

Political representation of Algerian women in the parliament (1962 – 2021)

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Abstract:

This paper aims to show to what extent the Algerian women are involved in the different aspects of power of the state. It is done through the study of the development of political representation of women in the Algerian parliament as a sample aspect of power. This paper is based ultimately on the examination of the Algerian constitutions, legislations, Laws, and international conventions on women. It also aims to clarify the obstacles that impede women from the participation in establishing the foundations of democracy which lead to enhance their status in power.

Keywords: Political representation; Algerian constitution; democracy; status of women; power

1. INTRODUCTION

The political representation of women illustrates how women are involved in life within society. It excludes gender inequality and promotes equality in rights and duties. Yet it defies the subordination of women to men's culture. Besides, the inclusion of women in the political process engenders several benefits. It fosters women to break into the field of political institutions such as the parliament and decision making positions, limits corruption, ameliorates policy outcomes, and boosts congruence between the different social groups.

Compared with national parliaments worldwide, Algeria enjoys an acceptable proportion of women parliamentarians since 2012. The highest ratio of women representation in Parliament in Algeria reached 31,6 % out of the total number of the members for the first time since the independence. This high presence of women leads to the belief that there is a will of the state that tries to thrust women forward to participate in decision-making at all levels; legislative, executive, and judicial. In fact, the government introduced the "quota system" in the constitution of 2008 which gave way to the Algerian women to enter the parliament by allocating 26 seats for women in the 2012 legislative elections and raising the number of allocated seats to 146.

In addition, the former president Abdelaziz Bouteflika worked on the enhancement of women's roles in society since his first presidency term in 1999. He looked at the participation of women in political life as a clear indicator of the progress the Algerian nation. Therefore, a better image on the status of women in Algeria can be shown to the world organizations which always call for gender equality.

This paper explores whether reforms addressing women's representation translate into better status for women within the Algerian parliament, thus providing new insights into how gender quotas may be positively in promoting gender equality in politics more broadly. In addition, it investigates the obstacles that may hinder women's representation in politics in general.

This research was conducted through the descriptive analytical method. It was carried out 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.

The objective of this research is to delineate the development of the political representation of Algerian women in the legislative power as one of the aspects of power that women involved in. It tries to define

what obstacles might prevent women's representation at this level and what might need to be done to enhance the status of women in this field.

To comprehend the development of the political representation of the Algerian women, this paper will (a) clarify the role of legislation that defines the parameters of this representation; (b) address the development of this representation in the legislative institution; and (c) define the sociocultural, political, and financial obstacles that encountered this representation.

2. Women's representation in the Algerian legislation

The Algerian legislator gave special attention to the promotion of women who contribute robustly to the evolution of the nation. Hence, an obvious consideration was given to women in the field of politics to share the mission of developing the Algerian state through a good rule. This consideration has been embodied through the empowerment of the status of women in the successive constitutions of the country by adhering to the international conventions and agreements that the state has ratified. Therefore, the Algerian legislator fosters this status by enhancing equality between men and women in rights and duties,

encouraging women to participate in the different electoral occasions, and engaging them in the different high leading posts.

In 1963, Algeria joined the **Universal Declaration of Human Rights** and then ratified the **International Covenant on Civil and Political Rights** on May 16, 1989. Furthermore, the state signed on **The Convention on the Elimination of All Forms of Discrimination against Women** with some reservations on particular articles (Bouandel, 2019, p.06). Therefore, The Algerian legislator credited great importance to women's rights in the successive constitutions and focused on equality between both sexes in all rights and duties based on the various international agreements and conventions that the Algerian state ratified since the independence. Consequently, the evolution of the political status of women in the Algerian constitutions reflects the congruency between these agreements and Algerian legislations.

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 (Dai, 2018, p.905). Furthermore, in 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. That is to say, women have the same political rights as men without any distinction.

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" (Algerian Constitution, 1976, art.39). 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" (Algerian Constitution, 1976, art.76). Furthermore, it relates 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 (Dai, p.906).

