

## Political participation of women in Algeria (1962 - the present day)

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### Abstract:

*This article aims to study the development of the political participation of women in Algeria from the independence until the present day. It is done through analysing the constitutions, various legal laws, especially the constitution of 2008, and*

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*international conventions on women by showing the impact of political changes, such as the “democratic transition” that began in 1989 on women’s political participation. The results showed that although women have been assigned as ministers and leaders of political parties and the judicial system, in different periods, the problems and obstacles which are faced by Algerian women and their role in political life such as traditions and electoral laws on the line still exist and are to be highlighted in this study.*

**Keywords:** *Political participation; Women; Algeria; Constitution; Electoral laws.*

### Introduction:

Political participation of women clearly shows the deep involvement of women in the different aspects of life within society. It promotes gender equality by challenging the social and political norms that preserve a culture of women’s subordination to men in both private and public spheres. Moreover, including women in the political process engenders many benefits. It, politically, increases the number of women in parliament and decision making positions, verges corruption, improves policies outcomes, and enhances the harmony between the various social groups.

In Algeria, the highest ratio of women representation in Parliament was in the one elected in May 2012 reaching 31, 6 % out of the total number of the members. This high presence of women leads to the belief that there is a great will of the state that seeks to push women forward to participate in decision-making at all levels; legislative,

executive, and judicial. This will be realized through the “quota system” that made the Algerian women enter the parliament forcibly by allocating twenty-six seats for women in the 2012 legislative elections and raising the number of allocated seats to 146.

The Algerian leadership, particularly the ex-president Bouteflika, had a vision that the participation of women in political life is considered a clear indicator of progress for the Algerian state and its international image. A point that receives special attention in Algeria, particularly in the context of globalization and the communication revolution that has transformed the world into a “village” with human rights, including women’s rights, being among its main features.

This article explores whether reforms addressing women’s representation translate into greater power for women within the political life in Algeria, thus providing new insights into how gender quotas may be (positively) or may not be (negatively) in promoting gender equality in politics more broadly.

The descriptive analytical method was adopted to conduct this research. This latter was undertaken through the analysis of the relevant data and information that have been collected from books, magazines, periodicals, journals, international conventions and official documents of the state with proper procedures.

The objective of this paper is to outline the development of political participation of Algerian women in local councils and parliament. When the level of participation of women in these political structures falls below that of Algerian men, this paper delineates what obstacles might prevent women’s representation at this level and what might need to be done to ensure that more women are elected.

To understand the experience of the political participation of the Algerian women, this paper will first spot the light on the role of legislation that defines the parameters of this participation; second, it will address the development of this participation in reality, especially after the democratic transformation in 1989 and finally, the social, political and economic hindrances that encountered women’s participation.

### **Chapter I: Women's Rights in the Algerian laws**

Since the independence of Algeria, its laws gave special attention to the promotion of women who were considered as essential contributors to the development of the newly independent country.

Therefore, a noticeable consideration was given to the political rights of women and the role that they could play through attaining high positions in the Algerian state. This was made clear by the improvement of the status of women in the successive constitutions of the republic, especially the amendment of the constitution of 2008 which brought the quota system that granted women 30 % of seats in the different elected councils.

The Algerian legislator maintained the status of women in the different constitutions, which stated the equality between men and women in rights and duties. He encouraged women to participate in the different electoral occasions and to be engaged in the different governments and the high leading posts.

In the declaration of the Constituent Congress on September 25, 1962, the National Constituent Assembly proclaimed the establishment of the Democratic and Popular Republic of Algeria that guarantees the permanent rights of citizens and their exercise of fundamental freedoms in one liberated society<sup>(1)</sup>.

