the member countries and the adoption of common policies in all fields of activity. From the outset, economic and trade issues were called upon to ease what was already expected to be political standstill. With the perspective of forming an economic union between the five member countries, the following steps had been fixed: the institution of a free trade zone implying the dismantling of all tariff and trade barriers between the member countries, the establishment of a customs union which would adopt

common tariffs for foreign incoming goods and the creation of a common market which would integrate the economies of all member states and facilitate the circulation of production factors across their boundaries. Furthermore, the 'Marrakech Declaration' of heads of states (1989) stressed the will of the member states to achieve the dream of 'Maghreban' generations to build a viable union; for them, the UMA must be perceived as "*a complementary community…which cooperates with similar regional institutions, a community…which contributes to the enrichment of international dialogue and which puts its potentials in the service of enforcement of the independence of the member states of the union*…"

For these purposes, the UMA has been carefully structured ; its main organs are 'The Council of the Presidency' (whose decisions obey to the rule of unanimity and in which the countries jointly share a rotating presidency), 'The Council of Ministers of Foreign Affairs', 'A Permanent Secretariat General', 'A Follow up Committee', 'Four Commissions' (namely economics & finance, alimentary security, infrastructure and human resources), 'A Consultative Assembly' (composed of 30 members of each national Parliament) and 'A Judiciary Organ' (made of two judges per member country and which siege is in the Mauritanian capital, Nouakchott) . A Maghreban Academy (located in Tripoli), a planned for Maghreban University and a Maghreban bank of investment are also on the agenda. Many agreements and treaties have been signed in the immediate aftermaths of the creation of this regional organization. But most of them have neither been ratified nor entered into execution. With the exception of the non formal contacts that took place last March 2005 in Algiers on the occasion of the Arab League Summit, the UMA 'Council of the Presidency' has not convened in the last ten years! Most of the other organs had frozen their activities between 1994 and 1999! Tensions have been quasi permanent! These are all evident signs of difficulties. For many observers, both the 'Marrakech Treaty' and the July 1990 'Broad Lines of a Maghreban Strategy for a Common Development' have been too rapidly entered into; this has been so under the effect of political enthusiasm and without bothering to undertake the necessary preliminary sectorial studies. Evident divergences in economic options and orientations between the member states as well as the differentiated degrees of socio-economic development of each of them have seriously hindered the sought integration processes. Intra-Maghreban political problems and evident lack of reciprocal trust have also seriously delayed the carrying out of the strategy of a multilateral regional integration. It is therefore worth wondering if, during the same period, any progress has been achieved on the bilateral level.

From a bilateral perspective, opportunities have been as gloomy too. Each one of the five member states of the UMA has experienced some kind of difficulties with its neighbors. Periods of tensions and truces have thus characterized the intra-Maghrebi bilateral relationships.

Tunisia seems to be the only one which has managed to keep the damage to a minimum. It has constantly taken a moderate, non-aligned stance in its foreign relations. Wedged between Algeria and Libya, it has sought to maintain good relations with both of them despite occasionally strained relations. Smaller and in a more precarious position vis-à-vis Libya, Tunisia has consistently made efforts to align with Algeria. In the 1970s, Tunisia reversed its position towards Moroccan claims on the Sahara so as not to antagonize Algerian authorities. It was also the first nation to sign the

Treaty of Fraternity and Concord with Algeria, in 1983. In 1987 the departure from power in Tunisia of President Habib Bourguiba and his replacement by Zine El Abidine Ben Ali brought the two nations closer again. Thus, Tunisia and Algeria resolved a longstanding border dispute in 1993 and have cooperated in the construction of a natural gas pipeline through Tunisia that connects Algeria to Italy. Tunisia recently signed an agreement with Algeria to demarcate the maritime frontier between the two countries. On the other hand, its relations with Libya have been erratic since Tunisia annulled a brief agreement to form a union in 1974. Diplomatic relations were broken in 1976, restored in 1977, and deteriorated again in 1980, when Libyan-trained rebels attempted to seize the town of Ghafsa. In 1982, the International Court of Justice ruled in Libya's favor in the partition of the oil-rich continental shelf it shares with Tunisia. Libya's 1985 expulsion of Tunisian workers along with Libyan military threats led Tunisia to observe particularly cautious attitudes towards its eastern neighbor. Relations were normalized again in 1987. While supporting the UN sanctions imposed following airline bombings, Tunisia has been careful to maintain positive relations with Libya. It supported the lifting of UN sanctions against it in 2003, and is now in the process of becoming again one of its major trading partners. Tunisia has also developed close commercial ties with Morocco under extremely privileged reciprocal conditions. A few months ago, a larger impact free trade agreement, aiming at the institution of a larger zone of free exchange of goods, has been signed in Rabat and will involve Tunisia, morocco, Egypt and Jordan. Beyond the Maghreb, it is a MENA region enlarged partnership which has thus been launched. Cooperative actions with Mauritania are timidly growing but remain extremely loose.

Beyond all outside appearances, **Algeria** seems to be in the midst of a regional turmoil. Before its independence in 1962, the other Maghreb nations, former colonies themselves, supported the revolutionaries in their fight against the French, providing supplies, technical training and political assistance. Their relations became progressively strained after independence. Despite its constant neutrality claims regarding regional conflicts, its active involvement geographically, militarily, diplomatically and politically in the Sahara conflict as well as in a few unsolved border frictions related to territorial claims with its neighbors put it in a central conflict bearing position. For a long while (in the sixties and seventies), Algerian diplomacy held a key international position defending unsustainable ideological commitments. At that time, the Algerian leadership's perceptions of the outside world was strongly influenced by ideology. The war of independence contributed to a set of beliefs that emphasized Algeria's identification with the newly independent, less-developed countries. Dividing the globe into the rich industrial nations of the North and the poor, former colonies of the South, Algerian leaders asserted their strong opposition to what they saw as a world infected by imperialism, Zionism, colonialism, and economic domination by the former colonial powers. It is through the prism of this revolutionary vision, and certainty of constant support in the international arena, that Algerian diplomacy in the Maghreb region was deployed. Its only regional position could only be that of key leadership. From a strategic perspective, only Morocco and Libya could then be viewed as potential rivals. Regarding Libya, it could basically be considered as a friend and an ally. The Algerian-Libyan security relationship was evidently based on a common antipathy for the Western-dominated economic order and deep hostility toward Israel. This relationship, however, suffered several setbacks during the 1980s. Libya's claim of about 32,000 sq km in a dormant dispute in the south eastern borders of Algeria remains a constant cause of concern mostly that the lengthy border area with Libya is isolated from the remainder of

the country and that it would be difficult to mount a defense of this remote area in the face of Libya's superiority in combat if a conflict was to blast. Other sources of Libyan inspired tension in Algeria have also been related with the armed bandits who were attacking southern Algerian towns from their bases in Mali and with the suspicion that Libya was linked to unrest instigated by Islamist groups in Algeria along with the risks implied by Libya's unilateral annexation of a section of neighboring Chad and its military intervention in Chad. Globally, relations with Libya have generally been amicable. Libyan support to Algerian positions in its arm twist with Morocco evidently eased its relations with Algeria. But, its inclinations for full-scale political union, however, have obstructed formal political collaboration because Algeria has consistently backed away from such cooperation with its unpredictable neighbor. As of Morocco, whose conservative ideological orientation conflicted with Algeria's socialist direction, it was considered as the most significant Algerian rival in the Maghreb. Relations between the two countries had long been characterized by rivalry and occasional hostility. Each one of them sought primacy in the Maghreb. Their claims were rooted in part in ideology: Morocco's claim to regional leadership derived from its centuries-old national identity, whereas Algeria's stemmed from the prestige of winning its war of independence. The ideological differences between the new socialist republic and the ancient kingdom were sharpened when Ben Bella began to trumpet his country's socialist revolutionary doctrines and its opposition to conservative governments such as Morocco's. The momentum was kept under Boumediene's regime. The permanently latent confrontation between their leaderships has caused a deep seated antagonism and general mistrust between the two nations and has permeated all aspects of Moroccan-Algerian relations. Immediately after Algerian independence, Morocco laid claim to stretches of southern and western Algeria that had been under Moroccan sovereignty before the French gained control over the area in the nineteenth century. The border military confrontation of 1963 over Hassi Beida and Tindouf (Moroccan claimed cities within Algerian territory) along with the declared military and diplomatic hostilities subsequent to the departure of Spanish forces from formerly occupied territories in southern Morocco have dominated the scene and shaped the profile of the constantly prevailing tension between them. Sporadic signs of détente have evidently not yet allowed for a new era of trust. Concerning its north eastern neighbor, Tunisia, it has never presented a security problem for Algeria. A twenty-year disagreement over the border delineation with Tunisia was settled in 1983. Algeria and Tunisia have generally united when faced with Libyan bellicosity. When in 1985 Tunisia came under pressure from Libya in the form of border troop movements and violations of Tunisian air space, Algeria supported Tunisia by moving its troops to the border area. Algerian relations with Mauritania have been fluctuating pending on the various attitudes of Mauritanian leaderships over the Sahara conflict: a continuous Mauritanian search of balance between Moroccan and Algerian positions. In this context, Algeria has signed a border agreement with Mauritania in 1985 and has developed cooperative relationships with its south western neighbor.