After October 1988 events, a new constitution was introduced and the state adopted the multiparty system in 1989. This constitution gave women equal rights to participate in the political life as those given to men. 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”(Algerian Constitution, 1989, art.30). Enhancing equality among all citizens is a key feature of this constitution. Accordingly, women are equal to men either before the law or in getting positions within the state. Article 28 announces that “all citizens are equal before the law. Discrimination based on birth, custom, sex, opinion or any condition or social status is prohibited” (Algerian Constitution, 1989, art.28). 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” (Algerian Constitution, 1989, art.48). Yet 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” (Algerian Constitution, 1989, art.47). This means that women also have the right to elect or to be elected as candidates in the various electoral occasions of the country.

In the Constitution of 2008, a new article was introduced. This article expanded the political representation of women in the elected councils and left the procedure to an organic law to provide details about how to apply it. 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” (Algerian Constitution, 2008, art.31 repeated). However, the announcement of the organic law proclaimed in this article was postponed for more than four years. It was finally presented to the Council of Ministers on November 2011 for discussion and approval. The **gender quota system** was adopted for the first time in this law to increase women’s representation in the elections of local and national assemblies over the country.

The Algerian legislator amended the elections law (12-01) and issued the law (12-03), which determines how to increase the chances of women's representation in the elected councils. He relied on the various experiences in European countries, which tried the quota system and finally settled on the **Compulsory quota system** among the candidate lists and among the contested seats (Bara, 2015, p.235). Consequently, the Algerian law determined a percentage of 30% while the other democratic experiences had selected from 20% to 50% (Ballington, & Karam, 2005, p.142).

The organic law (12-03)

The organic law (12-03), was published on January 12, 2012, clarifies the application of the “quota system” which aims to increase the

representation of women in the different elected councils. **Article 02** 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

The ministry of home affairs provided an explanation on its website about the application of the new election law (Bara, p.237). Therefore, it is applied through multiplying the number of seats, which are gained by the candidate list with the precise percentage in the concerned constituency, converted to the full upper for more than the decimal part 05. In case a candidate list gained one seat, it is automatically given to the female candidate if she is classified as head of the list.

In 2020, the new president Abdelmajid Tebboune introduced a new draft of the constitution which people voted with “yes” in the referendum. This new constitution brought a new article 68 that promotes parity and equality between men and women. On March 2021, the promulgation of the organic law of elections (21–01) included in article 191 the parity between men and women in the candidate lists but can be neglected from application exceptionally for current (2021) legislative elections (Algerian constitution 2020, art 68).

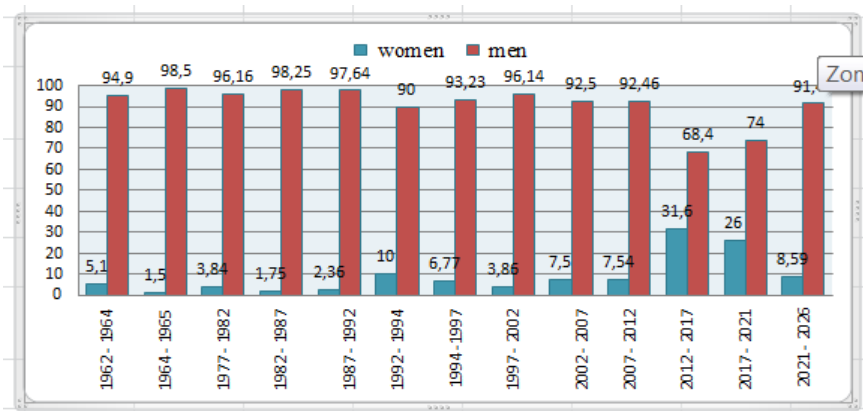
3. Development of women’s representation in the Algerian Parliament

Representation of women in Algeria across the different mandates of the parliament has been very weak during the period that followed the independence until the democratic transition in 1989. After the abolition of the first democratic elections on January 1992 by the Haut Comité d’Etat (HCE); a five-member committee under the leadership of Mohammed Boudiaf; and the establishment of the Conseil National de Transition (CNT); an appointed 60-member parliament; a slight increase in women’s representation has been remarked (Bouandel, 2019, p.06). Furthermore, the low representation continued until the 2012 legislative elections in which women gained more than 30 % of

seats for the first time. This achievement didn't last for long and women lost about 7% in the next elections in 2017.

The figure below displays the development of women's representation in parliament since independence to the resignation of the former president Abdelaziz Bouteflika in 2019.