The Basic Law of 1963, the first legislation for the independent republic of Algeria, article 12 states that: "All Citizens of both sexes are equal in the rights and duties". In the Constitution of 1976, the basic rights were guaranteed for all citizens, either men or women and without any discrimination. Article 39 states that: "Basic freedoms, human rights, and citizens are guaranteed; all citizens are equal in rights and duties; all discrimination based on pre-existing provisioning related to sex, race, or profession is abolished"<sup>(2)</sup>. This constitution brought a new article (42), which grants and empowers all rights of the Algerian women: "the constitution guarantees all political, economic, social, and cultural rights for Algerian women"<sup>(3)</sup>. Furthermore, the Constitution of 1976 links the effectiveness of women in political practices to joining the FLN party as the only political organisation at that time. Article 81 gives women the right to participate effectively in political activities and national development<sup>(4)</sup>.

In the constitution of 1989, which came after a great pressure of October 1988 events to move from the one-party system into a multiparty system, women were given the same rights to participate in the political life. Article 30 states that "Institutions aim at ensuring the equality of all citizens(males and females) in rights and duties by



removing obstacles that impede the openness of the person and preventing everyone from participating effectively in political, economic, social and cultural life”<sup>(5)</sup>. The principle of equality among all Algerian citizens is clearly enhanced by this constitution. In articles 28 and 48, it can be understood that women are equal to men either before the law or in getting positions within the state. Article 28 declares that “all citizens are equal before the law. Discrimination based on birth, custom, sex, opinion or any condition or social status is prohibited”<sup>(6)</sup>. In addition, article 48 states that “all citizens are equal in getting positions within the state with no conditions but the ones prescribed by law”<sup>(7)</sup>. Moreover, the right to vote for all citizens was introduced for the first time since the independence. Article 47 states that “Every citizen has the legal rights for election and has the right to elect and to be elected”<sup>(8)</sup>. That is to say, women also have the right to elect or be elected as candidates in the different elections of the republic.

The amendment of the Constitution in 2008 introduced a new article, which expands the political representation of women in the elected councils and left the procedure of this expansion to an organic law to provide details about how to apply this article. Article 31 repeated states that “The State shall work towards promoting the political rights of women by increasing their chances of access to representation in elected assemblies. The modalities of implementing this Article shall be determined by an organic law”<sup>(9)</sup>. Yet the announcement of the organic law asserted in this article was obviously delayed for more than four years. It was finally presented to the Council of Ministers in November 2011 for discussion and approval. This law was the first one to adopt the gender quota system to increase women’s representation in the different elected assemblies over the territory. In order to apply this system, the Algerian legislature amended the elections law (12-01) and issued the law (12-03), which determines how to expand the chances of women's representation in the elected councils.

The Algerian legislature relied on the various experiences in European countries, which tried the quota system and finally settled on the Compulsory quota system among the election lists and among the contested seats <sup>(10)</sup>. This system is considered as congruent with The *Convention* on the Elimination of All Forms of Discrimination

against Women (*CEDAW*), which was signed by Algeria in 1996. Hence, the Algerian law determined a percentage of 30% while the other democratic experiences had chosen from 20% to 50%<sup>(11)</sup>.

**1- The organic law (12-03):**

The organic law (12-03), which was published on January 12, 2012, explained how the "quota system" should be applied to expand the chance of women in the different elected councils<sup>(12)</sup>. Article 02 of this law obliged all the candidate lists by free candidates or a party or a group of parties to include women among its members according to the following percentages :

**A. In Legislative elections (National Public Assembly):**

- 20 % when the number of seats equals 04 seats .
- 30 % when the number of seats equals or more than 05 seats .
- 35 % when the number of seats equals or more than 14 seats.
- 40 % when the number of seats equals or more than 32 seats .
- 50 % for the national immigrants .

**B. In Local elections:**

**- State Public Assembly:**

- 20 % when the number of seats is 35, 39, 43 or 47 seats.
- 35 % when the number of seats is from 51 to 52 seats.

**- Municipal Public Assembly:**

- 30 % for the elections of the municipal assemblies of the municipals of Dairas and municipals which their population is more than 20 000 inhabitants.

The application of this law was clarified on the website of the home affairs ministry<sup>(13)</sup>. It is applied through multiplying the number of seats, which are gained by the candidates' list with the precise percentage in the concerned constituency, converted to the full upper for more than the decimal part 05. In case a candidates' list gained one seat, it is automatically given to the female candidate if she is classified as head of the list.