As of **Libya**, and ever since Qaddafi's access to power, it has been the foremost exponent of Arab unity. From the outset, the Preamble of the 1969 Libya Constitution stipulates that the Libyan People *"…will stand with their brothers from all parts of the Arab Nation in the struggle for the restoration of every inch of Arab land desecrated by imperialism and for the elimination of all obstacles which prevent Arab unity from the Gulf to the Ocean*" while article 1 confirms that "*the Libyan people are part of the Arab nation*" and that "*their goal is total Arab unity*". Thus, throughout 1970,

the Libyan leader Muammar Qaddafi consulted with Egyptian and Sudanese leaders about how to achieve some form of union. With the extension of the unity talks to Syria, a union was born in January 1, 1972: The Federation of Arab Republics (FAR). It didn't last long though. Qaddafi then turned back to his western neighbors after having first withdrawn, in 1970, from the Permanent Maghreb Consultative Committee, an organization founded by the Maghrebi states to foster the eventual development of an economic community. He had then considered that his country had little common history and culture with other Maghreb countries but still sought a need for unity on his western border. Meanwhile, the international (and also regional) community has developed awareness of Libya's quest for supporting terrorism [38]. It was evidently known to all that upon seizing power in 1969, Muammar Qaddafi put the dissemination of his revolutionary ideology throughout the world at the top of Libya's national agenda. The Libyan authorities had then earmarked vast economic and military resources for the realization of their "revolutionary goal. It is with a thorough knowledge of these intentions that his various Maghreb partners cautiously handled rapport with him. Libya's closest Maghrebi bilateral relationship has evidently been with neighboring Algeria. Relations between the two countries have generally been amicable. Both countries shared similar revolutionary Arab ideologies, state-controlled economic systems, and common OPEC oil policies; both had also undertaken third world leadership initiatives. However, and although Libya and Algeria have been allies on a few issues, differences in their positions became increasingly pronounced. Algeria supported separatism on the basis of the right of people to self-determination, while Libya felt Arab unity would be better served if various entities in the region merged into larger states. Furthermore, the two countries' bilateral ties were strained by Libya's 1974 attempt to merge with Tunisia, Algeria preferring to have its borders shared by relatively weak states rather than by states that have been strengthened and enlarged through unification. As of the direct relationships of Libya with its closest neighbor, Tunisia, it has been marked, as mentioned above by cautious attitudes of the latter towards pushy advances by the former. Fusion proposals, tactical acceptances and later rejections presided over the love-hate attitude that marked the relationships between the two states for the three recent decades [39]. It finally found an acceptable partnership formula within the UMA multilateral approach. The Libyan relationships with Morocco and Mauritania have been mainly articulated around reciprocal attitudes towards potential military tensions in the region. Libyan-Moroccan relations have, on the whole, been unfriendly. A wide gulf separates moderate, monarchist, pro-Western Morocco from the revolutionary, pro-Soviet and mostly unpredictable Jamahiriya. Rabat has often protested Tripoli's attempts at subversion, for example, during the 1971 military coup attempt. Morocco's foreign policy goals have usually been at odds with those of Libya. Yet, in an abrupt about-face, however, Morocco signed the Oujda treaty in August 1984, which called for unity with Libya. For Morocco's King Hassan II, the union restored the regional Maghrebi balance of power, which had tilted in favor of Algeria (with its temporary union with Tunisia), Morocco's main rival and the primary supporter of its opponents in its territorial claims in the former Spanish colony in the Sahara desert. In view of their sharp ideological differences, the accord between Qaddafi and King Hassan II was evidently the result of expediency. The king expected to persuade the Libyan leader to cease supporting his opponents and wanted access to Libyan oil. For his part, Qaddafi regarded Morocco as a source of human resources and support. The union didn't last longer either; it collapsed in 1986; and both parties found in the 1989 UMA treaty a new opportunity to soak their differences in the larger Maghrebi context. Towards Mauritania, Libya has also carried

out a confrontational policy. On several occasions, Libya has expressed its intention of absorbing Mauritania into an Islamic federation, and Libya allegedly backed a coup attempt in Mauritania in December 1980. The Oujda Agreement between Morocco and Libya, signed in 1984, was viewed as a serious threat in Mauritania. In 1987 Mauritanian president Mouaouia Ould Sid Ahmed Taya suggested that Libya was supporting efforts by black separatists in Mauritania to destabilize his government. Of course, these (and other) accusations didn't ease the already difficult bilateral relationships between the two countries.

Mauritania's foreign policy in general, and its basic positions towards fellow neighboring countries in particular, has constantly avoided ideological posturing in favor of pragmatic responses to domestic and foreign pressures. Since its independence, it has constantly been confronted with several potential challenges to its national security. One of its main objectives has therefore been to ensure its own territorial integrity amidst its environing turmoil. Translated into diplomacy, this has meant pursuing a policy of strict neutrality in the ongoing power struggle between Morocco and Algeria, which also involved occasional Libyan diplomatic and political incursions. Pending on the conjectural choices of its changing leaderships, neutrality has meant a real alignment on the position of either one of the belligerents, and tension with the other. Mauritania's regional relations were drastically stabilized when the coup led by the Mauritanian military in December 1984 brought Colonel Taya to power. This new leader distanced Mauritania from the local guerrillas, while continuing to recognize their rights to self-determination. Concurrently, he improved Mauritania's relations with Morocco and re-established diplomatic ties in April 1985. They have been for the best ever since and also seek further deployment within the larger context of the UMA.

Regarding the position of **Morocco** in the Maghreb, it is essentially that of a moderate state which has been too much attached to historic means of legitimacy at a time of constant change and progressive visions. Despite mutual courtesy owed to its diplomatic choices by its neighbors, evidence of defiance of its positions has been widely and openly claimed. Its main political concern of the last three decades in the international and regional arenas has been that of its territorial integrity. Tensions with its Algerian neighbor, unbalanced attitudes towards the periodical hostilities of its Libyan opponent, multifaceted cooperative support to its Mauritanian ally as well as conjectural passivity in front of pressing trade and economic demands of its Tunisian partner have all been guided by its Sahara policy: the complete achievement of its territorial integrity. The cost has been high; and the perspectives of a just and acceptable solution to all parties seem to be slowly occurring. Beyond all forms of confrontation, equitable solutions may reside in collective partnerships for which the UMA is openly offering an appropriate context.

IV.   The North African Perception of the Middle East:

North Africa is generally considered part of the MENA region which also includes the Middle East, a vast territory which extends over Turkey, Syria, Jordan, Iraq, Iran, Lebanon, Saudi Arabia Yemen, Oman, United Arab Emirates, Qatar, Bahrain, Kuwait, Egypt, Palestine and Israel. The region was the site of great ancient civilizations and was the birthplace of Judaism, Christianity, and Islam. It contains much of the world's oil reserves. Sudan, Djibouti and the Comoros Islands tend also to identify

politically to the region. Traditionally, North Africa has kept strong ties, cultural affinities and historical links with the Arabian Middle East, mostly through pan-Arabism: a modern movement which calls for political unification among the Arab nations. Trends for Arab reunification have started since the rise of the Ottoman Empire in the fourteenth century. Even French and British colonialists have encouraged for a while the cause of Arab nationalism under the leadership of Hashemite Sheriff Hussein Ibn Ali in order to counter the German-Turkish alliance at the eve of World War I. The rise of the Zionist movement and the Balfour call of 1917 further reinforced the need for more Arab unity from the Atlantic to the Gulf, even though most of the Arab countries were then under colonial occupation. The 'Baath' party, born in 1941, initially active in Iraq, Syria and Lebanon, but also present in Egypt, Jordan, Saudi Arabia and Yemen strongly called for Arab unity; its unifying appeals were later relayed by Gamal Abdel Naser's leadership. Qaddafi's unifying call may also be considered in the continuity of this trend.

It is within this realm that North African rapports with the Middle East may be considered. **Algeria** has constantly carried out a policy of active revolutionary support to pan-Arabism and Arab causes throughout the Middle East and North Africa. It has joined the League of Arab States (Arab League) immediately following national independence in 1962. Since that time, its historical and ideological commitment to national revolution and self-determination has resulted in a strong affinity for the Palestinians People: it has consistently supported the Palestinians and the Palestine Liberation Organization (PLO) and spurned the idea of diplomatic resolution with Israel. Despite Algerian indebtedness to Egypt for assistance during the revolutionary period, the Algerian government severed all relations with Egypt in the late 1970s over Egypt's peace treaty with Israel; relations gradually improved only with a change of leadership in both countries. As of **Libya**, it has also been a constant defender of Arab unity. Union quests have been very frequent in Libyan diplomacy. Love-hate attitudes have often marked Qaddafi's relationships with his neighbors pending on their will to give in to his union advances or not. Egypt, Syria, Sudan, Tunisia and Morocco have experienced different tastes of Qaddafi's unionist visions. **.......** Evident signs of disaffection have marked however his more recent conception of Arab unity [40]. His participations to Arab League Summits are more like a folklore show than a convinced participation to a purposeful gathering of responsible decision makers. Having not been able to shape the Arab world in his own mould, he just lumps the continuity of its institution while searching glory elsewhere. **Mauritania** has, for its part, generally entertained cordial relations with all the Arab states of the Middle East, which have provided it with substantial amounts of economic aid. Since the mid-1970s, Mauritania has had especially close ties with Saudi Arabia, Kuwait, and Iraq. Kuwait has provided substantial amounts of food and medicines. Iraq has funded the construction of health and sanitation facilities, schools, and thermal generating stations and has also invested in local mining, fishing, and gypsum industries. Both Saudi Arabia and Iraq have frequently provided direct budgetary subsidies to the Mauritanian government. In return, Mauritania has lent constant moral and diplomatic, while managing to develop discrete economic and technical cooperation with Israel. Concerning **Moroccan** Middle East policy, it has been mostly articulated around a search of equilibrium that would not alienate the positions of its respective partners towards its historical quest for territorial integrity. Strong 'family-type' cooperative partnerships have been constantly kept with most of the monarchies and emirates of the Gulf, active political and military support has been supplied when

necessary to the Arab front line countries (Moroccan soldiers fought both in Sinai and in the Golan), and constant availability to the PLO has always been demonstrated, including the hosting of key Arab and Islamic Summits and the permanent presidency of the 'Al Qods' Committee of Islamic heads of States and the hosting of the 'Beit El Mal Al Qods' (an active fund-raising banking institution for the Palestinian People). Morocco has also played a key diplomatic role in bringing the Middle East belligerents to the negotiation table, including the organization in 1994, in Casablanca, of the MENA economic forum. **Tunisia**'s role in the region has also demonstrated perspicacity, clear vision and constant support to the Arab cause. Beyond hosting the PLO and the Arab League, this country has constantly played a role of moderation and peaceful search of solutions [41].