Fig.1. Ratio of Women and men in the Algerian parliament,



Source: Addane, 2019, pp.1554-1555

The figure shows that a very little representation of women in the National People's Assembly (the chamber of the deputies) under the one-party system. It did not reach a ratio of 4 % for three decades. However women played major roles in building the country, they were almost neglected in the political life and decision making positions.

The *FIS party* (le Front Islamique du Salut) won the majority of the seats in the first local elections (54%) after the democratic transition in 1989. On December 26, 1991, parliamentary elections' results showed the victory of *FIS party* in the first round; 48% of the overall popular vote and 188 of the 231 seats (Willis, 2012, p.169). On January 11, 1992, the electoral process was cancelled by the army and this latter forced President Chadli Bendjedid to resign and brought in the exiled independence fighter Mohammed Boudiaf to serve as a new president (Kepel, 2002, p.169). The abolition of the elections led the country to a bloody decade. On January 14, 1992, the **Supreme Security Council** announced the establishment of the **Consultative Council**, 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 specialty (Bouandel, p.06). In the Consultative Council (1992 – 1994), six women (10%) were appointed out of 60 members of this council. This improvement in women's representation can be considered as the first perceived increase even though it came by appointment and not via elections.

The **National Transitional Council** (transitional parliament) was established by the **National Consensus Conference** On January 26, 1994. It is a composed of one council to assume the functions of the

National Consultative Council and to replace it (HCE, 1992). However, 13 women out of 192 members were appointed in this council, it ended after three years by legislative elections in 1997. A slight decrease in the ratio of women representation in this period (6.77%) can be noticed.

After the creation of a second room and called it “Assembly of the Nation” (chamber of senates) in the constitution of 1996, the Algerian parliament turned into two rooms: High room (Assembly of the Nation) and Low room (National People's Assembly). While 2/3 of the members of the High room were elected by local assemblies, 1/3 of the members were appointed by the president of the republic (Algerian Constitution, 1996, Art.101). Consequently, legislative elections were organized in 1997 and women got a very small proportion 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 (Dhif, 2018, p.06).

After the promulgation of the Law on Civil Concord which offered a qualified amnesty to members of the armed groups in 1999, Algeria started to regain its stability step by step under the presidency of the new president Abdelaziz Bouteflika (Kepel, p.188). In 2002, the legislative elections were organized as the first elections after the Civil

Concord Law. Women representation improved to a slight extent; from 15 women (3,86%) to 29 women (7,5 %) out of 388 members. Besides, women got only 03 seats in the assembly of the nation by appointment not election and in 2006 they got 04 seats in the same way (Harizi, 2011, p.116).

In 2007, legislative elections did not bring the desired results for the representation of the Algerian women. Though there were 12225 candidates; only 1018 candidates (8,33%) were women all over the country. Results showed the success of 31 women out of 411 members getting a proportion of 7,54% only. These results denote that the representation did not improve for another mandate (Harizi, p.116).

In 2012, women representation witnessed a mutation. Actually, 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. These results came after the Enabling Act which stipulated that women should be represented in parliament by introducing a “**gender quota system**”. This latter was adopted in the amendment of the constitution in 2008 to enhance the participation of Algerian women in the political life. In addition, 07 women were appointed in the assembly of the nation in 2009 by the

president whereas the elections did not gain them any seat (Dhif, 2018, p.06).

In 2017, the results of the legislative elections displayed a decrease in the number of seats gained by women. They lost more than 05% of their seats when compared to the previous elections. These results came after one year of the partial amendment of the constitution in 2016. This amendment did not bring any changes to improve political representation of women.

In 2021, women's representation deteriorated into 8,59%. This ratio can be justified by the abolition of the gender quota and the delay of the application of the parity to the next elections. Therefore, political representation of women went back to its real percentage when the legislation ignored the empowerment of women in these elections transitionally as mentioned in the organic law (21-01).

In brief, political representation of women in the Algerian parliament can be divided into two periods. In the first one, women were approximately unrepresented for 50 years (1962 – 2012). They were exploited as voters but not as candidates. This absence in the parliament refers their weak presence in the political life in which they could defend their rights to participate in the legislations that are related

to women. This idea was assumed by Saward (2014) who contested that only women politicians could defend the interests of the female population (Saward, 2014). In the second period, an obvious improvement in women's representation has started since 2012. This progress goes to the amendment of the constitution of 2008 which adopted the gender quota system as an efficient procedure to enhance the political representation of women.