**Chapter II: Development of women's participation in reality**

**1- In the legislature (Parliament):**

The indicator of women representation in parliaments and elected councils is considered as one of the important indicators that the millennium declaration adopted to evaluate the extent to which countries have developed in the political empowerment of women. This latter is considered as one of the prominent goals of the Beijing



platform for action and one of the Eight Millennium Development Goals (MDGs)<sup>(14)</sup>.

In Algeria, the representation of women in the elected councils can be divided into two stages. The first one is from 1962 until 2012, in which women witnessed a weak representation. The second one is from 2012 until the present day, in which the first step to empowerment is certainly perceived. This noticeable development came after the amendment of the constitution in 2008, which adopted the gender quota system to help women engage in political life in Algeria. The table below shows the development of women representation in parliament since independence to the present day<sup>(15)</sup>.

**Table (1): Census of political participation of Algerian women in the legislature.**

Legislative period	Total number of seats	Number of women	Ratio of women in parliament
Constituent council 1962 - 1964	196	10	5.1 %
The National Council 1964 - 1965	138	02	1.5 %
The National People's Assembly 1977 - 1982	260	10	3.84%
The National People's Assembly 1982 - 1987	285	05	1.75%
The National People's Assembly 1987 - 1992	296	07	2.36%
Consultative Council 1992 - 1994	60	06	10%
National Transitional Council 1994 -1997	192	13 deputies + 05 in positions of responsibility	6.77%
The National People's Assembly 1997 - 2002	388	15 deputies + 04 in positions of responsibility + 02 were called up for other assignments	3.86%



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The National People's Assembly 2002 - 2007	388	29 deputies + 04 in positions of responsibility + 04 were called up for other assignments	7.5%
The National People's Assembly 2007 - 2012	411	31 deputies + 07 in positions of responsibility	7.54%
The National People's Assembly 2012 - 2017	462	146 deputies + 02 Substitute deputies + 49 in positions of responsibility + 02 were called up for other assignments	31.6%
The National People's Assembly 2017 - 2022	462	120 deputies + 01 Substitute deputy+ 11 in positions of responsibility + 01 was called up for other assignments	26%

**Source:** Addane, 2019, pp. 1554-1555.

The table shows that women's representation in the National People's Assembly was very weak under the one-party system. It did not overtake 4 % for three decades.

After the democratic transformation in 1989, some political parties were established among which was the FIS party (le Front Islamique du Salut), which won most of the seats in the local elections (54%). On December 26, 1991, the FIS won the first round of parliamentary elections. It won 48% of the overall popular vote, and 188 of the 231 seats<sup>(16)</sup>. On 11 January 1992, the army cancelled the electoral process, forcing President Chadli Bendjedid to resign and bringing in the exiled independence fighter Mohammed Boudiaf to serve as a new president<sup>(17)</sup>. The abandoning of the elections resulted in a bloody decade for Algeria. On January 14, 1992, the Supreme Security Council established the Consultative Council(1992-1994), which was considered as a transitional parliament to help the High Council of the State achieve its mission and to contribute in any study, analysis, and evaluation of issues in its speciality<sup>(18)</sup>. In the Consultative Council (1992 – 1994), six women (10%) were appointed out of 60 members



of this council. This increase in women's representation is considered as the first noticed rise even though it came by appointment and not via elections.

On January 26, 1994, the National Consensus Conference established the National Transitional Council, which is a transitional parliament composed of one council to assume the functions of the National Consultative Council and to replace it<sup>(19)</sup>. This council included 13 women out of 192 members appointed by the state, and it ended after three years by legislative elections in 1997. In this custody, the ratio of women representation slightly decreased to 6.77%.

After the promulgation of the constitution of 1996, a second room was created in the parliament. It was called "Assembly of the Nation". Unlike the National People's Assembly, 2/3 of the members of this room were elected by local assemblies and 1/3 of the members were appointed by the president of the republic<sup>(20)</sup>. As a result of this constitution, legislative elections were organized in 1997; a year in which Algeria was still suffering from violence all over the country. Women got a very low number of seats in these elections; only 15 out of 388 seats (3,86%). The same happened in the first Assembly of the Nation, 8 women (03 were elected and 05 were appointed) were members of this room of the parliament<sup>(21)</sup>.