These contemporary realistic and conciliatory attitudes of North African leaderships towards key middle east issues contrast, at times, with the violent reactions of the North African street to what has progressively been considered as injustices of the west and it local allies towards key middle east issues: Palestine and Iraq, along with potential foreign intervention in other threatened countries in the region.

Thus, the perspectives of union appear to be extremely meager; still undetermined country by country national interests in both parts of the MENA region seem to be constantly prevailing over calls for unification. Tentative initiatives are sporadically launched, mainly in trade and business (cooperation between Gulf States, free trade exchanges between such countries as Jordan, Morocco, Tunisia, Egypt and Turkey, etc…); but the path remains long and sinuous for any realistic political or military endeavor. Calls for global and coordinated approaches of development still remain profoundly unanswered. Regime diversity along with the dwindling legitimacy of power holders in the region may also be a major cause of the lack of progress. Individual country stability concerns are indifferently given ultimate priority. No risk whatsoever may stem from any such hypothetic concerted initiatives. The Mediterranean, Europe and the West have historically managed enough protective shields. Common threats may emerge however from other unpredictable sources of anger disseminated through the whole MENA region.

V.   <u>Towards More Cooperative Western Partnerships</u>:

European and western concerns about southern threats have been constantly growing. The outbursts of terror, the growing trend of illegal immigration, the increasing pauperization of most of the North African and Middle Eastern societies have represented convincing factors to a joint European and US switch in partnership policies. Even though it has not been openly declared, a containment of the evil has become an utmost priority. The targeted countries are evidently Algeria, Mauritania, Libya, Morocco and Tunisia, but also Egypt and other Middle East countries; beyond them however are as equally important for the regional security of the Mediterranean other neighboring countries in their southern and eastern borders. Despite the apparent nature of its Arab and Islamic origin, the front line group is a mass of political, social and economic heterogeneity. Furthermore, and beyond the temptation to conceive regional security of the North only through a defense and military prism, objective parameters imply another logical approach that takes into consideration such problems as social, economic and political development of the target countries. Diversified profiles and heterogeneous factors of risk represent therefore key appreciation parameters.

Let's explore, in their diversity, the most recent trends of the respective policies of some of the target countries towards the west. Since independence from France and Spain in 1956, **Morocco** has adopted a constant diplomacy of friendship and respect of its partners in accordance with the stipulations of international law. With the aim of seeking support to its historical territorial claims over parts of its formerly occupied territories, it has developed cooperation links with all partners of good will in the northern and western hemispheres. It thus shares with the United States common interests of economic prosperity of both countries, countering terrorism and extremism, the pursuit of a just and lasting peace in the Middle East region, support for U.S. efforts in Iraq, the maintenance of regional security and cooperation, and sustainable development and protection of the environment. It also deploys efforts to comply with US expectations in relation with democratization, the improvement of human rights, and the development of an effective administration that may implement Morocco's domestic, social, and economic progress. Morocco has also been granted Major Non-Nato Ally status in June 2004 and is considered as an important strategic ally of the American interests in the region (allowing access of US forces to its facilities and permitting NASA to use a local air base as an emergency landing site for U.S. space shuttles). In the aftermaths of the hopes generated by the Oslo agreements on the Middle East, Morocco has accredited in 1994 an Israeli 'Liaison Bureau' in Rabat, but soon closed it in October 2000, in accordance with the resolution of the Cairo Arab Summit that followed the launching of the second 'Intifada' in the Palestinian occupied territories. As of its relations with Europe, they have also been very productive: they were launched by the first association agreement with the European Community in 1969, soon replaced by a second generation agreement in 1976 within the European Mediterranean Global Policy. Further diversified agreements were signed ever since as was also rejected a Moroccan application for membership to the European community in 1987. Both parties have signed in 1996 an association agreement and have been managing a few difficult periods in their relations. Morocco is becoming a privileged European partner within the good neighborhood policy launched by the EU in 2003 [42]. **Tunisia**, too, has had a long-time policy of seeking good relations with the West, including the United States, while playing an active role in Arab and African regional bodies. President Bourguiba took a non-aligned stance but emphasized close relations with Europe and the United States. The two governments have had close relations since Tunisia's independence. They also have an active schedule of joint military exercises, close economic relations and a very successful assistance program that has allowed Tunisia manage very successful USAID projects. When The Middle East Partnership Initiative (MEPI) was launched in 2002, Tunisia has been chosen as a Regional Office, responsible for coordinating activities in Algeria, Egypt, Lebanon, Morocco and Tunisia in close coordination with the American Embassies in those countries. Tunisian relationships with European countries have also been generally marked by the same moderation commonly known to Tunisian diplomacy. On another agenda, and as mentioned earlier, **Mauritania**'s foreign policy over the years has avoided ideological posturing in favor of pragmatic responses to domestic and foreign pressures. That was particularly true in the mid-1980s when harsh economic realities the Mauritanian government to strengthen its with France, continue its balancing act between other Maghreb allies and solicit support from as many other donors as would come to its aid. It has also sought to improve ties with other countries to secure trading partners or find new investors. Its principal benefactors have been Saudi Arabia, Kuwait, and France. The list of donors also includes Japan, Iraq, Italy, the Federal Republic of Germany (West Germany), Romania, the United States, the Persian Gulf states, and China. As of

its relations with the United States they have never been very close. The United States recognized Mauritanian independence when it was proclaimed in November 1960, but it was only in 1972 that resident ambassadors were exchanged. Relations between the U.S. and Mauritania reached a low in the spring of 1991, as details of the Mauritanian military's role in widespread human rights abuses surfaced. The U.S. responded by formally halting USAID operations and all military assistance to Mauritania. Ever since, relations remained simply respectful and cordial. But, most of Mauritania's developmental assistance has been provided by France, which was also the major supplier of private direct investment. Bilateral accords signed with France provided for economic, financial, technical, cultural, and military cooperation and aid. Furthermore, Mauritania has cultivated ties with Western Europe and Eastern Europe as possible sources of aid and investment. Mauritania's ties with Spain remained cordial in spite of repeated violations of Mauritania's fishing regulations by Spanish boats. The two countries have however formed joint economic and technical cooperation commissions to negotiate cooperative agreements. As of **Algeria**, it has constantly carried out a foreign policy influenced by its commitment to self-determination and nationalism. Pledged to upholding and furthering the revolution against imperialism, Algeria has been a prominent leader in both the region and the developing world, thus playing a key role in third world leadership and alienating potential western supportive attitudes to its development. Progressively, Algeria's strategic economic and political initiatives started taking precedence over its greater ideological commitment to the developing world; ever since, it has pursued the adoption of a policy of nonalignment which has enormously facilitated its relations with the West. Relationships with the United States remained hostile for a few years [43]. France's privileged position in Algeria has also known altered periods. However, and despite strained political relations, economic ties with France, particularly those related to oil and gas, have strongly persisted [44]. As of **Libya**'s relations with most of the western world, they may justly be qualified as constantly strained. Great Britain, Germany, France, Italy, the US and many others have experienced rough times in dealing with Libyan unpredictable diplomacy. Other Mediterranean countries have managed however to have periods of relatively positive cooperation with their turbulent southern neighbor [45]. Thus, the relationships of all five member states of the UMA with their European neighbors and their American ally have been marked mostly by the impact of Middle Eastern politics. National interests and conjectural clouds have also tarnished, at times, the rapports with some of these states. It remains, however, that numerous efforts have been deployed by both sides to help ease these relationships and bring about peace, cooperation and stability to the Mediterranean region. Multiple initiatives have thus brought countries from the Mediterranean basin around the negotiation table.

Starting with the launching, in 1973, of the ever hibernating Euro-Arab dialogue, various other moves have been registered within the perspective of a better Euro-Mediterranean cooperation; since the beginning of the Helsinki process, and probably fearing a vulnerability resulting from its close proximity with the southern shore, Italy has persistently advocated the need to consider a stronger economic cooperation with the North African Mediterranean neighbors of Europe. In the December 1989 Paris Ministerial Conference on the Euro-Arab dialogue, the Italian minister of foreign affairs, M. de Michelis, insisted on the fact that "*time has come to extend the Helsinki spirit to the Mediterranean and the Middle East and to thus promote democracy and economic development*". Ever since, various cooperation initiatives have been emerging thus giving birth to a few

regional and international forums sponsored either by the neighboring countries or by various international organizations; some of these are:

a. "***The Euro-Mediterranean Partnership***", known also as "***The Euro-Mediterranean Forum***", entertaining a political, cultural and economic dialogue and involving such States as *Turkey*, *Cyprus*, *Syria*, *Lebanon*, *Jordan*, *Israel*, *The Palestinian Authority*, *Egypt*, *Tunisi*a, *Algeria*, *Morocco and Malta.*

b. "***The Mediterranean Forum***", known also as "***The Forum for Dialogue and Cooperation in the Mediterranean***", covering social, economic, cultural and security questions and involving such States as *Algeria, Egypt, France, Greece, Italy, Morocco, Portugal, Spain, Tunisia, Turkey and Malta.*

c. "***The 5+5 Dialogue***" also known as "***The Western Mediterranean Project***", similarly covering , economic, cultural and security questions to be periodically explored by *Spain, France, Italy, Portugal, Malta, Algeria, Libya, Morocco, Tunisia and Mauritania.*

d. *"***The MENA Summit***"*, aiming at a regional economic integration and involving, under the umbrella of major world powers (including the U.S. and Russia), all countries of the Middle East and North Africa.

e. N.A.T.O.'s "***Partnership for Peace***" [PfP] and "***Mediterranean Dialogue***" [46];

f. More recently, "***The Middle East Partnership Initiative***" [M.E.P.I.], announced in 2002 by Secretary of State Collin Powell and launched by a George W. Bush resolutely determined to introduce and reinforce democratic practices in the MENA region.