By the coming of the president Abdelaziz Bouteflika in 1999 and the promulgation of a Law on Civil Concord offering a qualified amnesty to members of the groups, Algeria started to regain its stability step by step<sup>(22)</sup>. The legislative elections of 2002 were the first ones after the Civil Concord Law. They witnessed a slight increase of women representation which improved from 15 women (3,86%) to 29 women (7,5%) out of 388 members. Moreover, women got only 03 seats in the assembly of the nation by appointment not an election and in 2006 they got 04 seats in the same way<sup>(23)</sup>.

On May 17, 2007, the seventh legislature assembly was elected and it did not bring the desired results for the representation of the Algerian women. However, there were 12225 candidates; only 1018 candidates (8,33%) were women all over the country. As a result, 31 women were elected out of 411 members getting a proportion of 7,54% only. That is to say, their representation remained very low for a new custody<sup>(24)</sup>.

The 2012 elections were conducted after the Enabling Act on Elections had been promulgated in 2012, which stipulated that women should be present in parliament by introducing a “quota system”. This latter was adopted by the amendment of the constitution in 2008 to empower the participation of the Algerian women in the political life<sup>(25)</sup>. Actually, for the first time, women gained 31, 6% of the seats of the assembly; 146 out of 462 winners were female candidates. Besides, 07 women were appointed in the assembly of the nation in 2009<sup>(26)</sup>.

On May 04, 2017, a new National People's Assembly was elected after one year of the partial amendment of the constitution in 2016. This amendment introduced a separate chapter on election monitoring but did not bring any changes to enhance women political participation<sup>(27)</sup>. The results of these elections show a decrease in the number of seats of women representatives. Women lost more than 05% (26 seats) of their seats when compared to the previous elections.

In brief, in all of the elections before the constitutional amendment of 2008, women were approximately unrepresented because of the very low presence in the legislative councils. They could not defend their representation in parliament to get a powerful interference in the various legislations, which are related to women. Saward (2014) contested the idea that only women politicians could defend the interests of the female population<sup>(28)</sup>. However, after 2008, the empowerment of women in politics had jumped into higher levels compared to what they had been. In fact, they did not reach the requirements but they could be considered as the first step to better achievements.

## **2- In the executive:**

Women participate in the Executive Authority through the position of minister in the Council of Ministers. This participation is ensured by the constitution and law; however, it is still very low compared to men. Apparently, an upward trend has recently appeared. In 2001, four women were appointed as ambassadors for the first time in the history of independent Algeria. In addition to that, seven women were appointed in high positions outside the country<sup>(29)</sup>. Moreover, four women were appointed as ministers in the government in 2004, four women as ambassadors, five women as heads of different ministries' offices, and a woman as Secretary-General of the Ministry<sup>(30)</sup>.



### **3- In the judiciary:**

According to ALGERIA Reply to the Questionnaire to Governments on Implementation of the Beijing Platform for Action (1995) and the Outcome of the Twenty-Third Special Session of the General Assembly (2000), Women have successfully assumed the posts of President of the Council of State (1) and President of the Judicial Council (2), and there are no fewer than (34) women presiding magistrates out of a total of 56; women have, thus, come to account for a 60 per cent majority of the members of this important professional body. There is one woman public prosecutor, and 846 women magistrates, out of a total of 2 751; women thus account for 30.75 per cent, or nearly one third, of all magistrates. Furthermore, there are 137 women examining magistrates out of a total of 404, or just over one third (33.9 per cent)<sup>(31)</sup>.

In a speech during a ceremony organized by the Ministry of Justice to mark International Women's Day, Mr Tayeb Lawh (2019), previous minister of justice, explained that the justice sector includes 2,854 women judges, which represents 45,12% of the total of 6, 326 judges during the current year. He also pointed out that the number of female employees of all types reached 14, 120 employees, a rate of up to 61.12 % at the level of the judicial authorities, adding that the number of women, who exercise superior positions at the level of these bodies has reached 1578 employees<sup>(32)</sup>.

### **4- In the political parties:**

Political parties are the key tool of civil societies to political development. The participation of all the various segments of society, including women, who constitute approximately half of the total population in Algeria, empowers their role to lead the state into the right path to development and to guarantee stability for the nation. In general, the status of women has gradually improved in the different aspects of life in recent years. However, political parties usually do not have a specific discourse or specific mechanisms to encourage women to reach leadership positions for parties and to represent these parties in elected councils<sup>(33)</sup>. Only two women established or reached the leadership of a political party. The first one is Louisa Hanoune, who leads the Algerian Labour party (PT) since 1990 and the first women in the Arab world to participate in presidential elections in 2004. The second one is Naima Salhi, who established and headed the



party of Justice and Statement (PEP).

### **Chapter III: Hindrances against women's participation**

Although the strategies of the Algerian state to increase women's participation in politics have been advanced through legislatures, conventions, and international agreements for gender equality, women continue to be underrepresented and encounter obstacles that often make it difficult for them to engage in the political life and undertake leadership positions over the country. Therefore, the political participation of women in public life is still hindered by some factors, which overlap between political, socio-cultural, and economic factors.

#### **1- Political factors:**

The poor experience of women in front of man's monopoly on political positions and his control on the electoral lists is considered as the main obstacle that faces women's participation. That is to say, women who have very little knowledge of politics, political parties, and political matters of the country cannot challenge powerful men who manipulate all aspects of the political life. Besides, men hold most important positions in political parties, government offices, and other significant offices whereas Women found themselves handicapped by their domestic responsibilities, low esteem, poor social status, inexperience with leadership and in many cases, non-cooperation or even outright hostility from family members and fellow elected representatives<sup>(34)</sup>. This dominance on public spheres left a very narrow space for women to participate in politics.

In Algeria, women suffered a lot from the dominance of men in most of the fields especially the political one. This men's supremacy can be merely noticed during the period that followed the independence until the first decade of the twenty-first century in which the representation of women in parliament didn't overtake 6% through elections. After the ratification of the new elections law which finally came to apply the gender quota system, the number of women increased to 31% for the first time in the history of Algeria. This obvious improvement came as a result of the reforms and commitments of the state to empower the political status of women and to curb the obstacles that impede their participation.

However, this development did not resist in the last legislative elections (2017) and fell back into 26%. This decline goes mainly back to the wrong political upbringing and the weak political



contribution of parties to raising the awareness of women's political rights and roles. Moreover, the government shares also responsibility in this issue (low awareness) which was reflected by the appointment of only three women as ministers in the new government shape in 2012 despite the considerable participation of women in the local elections. In addition to these political hindrances, the next factors which are the socio-cultural factors play a major role in this weak participation.

## **2- Socio-cultural factors:**

Kassa (2015) states that even in countries where women have made gains in employment or education, they face cultural barriers to participation in politics. He continues that women face prejudice as leaders because people tend to assume that leadership is still a masculine stamp<sup>(35)</sup>. So that, when women lead, they confront problems because people evaluate autocratic behaviour by women more negatively than the same behaviour by men.

Besides, a study was conducted by Gidudu et al on Socio-cultural Factors that Hinder Women's Access to Management Positions, reached that women has to do house duties, gardening, and washing up while men go out for duty and can also go for further studies outside the family however women stay back to take charge of the family<sup>(36)</sup>. In addition, women are socialized to gender roles that are submissive, passive, subordinate, and more private-oriented, while men are socialized to adopt leadership, public, autonomous, and self-reliant roles<sup>(37)</sup>.

In cultures with such traditional values concerning the role of women, many of them may be hesitant to run an electoral campaign, and if they do, they may fail to attract sufficient support to win. Most prominently in Algeria, women are considered subordinate to men both in the family and in the society. Most of them depend on their husbands and family males and even if they can get more income for them, they may not voluntarily participate in politics without their permission because of their control on them. As a result, women become unaware of their political role and even diminish their ambition to hold high decision-making positions of the state.