Yet, the "***Barcelona Process***", launched in the 1995 Euro-Mediterranean Conference, remains an extremely important factor of Mediterranean cooperation. Through their Ministers of Foreign Affairs, 15 EU members and their Mediterranean counterparts from 12 countries (Algeria, Cyprus, Egypt, Israel, Jordan, Lebanon, Malta, Morocco, Syria, Tunisia, Turkey and Palestine) agreed to launch a triple cooperative process involving "a political and security partnership", "an economic and financial partnership" and "a social, human and cultural partnership". A vast program of action has been defined. Ten years after its inauguration, the process has been evaluated by a committee of experts who have produced a report in February 2005: "*Barcelona Plus: Towards a Euro-Mediterranean Community of Democratic States*". IN many aspects of the process, a lot remains to be fulfilled. Furthermore, the EU had set, in an other context, the deadline of the year 2010 to its southern partners for the establishment of a free trade zone. For that purpose, new style bilateral cooperation agreements have been set forth. But these only increased European privileges through the elimination of tariff barriers by their southern partners if they were to be part to these agreements. It was also set forth that southern partners would eliminate tariff barriers with each other. But, despite all this arsenal of arrangements, institutions and cooperation forums, low and extremely limited progress has been registered. The initial glows of enthusiasm that frequently characterized the launching of each initiative progressively dwindled into formal gatherings that generated very little outcomes. To take just the example of the conceded European effort to encourage the economic restructuring of its southern neighbors, less than one billion euros has been accorded to them while an amount of 40.4 billion euros has been planned to be generously accorded to Europe's eastern neighbors over the 2004-

2006 period. In terms of per inhabitant aid, these figures can be brought back to half a euro per inhabitant for the south, compared with 185 euros per inhabitant for the east [47]. Meanwhile, the rates of inhabitants of North Africa living below the poverty line have been alarmingly growing: 50 % (!!!??) for Mauritania, 23 % for Algeria, 19.6 % for Morocco, 16.7 % for Egypt, 7.6 % for Tunisia (the figures of Libya is not quite certain) [48]. It seems for many observers that a Mediterranean ditch is taking over the late east European iron curtain. Not that the Northern partners are responsible for this disarray; and not that all past European assistance initiatives have been failures, but their impact is still far below all legitimate expectations, while local leaderships are still getting little success out of more than four decades of independent ruling. As of European private sector investments in the other shore of the sea, these seem also to have been very cautiously limited given the too extended bureaucratic hustles, the statuses of state administered economies and the insecure guarantees offered by most of the existing laws and regulations of the target partners. The uncertainties accompanying the observed reality of poverty stricken social environments has also been a major discouraging factor. Furthermore, the much sought Euro-Mediterranean economic identity will necessarily soon melt within the liberalization imperatives of globalization that will ineluctably rule world trade exchange regulations. This will necessarily impose a genuinely defined vision that will effectively help reduce the inequalities and make the southern shore more attractive to its own residents before it dares draw and motivate foreign investors. That will be quite a substantial agenda on the plate of the Mediterranean economists.

Thus, the good will is there; and so are traditional diplomatic and commercial relations between both Mediterranean shores. Yet, the new cooperative challenge consists for partners from these two shores to be more innovative. Genuine solutions need to be set forth as preventive retaliatory measures to the growing terrorist threat and other sources of regional instability. Success bearing fields of deployment may cover such areas of action as:

- Democratic institutional building, within the framework of the newly evolving theoretical conceptions of democracy from their initial pluralist and participatory characteristics to the more extended approaches recently sketched out by western world policy makers [49] & [50];
- Judicial reform, in terms of better guarantees for a 'due process of law' [51];
- Integrative conflict solving that generates productive outputs from traditional confrontation issues, by defining areas of mutual benefit-sharing by the potential belligerents of various regional conflicts;
- Procedural administrative reform through search for better performances and accountability;
- Defining new migratory policies that will conciliate security concerns with the evolving migratory flows;
- Considering the implementation of a "New Marshall Plan" that will call upon Gulf wealth and Western hemisphere technology to help ease the social and economic burdens of identified 'terror nests';
- Promoting sub-regional integration.

Casablanca, May 2005,

Dr. Hassan Rahmouni.

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[1] – Thus in **Algeria** "*Arabic is the national and official language*" (Article 3) and "*Islam is the religion of the state*" (Article 2). In **Libya**, article 1 of the Constitution stipulates that "*Libya is an Arab …republic; … the Libyan people are part of the Arab nation; their goal is total Arab unity*" while article 2 stipulates "*Islam is the religion of the State and Arabic is its official Language*". Furthermore, the Preamble of the Libyan Constitution also stipulates that "*…the Arab people in Libya…who will stand with their brothers from all parts of the Arab Nation in the struggle for the restoration of every inch of Arab land desecrated by imperialism and for the elimination of all obstacles which prevent Arab unity from the Gulf to the Ocean*". For its part, the Preamble of the Constitution of **Mauritania** stipulates that "*the Mauritanian People…solemnly proclaims its attachment to Islam*" and that "*the Mauritanian people, a Muslim, African, and Arab people, proclaims that it will work for the achievement of the unity of the Greater Maghreb, of the Arab Nation and of Africa and for the consolidation of peace in the world*"; Article 5 further states that "*Islam shall be the religion of the people and of the State*" and article 6 confirms that "*the official language is Arabic*". The Constitution of **Morocco** pledges in its Preamble that "*An Islamic…state whose official language is Arabic, the Kingdom of Morocco constitutes a part of the Great Arab Maghreb*" and confirms in its article 6 that "*Islam shall be the state religion*". Finally, in **Tunisia**, the Constitution stipulates in its Preamble that "*the representatives of the Tunisian People…proclaim the will of this People… to remain faithful to the teachings of Islam, to the unity of the Greater Maghreb, to its membership of the Arab family…*"before stating in its article 1 that "*its religion is the Islam, its language is Arabic*" and in article 2 that "*The Tunisian Republic constitutes part of the Great Arab Maghreb, towards whose unity it works within the framework of common interests*".

[2] – **Algeria:** **{Article 6}** "*The People is the source of all power. National sovereignty belongs exclusively to the People*". **Libya:** **{Preamble}** "*In the name of the Arab People of Libya… In the name of popular will, expressed by the armed forces…The Revolutionary Command Council etc*". **Mauritania:** **{Preamble}** "*The Mauritanian People proclaim its will to…*" **{Article 2}** "*The People shall be the source of all power. The national sovereignty belongs to the People*". **Morocco:** **{Article 2}** "*Sovereignty shall be that of the people*". **Tunisia:** **{Article 3}** "*Sovereignty belongs to the Tunisian People*".

[3] – Article 19 of the Moroccan Constitution: "*The King, "Amir Al-Muminin"(Commander of the Faithful), shall be the Supreme Representative of the Nation*"; For further details about the Moroccan legitimating process through the institution of 'Beya', Cf. my paper "The Place of Islam in a Contemporary Arab Legal System", presented at the Harvard University J.F. Kennedy School of Government, May 7, 2004 [Seminar at the Radcliff Institute of Advanced Studies], {http://www.hassanrahmouni.com}.

[4] – Article 71 of the Algerian Constitution: "*The President of the Republic is elected by universal, direct and secret suffrage*".

[5] – Article 39 of the Tunisian Constitution: "*The President of the Republic is elected by universal suffrage*".

[6] – Article 26 of the Mauritanian Constitution: "*The President of the Republic is elected by direct, universal suffrage*".

[7] – -Article 19 of the Libyan Constitution: "*The Revolutionary Command Council appoints the President and the Council of Ministers*".

[8] – Article 60 of the Moroccan Constitution of 1996: "*The Government shall be answerable to the King and the Parliament. After the appointment of the Cabinet members by the King, the Prime Minister shall appear before each one of the two Houses, to submit the programme to be carried out…This programme shall come under discussion in each one of the two Houses. At the House of Representatives, it shall be put to the vote in accordance with the provisions stipulated in paragraphs 2 and 3 of Article 75, and with the implications accounted for in the last paragraph of the same Article*".

[9] – Article 75 of the Moroccan Constitution of 1996: *"The Prime Minister may engage the responsibility of the Government before the House of Representatives through a vote of confidence regarding a statement on a general policy or a proposal requesting the approval thereof'…Withdrawal of confidence shall entail the resignation of the Government.."*.

[10] – Article 76 of the Moroccan Constitution of 1996: "*The House of Representative may put into question the pursuance of the Government's responsibilities by adopting a censure motion…The vote for censure shall entail the resignation of the Government in a body…*".

[11] – Article 77 of the Moroccan Constitution of 1996: "*The House of Counselors may vote warning motions against the Government. The warning motion must be signed by at least one third of the members of the House of Counselors. It shall be voted by the absolute majority of the members of the House . Voting shall take place three clear days after the motion has been introduced. The text of the warning shall be sent forthwith by the President of the House of Counselors to the Prime Minister who shall, within six days, present before the House of Counselors, the Government's position concerning the reasons which prompted the warning. The government's statement shall be followed by a debate without a vote*".

[12] – Article 77 of the Moroccan Constitution of 1996: *"…Parliamentary fact-finding committees may be established on the King's initiative or upon the request of the majority of the members of one of the two Houses and within each House , with the mission of inquiring about specific facts and submitting findings thereon to that House"*.

[13] – "*Morocco has taken courageous steps to improve human rights and democracy, most recently through bold changes to the family status code, which significantly increased the rights of women and children in areas such as marriage, property rights and inheritance. Competitive elections, vibrant NGOs, and other legislative reforms are other milestones that make Morocco a leader in the region*". "**Supporting Human Rights and Democracy: The U.S. Record 2003-2004**", Testimony before the House Committee on International Relations by Lorne W. Craner , Assistant Secretary for Democracy, Human Rights and Labor, Washington, DC, July 7, 2004.

[14] – Meanwhile, Freedom House has rated the country on political rights with a 5 and on civil rights with a 5, both on a scale of 1 to 7 (in which 1 is the most free). Freedom House still considers Morocco to be a partly free country [URL: http://www.electionworld.org/morocco.htm, Version: 10/19/2004 20:28:54].