Moreover, Algerian society is considered patriarchal that uses religion and culture as an excuse to keep women at a subordinate position. These excuses have been, for many years, supported by laws



and legislations that support patriarchy and women's subordination. For example, the amendments of Algerian family code show clearly the intention of the legislator to end the patriarchal authority of men on women in the different issues that control the relationship between them. Hamrishi (2014) conducted a research on the Development of the Family Code in the Algerian legislature revealed that there was a desire to terminate men's domination on women; especially in article 11 which was opposed by both genders who consider it as innate and serves both of them whereas the legislator considered it as dominance<sup>(38)</sup>.

Furthermore, there is a traditional belief; in Algeria; that, women are created to take care of children and cook rather than participating in outside activities. Hence; there is a division of works between men and women, which means home activities belong to women and outside activities belong to men. That is to say, women are burdened with different household activities like cooking, taking care of children, doing and the washing-up. All of these activities make women busy in the household and impede their involvement in political issues of the country.

In addition, Religion is considered another important source of cultural beliefs in most countries. People follow religious interpretations that often serve their arguments about women's inferiority to men, and traditionally religion has long been used to exclude women from aspects of social, political, or religious life around the world<sup>(39)</sup>. In the case of Algeria, Islam is the predominant religion of the country. On the one hand, it is often used by some men to exclude women from the political life and the decision making positions. On the other hand, most of the Algerians suffered from the barbarian activities of terrorist groups against people during the Black Decade, yet women were highly vulnerable to violence from these groups. Thus, they affected negatively the awareness of the importance of women's political participation in politics over the country.

To conclude, these attitudes merely justify the very low level of political participation of women in Algeria since 1962 until 2012; and even still exist to the present day with slight improvement.



### **3- Economic factors:**

A former Member of Parliament of Bangladesh, Razia Faiz, asserts that lack of financial resources is the massive obstacle to the political participation of women. Women have no base from which to develop contacts with the people or to build knowledge and experience about the issues. Moreover, they have no money of their own; their fathers, their husbands or their in-laws possess the money. Given the rising cost of running an effective campaign raises another serious problem for women in the developing world<sup>(40)</sup>.

Seyedeh, Hasnita, and Hossein (2010) also revealed that the majority of women are economically dependent on their husbands or relatives. So it may not be possible to them to engage in a political campaign<sup>(41)</sup>. Moreover, it has been seen that even when their economic status is improving, women may devote less time to other activities (including politics) and spend far more time on household chores and family care responsibilities<sup>(42)</sup>. Algerian women are subordinate to men economically. That is to say, this dependence has affected the political participation of women in the different merits of the nation. And finally the economic factor has always played key role to impose the patriarchy on Algerian women and eliminate them from the political life.

### **Conclusion:**

The issue of women's political participation in Algeria is still debated by the political elites and the authorities of the state. Politics remained under the dominance of men yet the battery of legal foundations that focuses on equality between men and women in all rights and duties.

In conclusion, the description of the political participation of women in Algeria from independence to the present day shows that women were not integrated into the political life for decades. However, the equality to men was maintained by the various constitutions and legislations, it was not applied in reality neither under the one-party system nor the under multi-party one. Moreover, violence against women during the black decade was another reason that inhibited women from participating in the political life and kept the ratio very decent. After a half-century of independence and with the return of stability to the country, Algerian women could participate in the parliament with a noticeable proportion for the first



time in 2012. This participation came after the implementation of the Enabling Act (12 -03), which obliged the candidates' lists to include women among them. In fact, this participation is considerable but remains below what is required as the significance of women's involvement in this field helps in the development and evolution of the country.

However, the quota system can probably be the best way to guarantee the presence of women in the different elected councils and decision making positions, it can have negative effect on womens political awarness and becomes an obstacle that hinders the participation of women in the political life in algeria. Moreover, this system can be adopted only as the first step to encourage women to share with men the political life and not to lag behind them and wait for their scarce help to engage them in this field.

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