[15] – Whereas Ben Bella could count on the support of an overwhelming majority in the National Assembly, an opposition group led by Ait Ahmed soon emerged. Opponents outside the government included the supporters of Messali Hadj, the PCA, and the left-wing Socialist Revolution Party (Parti de la Révolution Socialiste--PRS) led by Boudiaf. The communists, who were excluded from the FLN and therefore from any direct political rule, were particularly influential in the post independence press. The activities of all these groups were subsequently banned, and Boudiaf was arrested. When opposition from the General Union of Algerian Workers was perceived, the trade union organization was subsumed under FLN control. Contrary to the intent of the Tripoli Program, Ben Bella saw the FLN as an elite vanguard party that would mobilize popular support for government policies and reinforce his increasingly personal leadership of the country. Because Khider envisioned the FLN as playing a more encompassing, advisory role, Ben Bella forced him from office in April 1963 and replaced him as party secretary general. In August 1963, Ferhat Abbas resigned as assembly president to protest what he termed the FLN's usurpation of the legislature's authority. He was subsequently put under house arrest. A new constitution drawn up under close FLN supervision was approved by nationwide referendum in September and Ben Bella was confirmed as the party's choice to lead the country for a five-year term. Under the new constitution, Ben Bella as president combined the functions of chief of state and head of government with that of supreme commander of the armed forces. He formed his government without needing legislative approval and was responsible for the definition and direction of its policies. There was no effective institutional check on its powers. Ait Ahmed quit the National Assembly to protest the increasingly dictatorial tendencies of the regime, which had reduced the functions of the legislature to rubber-stamping presidential directives. The Kabyle leaders also condemned the government for its failure to carry through on reconstruction projects in war-ravaged Kabylie, but Ait Ahmed's aims went beyond rectifying regional complaints. He formed a clandestine resistance movement, the Front of Socialist Forces (Front des Forces Socialistes--FFS), based

in the Kabylie and dedicated to overthrowing the Ben Bella regime by force. Late summer 1963 saw sporadic incidents attributed to the FFS and required the movement of regular troops into the Kabylie. More serious fighting broke out a year later in the Kabylie as well as in the southern Sahara. The insurgent movement was organized by the National Committee for the Defense of the Revolution (Comité National pour la Défense de la Révolution-- CNDR), which joined the remnants of Ait Ahmed's FFS and Boudiaf's PRS with the surviving regional military leaders. Khider was believed to have helped finance the operation. The army moved quickly and in force to crush the rebellion. Ait Ahmed and Colonel Mohamed Chabaani, a *wilaya* commander leading insurgents in the Sahara, were captured and sentenced to death in 1965, after a trial in which Khider and Boudiaf were similarly condemned in absentia. Chabaani was executed, but Ait Ahmed's sentence was subsequently commuted to life imprisonment. In 1966 he escaped from prison and fled to Europe where he joined the two other *chefs historiques* in exile. As minister of defense, Houari Boumediene had no qualms about sending the army to crush regional uprisings because he felt they posed a threat to the state. However, when Ben Bella attempted to co-opt allies from among some of the same regionalists whom the army had been called out to suppress, tensions increased between Boumediene and Ben Bella. In April 1965, Ben Bella issued orders to local police prefects to report directly to him rather than through normal channels in the Ministry of Interior. The minister, Ahmed Medeghri, one of Boumediene's closest associates in the Oujda Group, resigned his portfolio in protest and was replaced by a Political Bureau loyalist. Ben Bella next sought to remove Abdelaziz Bouteflika, another Boumediene confidant, as minister of foreign affairs and was believed to be planning a direct confrontation with Boumediene to force his ouster. On June 19, however, Boumediene deposed Ben Bella in a military coup d'état that was both swift and bloodless. The ousted president was taken into custody and held incommunicado.

[16] – Boumediene described the military coup as a "historic rectification" of the Algerian War of Independence. Boumediene dissolved the National Assembly, suspended the 1963 constitution, disbanded the militia, and abolished the Political Bureau, which he considered an instrument of Ben Bella's personal rule. Until a new constitution was adopted, political power resided in the Council of the Revolution, a predominantly military body intended to foster cooperation among various factions in the army and the party. The council's original twenty-six members included former internal military leaders, former Political Bureau members, and senior officers of the Armée Nationale Populaire (ANP) closely associated with Boumediene in the coup. They were expected to exercise collegial responsibility for overseeing the activities of the new government, which was conducted by the largely civilian Council of Ministers, or cabinet, appointed by Boumediene. The cabinet, which shared some functions with the Council of the Revolution, was also inclusive; it contained an Islamic leader, technical experts, FLN regulars, as well as others representing a broad range of Algerian political and institutional life. Boumediene showed himself to be an ardent nationalist, deeply influenced by Islamic values, and he was reportedly one of the few prominent Algerian leaders who expressed himself better in Arabic than in French. He seized control of the country not to initiate military rule, but to protect the interests of the army, which he felt were threatened by Ben Bella. Boumediene's position as head of government and of state was not secure initially, partly because of his lack of a significant power base outside the armed forces. This situation may have accounted for his deference to collegial rule as a means of reconciling competing factions. Nonetheless, FLN radicals criticized Boumediene for neglecting the policy of *autogestion* and betraying "rigorous socialism"; in addition, some military officers were unsettled by what they saw as a drift away from collegiality. There were coup attempts and a failed assassination in 1967-68, after which opponents were exiled or imprisoned and Boumediene's power consolidated. Eleven years after he took power, in April 1976, Boumediene set out in a draft document called the National Charter the principles on which the long-promised constitution would be based. After much public debate, the constitution was promulgated in November 1976, and Boumediene was elected president with 95 percent of the votes. Boumediene's death on December 27, 1978, set off a struggle within the FLN to choose a successor. As a compromise to break a deadlock between two other candidates, Colonel Chadli Bendjedid, a relative outsider, was sworn in on February 9, 1979.

[17] – Articles 80, 81 & 82 of the Algerian Constitution of 1996: *"The Head of Government submits his program for approval to the People's National Assembly. The latter opens, for this purpose, a general debate. The Head of Government may adapt his program in the light of this debate. The Head of Government addresses a communication on his program to the Council of Nation. The Council of Nation may issue a resolution. In case of non approval of his program by the People's National Assembly, the Head of Government presents the resignation of his Government to the President of the Republic. This*

latter appoints again a Head of Government in accordance with the same modes. If the People's National Assembly's approval is not obtained, the People's National Assembly is dissolved de 'jure'. The Government in office is kept in position in order to manage daily affairs until the election of a new People's National Assembly within a maximum period of three (3) months".

[18] – Article 84 of the Algerian Constitution of 1996: "*The Government presents each year a general policy declaration to the People's National Assembly. The general policy declaration is followed by a debate on the action of the Government. This debate may end up with a resolution. It may also lead the People's National Assembly to bring in a vote of censure. The Head of Government may ask the People's National Assembly a vote of confidence. If the motion of confidence is not voted, the Head of Government presents the resignation of his Government. In this case, the President of the Republic may, before accepting the resignation, use the provisions of Article 129 under-mentioned. The Government may also present a general policy declaration to the Council of Nation*"

[19] – Articles 133 & 134 of the Algerian Constitution of 1996: "*Members of the Parliament may call upon the Government on a topical issue. The committees of the Parliament may hear the members of Government…Members of the Parliament may address orally or in a written form any question to any member of the Government. Answers to written questions should be in written form within a maximum time limit of thirty (30) days. Answers to oral questions are given in session. If one of the two chambers considers that oral or written answers of a member of the Government justifies a debate, this latter is opened in accordance with the conditions provided for by the rules of procedure of People's National Assembly and the Council of Nation. The questions and answers are published in accordance with the same conditions as those of the minute of proceedings of the Parliament's debates*".

[20] – Articles 135, 136 & 137 of the Algerian Constitution of 1996: "*In debating the general policy declaration, the People's National Assembly may sue the Government's responsibility through voting a motion of censure. Such a motion is admissible only if it was signed by, at least, one seventh (1/7) of the number of deputies. The motion of censure should be approved by the majority of two third (2/3) of the deputies. The vote occurs only three days after the motion of censure is brought in. If the motion of censure is adopted by the People's National Assembly, the Head of Government submits the resignation of his Government to the President of the Republic*".

[21] – Chadli Bendjedid, who had collaborated with Boumediene in the plot that deposed Ben Bella, was regarded as a moderate not identified with any group or faction; he did, however, command wide support within the military establishment. In June 1980, he summoned an extraordinary FLN Party Congress to examine the draft of the five-year development plan for 1980-84. The resultant First FiveYear Plan liberalized the economy and broke up unwieldy state corporations. The Benjedid regime was also marked by protests from Berber university students who objected to arabization measures in government and especially in education. Although Bendjedid reaffirmed the government's long-term commitment to arabization, he upgraded Berber studies at the university level and granted media access to Berber-language programs. These concessions, however, provoked counter protests from Islamists (also seen as fundamentalists). Islamists gained increasing influence in part because the government was unable to keep its economic promises. In the late 1970s, Muslim activists engaged in isolated and relatively small-scale assertions of their will: harassing women whom they felt were inappropriately dressed, smashing establishments that served alcohol, and evicting official imams from their mosques. The Islamists escalated their actions in 1982, when they called for the abrogation of the National Charter and the formation of an Islamic government. Amidst an increasing number of violent incidents on campuses, Islamists killed one student. After police arrested 400 Islamists, about 100,000 demonstrators thronged to Friday prayers at the university mosque. The arrests of hundreds more activists, including prominent leaders of the movement, Shaykh Abdelatif Sultani and Shaykh Ahmed Sahnoun, resulted in a lessening of Islamist actions for several years. Nonetheless, in light of the massive support the Islamists could muster, the authorities henceforth viewed them as a potentially grave threat to the state and alternately treated them with harshness and respect. In 1984, for example, the government opened in Constantine one of the largest Islamic universities in the world. In the same year, acceding to Islamist demands, the government changed family status law to deprive women of freedom to act on their own by making them wards of their families before marriage and of their husbands after marriage…Islamists took control of some areas. Unsanctioned independent organizations of lawyers, students, journalists, and physicians sprang up to demand justice and change. In response, Bendjedid conducted a house cleaning of senior officials and drew up a program of

political reform. In December he was offered the chance to implement the reforms when he was re-elected, albeit by a reduced margin. A new constitution, approved overwhelmingly in February 1989, dropped the word *socialist* from the official description of the country; guaranteed freedoms of expression, association, and meeting; and withdrew the guarantees of female rights that appeared in the 1976 constitution. The FLN was not mentioned in the document at all, and the army was discussed only in the context of national defense, reflecting a significant downgrading of its political status. Politics were reinvigorated in 1989 under the new laws. Newspapers became the liveliest and freest in the Arab world, while political parties of nearly every stripe vied for members and a voice. In February 1989, Abbassi Madani and Ali Belhadj founded the Islamic Salvation Front (Front Islamique du Salut-- FIS). Although the constitution prohibited religious parties, the FIS came to play a significant role in Algerian politics. It handily defeated the FLN in local and provincial elections held in June 1990, in part because most secular parties boycotted the elections. The FLN's response was to adopt a new electoral law that openly aided the FLN. The FIS, in turn, called a general strike, organized demonstrations, and occupied public places. Bendjedid declared martial law on June 5, 1991, but he also asked his minister of foreign affairs, Sid Ahmed Ghozali, to form a new government of national reconciliation. Although the FIS seemed satisfied with Ghozali's appointment and his attempts to clean up the electoral law, it continued to protest, leading the army to arrest Belhadj, Madani, and hundreds of others. The state of emergency ended in September. Algeria's leaders were stunned in December 1991 when FIS candidates won absolute majorities in 188 of 430 electoral districts, far ahead of the FLN's fifteen seats. Some members of Bendjedid's cabinet, fearing a complete FIS takeover, forced the president to dissolve parliament and to resign on January 11, 1992. Leaders of the takeover included Ghozali, and generals Khaled Nezzar (minister of defense) and Larbi Belkheir (minister of interior). After they declared the elections void, the takeover leaders and Mohamed Boudiaf formed the High Council of State to rule the country. The FIS, as well as the FLN, clamoured for a return of the electoral process, but police and troops countered with massive arrests. In February 1992, violent demonstrations broke out in many cities, and on February 9 the government declared a one-year state of emergency and the next month banned the FIS. The end of FLN rule over Algeria opened a period of uncertain transition. Widespread discontent with the party stemmed from many roots. People were frustrated and angry because they had no voice in their own affairs, had few or no prospects for employment, and had a deteriorating standard of living. In addition, the poor and the middle class grew outraged over the privileges enjoyed by party members, and many Algerians became alienated by what they felt was the unwelcome encroachment of secular, or Western, values. Algeria's brief democratic interlude unleashed these pent-up feelings, and, as in earlier periods of the country's history, the language of Islam served many as the preferred medium of social and political protest.

[22] – The complete list of Algerian operational political parties is: Algerian Democratic Front or FAD [Sid-Ahmed GHOZALI]; Algerian National Front or ANF, nationalist party; Algerian Renewal Party or PRA [Noureddine BOUKROUH, chairman]; Democratic National Rally or RND [Ahmed OUYAHIA, chairman]; Islamic Salvation Front or FIS (outlawed April 1992) [Ali BELHADJ, Dr. Abassi MADANI, Rabeh KEBIR (self-exile in Germany)]; Liberal Social Party [Ahmed KHELIL]; Movement for Democracy in Algeria or MDA, moderate [Ahmed Ben BELLA]; Movement for Loyalty and Justice [Ahmed Taleb IBRAHIMI, president; Movement of a Peaceful Society or MSP, Islamist [Mahfoud NAHNAH, chairman]; Nahda Movement or Al Nahda, moderate Islamist [Abdallah DJABALLAH, president]; National Liberation Front or FLN, socialist trend [Boualem BENHAMOUDA, secretary general]; National Party for Solidarity and Development or PNSD [Rabah BENCHERIF]; National Republican Alliance or ANR [Redha MALEK]; Rally for Culture and Democracy or RCD [Said SAADI, secretary general]; Republican Progressive Party [Khadir DRISS]; Social Democratic Movement or MDS [Hachemi CHERIF]; Socialist Forces Front or FFS, social-democratic Berber party [Hocine Ait AHMED, secretary general (self-exile in Switzerland)]; Union for Democracy and Freedoms [Mouley BOUKHALAFA]; Workers Party or PT [Louisa HANOUN] . El-Islah/Mouvement Islah (Movement for National Reform): moderate Ismalist party; Movement of National Understanding (MEN), Mouvement de l'Entente Nationale.

[23] – URL: http://www.electionworld.org/algeria.htm, Version: 03/15/2005 20:58:31.

[24] – Tunisia's independence from France in 1956 ended a protectorate established in 1881. President Habib Bourguiba, who had been the leader of the independence movement, declared Tunisia a republic in 1957, ending the nominal rule of the former Ottoman Beys. In June 1959 Tunisia adopted a Constitution modeled on the French system, which established the basic outline of the highly centralized presidential

system that continues today. The military was given a defined defensive role, which excluded participation in politics. Starting from independence, President Bourguiba placed strong emphasis on economic and social development, especially education, the status of women, and the creation of jobs, policies continued under the Ben Ali administration. The results were strong social indicators--high literacy and school attendance rates, low population growth rates, and relatively low poverty rates--and generally steady economic growth rates. These pragmatic policies have contributed to social and political stability. Progress toward full democracy has been slow. Over the years President Bourguiba stood unopposed for re-election several times and was named "President for life" in 1974 by a constitutional amendment. At the time of independence, the Neo-Destourian Party (later the PSD)--enjoying broad support because of its role at the forefront of the independence movement--became the sole legal party when opposition parties were banned until 1981. When President Ben Ali came to power in 1987 he promised greater democratic openness and respect for human rights, signing a "national pact" with opposition parties. He oversaw constitutional and legal changes, including abolishing the concept of president for life, the establishment of presidential term limits, and provision for greater opposition party participation in political life. But the ruling party, renamed the Democratic Constitutional Assembly (RCD), continued to dominate the political scene because of its historic popularity and the advantage it enjoyed as the ruling party. Ben Ali ran for re-election unopposed in 1989 and 1994, and won 99.44% of the vote in 1999 when he faced two weak opponents. The RCD won all seats in the Chamber of Deputies in 1989, and won all of the directly elected seats in the 1994 and 1999 elections. However, constitutional amendments in those years provided for the distribution of additional seats to the opposition parties in 1999. A May 2002 referendum approved constitutional changes proposed by Ben Ali to allow him to run for a fourth term in 2004, created a second parliamentary chamber, and provided for other changes. There are currently seven legal opposition parties. Most accept the basic economic and social policies of the government but are critical of the pace of democratization in the country--and focus considerable attention on support for Arab causes. The parties are generally weak and divided and face considerable restrictions on their ability to organize. While there are thousands of nominally established non-governmental organizations, civil society also is weak. The Tunisian Human Rights League (LTDH), the first such organization in the Arab world, operates under restrictions and suffers from internal divisions. The Tunisian Association of Democratic Women (ATFD), the Young Lawyers Association, and the Bar Association also are active. The government has denied legal status to a handful of other human rights advocacy groups who, nonetheless, attempt to gather and publicize information on the human rights situation in the country. Although Tunisia states it is committed to making progress toward a democratic system, citizens still do not have full political freedom. There are curbs on the press and on freedom of speech. Many critics have called for clearer, effective distinctions between executive, legislative, and judicial powers. The foreign press and foreign-based satellite television channels have criticized the Tunisian Government and demanded more freedom of speech and greater respect for human rights.

[25] – Next to the official ruling Constitutional Democratic Rally Party of President Zine El Abidine BEN ALI, six other political parties are more or less surviving; these are: the Movement for Renewal (Ettajdid) [communist party, also known as Mouvement Initiative Démocratique], the Social-Liberal Party, the Movement of Socialist Democrats (Hizb al-Dimocratiyin al-Ishtirakiyin), the Party of Popular Unity (socialist party), the Unionist Democratic Union (Arab-nationalist party), the Popular Unity Party and the Democratic Forum.

[26] – URL: http://www.electionworld.org/tunisia.htm, Version: 02/26/2005 16:53:12

[27] – Prior to independence, Mauritania served as a bridge between the Maghrib and West Africa, with strong cultural links to the former and equally strong economic and administrative ties to the latter. Mauritania suffered internal social and political problems. To overcome the structural problems intrinsic to the Mauritanian polity, its first president, Moktar Ould Daddah, resorted to one-party rule with a strong executive branch. Although the Constitution of 1961 called for some power-sharing between the president and the legislature, the National Assembly, in practice, routinely supported presidential initiatives, and government remained highly centralized. The ruin of the Mauritanian economy led to a military coup in July 1978. Daddah was detained and later exiled, and his government was replaced by the eighteen-member Military Committee for National Recovery (Comité Militaire de Redressement National--CMRN) with Lieutenant Colonel Mustapha Salek as president. During the next six years, ensuing military failed to improve Mauritania's dismal economic performance. On December 12, 1984, Chief of Staff and former Minister of Defense Mouaouiya Ould Sid Ahmed Ould Taya led a group of dissident officers who staged a

palace coup against head of state Lieutenant Colonel Mohamed Khouna Ould Haidalla. Still in power, the military government under President Taya has eschewed ideological labels. Initially, Taya's policies reflected the amalgam of private capitalism and state ownership of industry common throughout sub-Saharan Africa. In his first interviews as president, Taya pledged that his administration would respect human rights, end corruption, and promote national unity. In one of his first acts, he freed thirty-two political prisoners seized by his predecessor. He also promised to hold elections for municipal councils in Mauritania's thirteen largest urban areas before the end of 1986. The elections, whose fairness was acclaimed by independent observers, took place on December 19, 1986, and more were promised for smaller towns. As for a return to civilian rule, Taya insisted in March 1985 that Mauritanians must first develop an understanding of civic participation in order to avoid the divisions and paralysis that characterized the final years of Haidalla's government.

[28] – Articles 74 and 75 of the Mauritanian Constitution of 1991: "*The Prime Minister, together with his ministers, is responsible to the National Assembly. A lack of confidence or a motion of censure shall result in bringing into question his political responsibility. The Prime Minister, after deliberation with the Council of Ministers, shall take the responsibility of the Government before the National Assembly for his program and ultimately for a declaration of general policy. The National Assembly may challenge the responsibility of the Government by voting a motion of censure. A motion of censure brought by a deputy must expressly bear this title and the signature of its author. Such a motion is acceptable only if it is signed by at least one third of the members of the National Assembly. The vote may take place only forty-eight hours after raising the question of the lack of confidence or the motion of censure*"… "*The vote of no confidence or the adoption of a motion of censure causes the immediate resignation of the Government. Such a vote or motion can only be reached by a majority of the deputies making up the National Assembly; only the votes of no confidence or the votes favorable in the motion of censure shall be counted. The resigned government continues to manage current business unlit the nomination by the President of the Republic of a new Prime Minister and a new Government. The Prime Minister, after deliberation with the Council of Ministers takes the responsibility of the Government before the National Assembly for the voting of a bill. In this case, this bill shall be considered adopted unless a motion of censure brought during the following twenty-four hours shall be voted under the conditions set forth in the first paragraph. The Prime Minister may ask the Senate for the approval of a declaration of general policy*".

[29] – The first Constitution of the Sennoussi Kingdom of Libya has actually been promulgated by the "National Constituent Assembly" on October 7, 1951 and Abolished by the Qaddafi Military Coup d'Etat on September 1, 1969.

[30] – Article 2 of the 1977 Libyan Declaration on the Establishment of the Authority of the People: "*The Holy Koran is the Constitution of the Socialist People's Libyan Arab Jamahiriya*".

[31] – Articles 18 and 20 of the Libyan Constitution of 1969: "*The **Revolutionary Command Council** constitutes the supreme authority in the Libyan Arab Republic. It will exercise the powers attached to national sovereignty, promulgate laws and decrees, decide in the name of the people the general policy of the State, and make all decisions it deems necessary for the protection of the Revolution and the regime*" (Article 18); "*The Council of Ministers shall study and prepare all projects of law within the framework of the general policy outlined by the Revolutionary Command Council. It will then forward the proposed texts to the Revolutionary Command Council for consideration and promulgation*".

[32] – Article 3 of the 1977 Libyan Declaration on the Establishment of the Authority of the People: '*The People's direct democracy is the basis of the political system in the Socialist People's Libyan Arab Jamahiriya, where the authority is in the hands of the People alone. The People exercise their authority through the People's Congresses, the People's Committees, and the Professional Unions. The regulations of the congresses, committees, and professional unions as well as the dates of their meetings are defined by law. The authority of the People is comprised of the following: People's Congresses; People's Committees; Professional Unions; and General People's Congress. **People's Congresses**: The Libyan People is divided into basic People's Congresses. All citizens register themselves as members of the Basic People's Congress in their area. Every basic People's Congress chooses among its members a committee to lead the Congress. The masses of the People's Congresses choose **People's Committees** to administer all the services. These Committees are responsible to the People's Congresses. Members of each profession form*

*their own union to defend their professional rights. The **General People's Congress** is the national conference of the People's Committees and Professional Unions. The General People's Congress shall have a General Secretariat to execute the general policy of the State as defined by the People's Congresses. The General Secretariat prepares the sessions of the General People's Congress and draws up an agenda of the General People's Congress, executing its resolutions and recommendations. The General Secretariat consists of a Secretary General and a number of secretaries; each shall supervise one of the sectors of activities in the State*".

[33] – The '**Green Book'** (3 April 1975), Part 1, # 5: "*Political struggle that results in the victory of a candidate with 51 per cent of the votes leads to a dictatorial governing body disguised as a false democracy, since 49 per cent of the electorate is ruled by an instrument of governing they did not vote for, but had imposed upon them. This is dictatorship"… "A parliament is a misrepresentation of the people and parliamentary governments are a misleading solution to the problem of democracy. A parliament is originally founded to represent the people, but this in itself, is undemocratic as democracy means the authority of the people and not an authority acting on their behalf. The mere existence of a parliament means the absence of the people, but true democracy exists only through the participation of the people, not through the activity of their representatives*".

[34] – Electionworld.org / Elections around the world, U*RL: http://www.electionworld.org/libya.htm, Version: 10/25/2004 21:54:34.*

[35] – "*In theory Libya is ruled by the citizenry through a series of popular congresses, as laid out in the Constitutional Proclamation of 1969 and the Declaration on the Establishment of the Authority of the People of 1977, but in practice Qaddafi and his inner circle control political power. Qaddafi is aided by extra governmental organizations--the Revolutionary Committees and the Comrades Organization--that exercise control over most aspects of citizens' lives. The judiciary is not independent of the Government. Libya maintains an extensive security apparatus, consisting of several elite military units, including Qaddafi's personal bodyguards, local Revolutionary Committees, and People's Committees, as well as the "Purification" Committees, which were formed in 1996. The result is a multilayered, pervasive surveillance system that monitors and controls the activities of individuals",* **Libya Country Reports on Human Rights Practices - 2000,** Released by the Bureau of Democracy, Human Rights, and Labor February 23, 2001

[36] – The '**Green Book'**, Part 1, # 11: "*The party is the contemporary dictatorship. It is the modern dictatorial instrument of governing. The party is the rule of a part over the whole. It is the latest dictatorial instrument. As the party is not individual it exercises a sham democracy through establishing parliaments and committees and through the propaganda of its members. The party is not a democratic instrument at all because it is composed of people who have common interests, a common outlook or a common culture; or who belong to the same locality or have the same belief. They form a party to achieve their ends, impose their outlook or extend the hold of their belief on the society as a whole. A party's aim is to achieve power under the pretext of carrying out its program"… "The purpose of forming a party is to create an instrument to rule the people; namely to rule over non-members of the party. For the party is, fundamentally, based on an arbitrary authoritarian theory . . . i.e. the domination of the members of the party over the rest of individual members of the people*".

[37] – These are: *The Libyan National Group* (Attajamoa Al-watani Al-leebi) [1976]; *The Libyan Democratic National Movement* (Al-haraka Al-wataniya Ad-dimokratia Al-leebiya) [1979]; *The Islamic Group "Libya"* (Aj-jamaa Al-islamiya "Libya") [1979]; *The Libyan National Movement* (Al-haraka Al-wataniya Al-leebiya) [1980]; *The Islamic Movement "Libya"* (Al-haraka Al-islamiya "Libya") [1980]; The *Democratic National Libyan Front* (Aj-jabha Al-leebiya Al-wataniya Ad-dimokratiya) [1980]; *The Freedom Party* (Hizb At-tahreer) [1980]; *The National Libyans Front* (Jabhat Al-wataniyeen Al-libi-yeen) [1980]; *The National Front for The Salvation of Libya* (Aj-jabha Al-wataniya Li-inqad Libya) [1981]; *The Libyan National Salvation Army* (Jaish Al-inqad Al-watani Al-leebi) [1981]; *The Libyan Constitutional Union* (Al-ittihad Ad-dostouri Al-leebi) [1981]; *The Libyan Democratic National Group* (At-tajamoa Al-watani Ad-dimokrati Al-leebi) [1981]; *The Libyan National Union* (Attahalof Al-watani Al-leebi) [1983]; *The Libyan Volcano Group* (Monathamat Al-burkan Al-leebi) [1984]; *The Libyan National Struggle Movement* (Harakat Al-kifah Al-watani Al-leebi) [1985]; *The Libyan Authority for National Salvation* (Al-haiaa Al-libiya Lil-kalas Al-watani) [1986]; *The Libyan National Salvation Army Organization*

(Monathamat Jaish Al-inqad Al-watani Al-leebi) [1988]; *The Fighting Islamic Group* (Aj-jamaa Al-islamiya Al-mokatila) [1991]; *The Libyan Democratic Conference* (Al-motamar Ad-dimokrati Al-leebi) [1992]; *The Libyan Democratic Authority* (Hai-at At-tanseeq Ad-dimokratiya Al-leebiya) [1993]; *The Libyan Movement for Change and Reform* (Al-haraka Al-leebiya Lil-taghyieer Wal-islah), [1994]; *The Libyan Conservatives Party* (Hizb Al-mohafi-deen All-leebi) [1996]; *The Organization for Free Libya* (Monathamat Tahreer Libya); *The Libyan National Group* (Attantheem Alwatani Alleebi); *The Libyan People's Struggle Movement* (Harakat Al-nidal Ash-shaabi Al-leebi); *The Libyan Democratic Party* (Al-hizb Ad-dimokrati Al-leebi) and *The Nation's Party* (Hizb Al-Umma);

[38] – Addressing the Organization of Non-Aligned States in September 1986, Qaddafi declared: "*I will do everything in my power to divide the world into imperialists and freedom-fighters*".

[39] – During a December 1972 visit to Tunisia, Qaddafi publicly called for its merger with Libya. Tunisian President Habib Bourguiba rejected the idea and chided Qaddafi for his youthful naiveté. In January 1974, only a few months after the failure of the Libyan-Egyptian merger, Qaddafi pursued a new unification plan during a meeting with Bourguiba at Jerba. Bourguiba first accepted the proposed Arab Islamic Republic, but then reversed his decision. He later stated that he had agreed only to the concept of eventual Maghrebi unification, not to any specific bilateral union at the time. Relations subsequently deteriorated and became more strained in 1975. In March 1976, Libya began expelling several thousand Tunisian workers. Later the same month, Tunisian authorities announced the discovery of a plot aimed at high government officials (perhaps even Bourguiba) and alleged that Libya was involved despite Qaddafi's denials. Tunisia later accused Libya of providing military training to opponents of the Bourguiba regime. Now and then, Tunisia (as well as other neighbouring countries) has protested against alleged Libyan subversion attempts. In 1976, for instance, Tunisia charged Libya with attempting to assassinate Prime Minister Hadi Nouira. And in February 1980, Libya was accused of instigating the abortive uprising by Tunisian insurgents in the town of Gafsa in central Tunisia, a charge that Libya promptly denied. Nevertheless, diplomatic relations between the two countries were severed. As Tunisia's economic and political difficulties grew in the 1980s, dissent became more vocal, particularly in the poorer southern region, paving the way for increasing the links between the Jamahiriya and the Tunisian dissidents. Two issues caused problems for the Libyan-Tunisian relationship. The first, concerning maritime boundaries between the two North African countries, was settled by an International Court of Justice ruling in favour of Libya in 1982. The Court reaffirmed its ruling in 1985, at which time it rejected Tunisia's appeal for reconsideration. The second problem resulted from the expulsion from Libya in August 1985, of 40,000 Tunisian workers, partly as a result of the downturn in the Libyan economy as a result of shrinking oil revenues. The expulsions were also partially based on political considerations because Qaddafi has considered expulsions a political weapon with which to threaten uncooperative governments. In retaliation, Tunisia expelled 300 Libyans, including 30 diplomats.

[40] – "*The Arabs are one race. They have one language, one culture, and mostly one religion. There is no doubt of their being Arabs… But demographically they are not so. Some of them are in Asia, some others are in Africa, and still some others are in the Arab Peninsula. The Arabs in Africa are an integral part of Africa. They are members in the African Union which is the result of globalization. Their destiny now and in the future is that of the African space. So, the African Arabs have been separated from the Arabs of Asia because of the nature of this age. There is a barrier between them… Thus, two thirds of the Arabs become Africans just as the Europeans became Americans. The African Union with one political, economic, security, even cultural and linguistic entity in future, near or far. There will be one African identity, one currency, one army, one defense, one body for foreign affairs, and one negotiation centre with the world. On the other hand, we know nothing about the destiny of the Arabs of Asia. They may become part of a yet unborn Asian Space, which is more likely. They may be dispersed among several spaces still to be born… They will be torn to pieces… If someone asks why don't the Arabs create their own space, we may answer that this is not possible. It is because the African Arab has been integrated in the African Union, which is not an option, but rather a necessary reality without which there will be no existence… The African Arab is geographically separated from the Asian Arab… There is no economic, security, and defense relationships between… Mauritania and Iraq in spite of the one race…. Any attempt to talk about mutual Arab work, league structure, or practical measures will fail in the face of reality. The fact is that clinging to the Arab League is mere negligence or ignorance of reality*" Muammar Qaddafi's most recent ideas about the Arab League and his new conceptions of African Unity.

[41] – Tunisia has long been a voice for moderation and realism in the Middle East. President Bourguiba was the first Arab leader to call for the recognition of Israel in a speech in Jericho in 1965. Tunisia served as the headquarters of the Arab League from 1979 to 1990 and hosted the Palestine Liberation Organization's (PLO) headquarters from 1982 to 1993, when the PLO Executive Committee relocated to Jericho and the Palestinian Authority was established after the signing of the Oslo Agreement. Tunisia consistently has played a moderating role in the negotiations for a comprehensive Middle East peace. In 1993, Tunisia was the first Arab country to host an official Israeli delegation as part of the Middle East peace process and maintained an Interests Section until the outbreak of the 2000 Intifada. Israeli citizens of Tunisian descent may travel to Tunisia on their Israeli passports.

[42] – **Sources : «** L'Etat du Monde 2003 » (La Découverte), CIA, « World Factbook 2002 », « Arab Human Development Report 2002 » (PNUD).

[43] – Official relations resumed in the mid-1970s, although it was not until the late 1970s that relations normalized. By then Algerian leniency and passive tolerance for terrorist hijackers drew enough international criticism that the government modified its policy of allowing aid and landing clearance at Algerian airports for hijackers. In the 1980s, increased United States demands for energy and a growing Algerian need for capital and technical assistance lessened tensions and resulted in increased interaction with the United States. Liberalization measures undertaken by Benjdid greatly facilitated the improved relations. In fact, an economic rapport with the West had been growing throughout the previous decade despite tense political relations. Algeria was becoming an important source of petroleum and natural gas for the United States. On January 13, 1992, following the military coup that upset Algeria's burgeoning democratic system, the United States issued a formal but low-key statement condemning the military takeover. Twenty-four hours later, Department of State spokesmen retracted the statement, calling for a peaceful resolution but offering no condemnation of the coup. Since then, the United States, like many of its Western counterparts, has appeared resigned to accepting a military dictatorship in Algeria. The military government has reaffirmed its commitment to liberalizing its domestic economy and opening the country to foreign trade, undoubtedly accounting for some of the Western support for the new Algerian regime.

[44] – For obvious geographic reasons, Italy, Spain, Greece, and Turkey share a privileged position in Algerian foreign relations. The economic and strategic significance of Algeria as a geographically adjacent and continentally prominent nation are relevant to the foreign policies of the Mediterranean nations. Whereas Algeria's relations with France have been complicated by confusing emotional and cultural complexities, its relations with the other Mediterranean countries have been primarily driven by economic factors. Both Spain and Italy have become substantial importers of Algerian gas--1989 figures indicated that Italy was Algeria's largest customer for natural gas. A trans-national pipeline with three undersea pipes runs from Algeria through Tunisia to Italy, and work has begun on another. Greece and Turkey have both signed import agreements with Algeria's national hydrocarbons company, known as "Sonatrach". Spain and Italy have extended sizable credit lines for Algerian imports of Spanish and Italian goods. Since the latter 1980s, Algeria has devoted increased attention toward regional concerns, making the geographical proximity of the Mediterranean nations of growing importance to Algeria's diplomatic and economic relations. An other pipeline is also currently been placed through Morocco, aiming at delivering Algerian gas to Spain.

[45] – The Mediterranean basin is an area of major importance to Libyan military and political policy. Soon after the revolution, Libya called for the conversion of the Mediterranean Sea into a neutral "sea of peace" through the removal from the area of all foreign naval fleets and military installations, particularly North Atlantic Treaty Organization (NATO) bases. Libya repeated the call at the 1973 Algiers conference of the Non-aligned Movement, and other countries, including neighbouring Tunisia and Algeria, have supported the idea. The keystone to Libya's Mediterranean neutralization policy is Malta. During the Anglo-Maltese negotiations in 1972 covering British bases on the island, Libya offered economic assistance to Malta if it would exact a pledge that the bases would not be used again to fly supply missions to Israel (as they had been used during the 1956 Suez Canal crisis and the June 1967 War). The ruling Labour Party government of Maltese Prime Minister Dom Mintoff negotiated such an agreement, and Libyan-Maltese economic relations began to expand. Libya encouraged immigration by Maltese workers, and Malta provided technical training for Libyans. Libyan-Maltese relations, on the whole, have been cordial. In the 1980s, Libya generally perceived Malta's foreign policy as positive and friendly. Nevertheless, the issue of maritime boundaries between the two countries remained an irritant. It was finally resolved in mid-1985

when the International Court of Justice at The Hague ruled in favour of Libya. As a result of this decision, Malta lost eighteen nautical miles to its southern neighbour. While pursuing relations with Malta, Libya continued to develop its overall Mediterranean policy. In mid-1975, Libya and Turkey concluded several cooperative agreements and decided to establish a joint ministerial committee. Plans were formulated to increase the number of Turkish workers in Libya from 6,000 to 60,000 by the end of 1976. The wave of expulsions of foreign workers in the fall of 1985, was evidently politically motivated as some 130,000 people--primarily Egyptians, Tunisians, and Mauritanians--were expelled. Some 50,000 Turkish workers remained in Libya, however, alongside 15,000 workers from the Democratic Republic of Korea (South Korea) despite the obvious closeness of those two countries to the West generally and the United States in particular. Libyan relations with Cyprus and Greece have been largely harmonious.

[46] – Cf. my paper "Legitimating NATO's Presence in the MENA Region", *presented at the International Conference on* "NATO's Transformation and Gulf Security", held in Doha (Qatar), April 19-20, 2004 by the Rand Corporation. [http://www.hassanrahmouni.com].

[47] – Jean-Pierre SERENI, "*Les Frontières se referment : le Sud de la méditerranée Oublié*", in Le Monde Diplomatique, MARS 2003, p. 6, http://www.monde-diplomatique.fr/2003/03/SERENI/ 9969.

[48] – These statistics have drawn from the data available at the country by country "World Fact Book", 2004, cf. in internet, http://www.cia.gov/cia/publications/factbook/geos/ts.html

[49] – This new vision has consisted in defining democracy in larger scope that simple political pluralism; Henceforth, it should involve issues as gender equitable repartition of wealth, critical thinking in education, etc… For further details, ref. Richard Haass, "*Reinforcing Democracy in the Islamic World*", Presentation to the "Council on Foreign Relations", Washington, D.C., December 4th, 2002.

[50] – The authors of the *Arab Human Development Report 2004*, issued in April 2005, have noted that "*Arab constitutions assign the regulation of rights and freedoms to ordinary legislation, which tends to restrict the right in the guise of regulation,"... "As a result, many constitutional texts addressing rights and freedoms, whatever their own shortcomings may be, lose much of their worth, turning into an empty facade for the benefit of the international community*."

 [51] –"*Arab constitutions uphold the independence and inviolability of the judiciary but in practice, the Executive maintains a significant presence within most court systems and can often nullify other constitutional provisions. Most Arab constitutions stipulate safeguards for fair trial in criminal laws and trial systems, but human rights activists are frequent victims to the gulf existing between such guarantees on paper and a reality governed by emergency laws, military tribunals and special courts. A vast increase in the number of court cases in some Arab countries have caused extensive delays in hearings and ultimately, in delivering justice-causing fears that frustrated litigants could resort to violence and individual reprisals*" *The Arab Human Development Report 2004*, issued in April 2005, UNDP.