However these ratios did not fulfil the needs to involve women into the political life, they could be considered as the first steps to challenge the obstacles that prevent women from representation in parliament.

4. Obstacles against women's political representation

There are several factors influencing the election of women as legislators. Hence, women face common problems that hinder increasing their parliamentary representation and effectiveness. Shvedova categorizes these problems into three areas: political, socio-economic, and ideological and psychological (or socio-cultural) (Shvedova, 2005, p.44). In fact, these obstacles persist to impact women's representation and often make it difficult for them to engage in the political life and undertake leadership positions over the country.

4.1 Socio-cultural obstacles

The most important ideological and psychological factors that impede women from involving in the political life are gender ideology, cultural patterns, and predetermined social roles assigned to women and men; women's lack of the confidence to stand for election; women's perception of politics as a 'dirty' game; and the way in which women are portrayed in the mass media (Shvedova, 2005). In addition, Kassa states that even in countries where women have made gains in employment or education, they also 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 (Kassa, 2015). That is to say, when women lead, they confront problems because people appraise despotic behaviour by women more negatively than the same behaviour by men.

Consequently, many of women may be hesitant to run a campaign trail because of cultures with such traditional values concerning the role of women. 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 themselves, they may not willingly

participate in politics without their males' permission. Therefore, women become unaware of their political role and even reduce their ambition to occupy high positions in the state.

Moreover, the use of religion and culture by men as excuses to control women led to the idea that the Algerian society is still patriarchal and women remained at a subordinate position. The amendments of the Algerian family code express evidently the intention of the legislator to diminish the patriarchal authority of men on women in the different issues that control the relationship between them. Dalila Hamrish who conducted a research on the Development of the Family Code in the Algerian legislature reached that there was a desire to terminate men's domination on women by the legislator. Nevertheless, article 11 was opposed by both genders who considered it (patriarchy) as innate and serves both of them whereas the legislator considered it as dominance (Hamrish, 2014, p.207).

Furthermore, the traditional beliefs play a major role in curbing the political role of women. People in Algeria often believe that taking care of children and cooking is the objective of the creation of women. Therefore; men and women agree on the division of work between them, which means home activities belong to women and outside activities belong to men. Consequently, household activities make

women busy and hinder their involvement in political issues of the country.

Besides, Religious interpretations lead people to adapt them to 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 (Hughes, Kunovich, & Paxton, 2007). In Algeria, most people follow the Islamic teachings as the predominant religion of the country. It is often used by some men to exclude women from the political life and the decision making positions.

To conclude, these factors highly contribute to keeping women away from political participation in Algeria since 1962 until 2012; and even still exist to the present day. In addition to these factors, there are some political ones which also hamper women's representation.

4.2 Political obstacles

The Algerian political scene has ever been controlled by men whereas women lack experience in front of men's monopoly on political positions and their control on the electoral lists. This lack is considered as the main obstacle that faces women's representation. In other words, if women want to challenge the powerful men who manipulate all aspects of the political life, they should have an adequate amount of

knowledge on politics, political parties, and political matters of the country.

Since the promulgation of the organic law of elections in 2012, the legislator tried to curb the dominance of men in most political fields and gave chance to women to engage in the political life. Finally, it succeeded to increase the number of women in the People's National Assembly into 31% for the first time in the history of Algeria. However, this development did not resist in the last legislative elections (2021) and deteriorated into 8,59 %. This decline goes mainly back to the abolition of the gender quotas in the last amendment of the constitution of 2020 which adopted **parity** rather than **gender quota** and, unfortunately, this procedure was dropped as an exception for the 2021 legislative elections. In addition to that, the wrong political upbringing and the weak political contribution of parties to raising the awareness of women's political rights and roles contributed dreadfully in this weak representation.

4.3 Financial obstacles

Running an effective campaign costs an expensive budget which raises a serious problem for women in the developing world (Shvedova, 2005, p.39). That is to say, women should have resources of finance

before engaging in a political challenge. However, most women are dependent economically on their husbands or relatives. So it is impossible for them to engage in a political campaign (Shojaei, Samsu, & Asayesh, 2010, p.43). Furthermore, when women's economic status is in progress, they may devote less time to other activities (including politics) and spend far more time on household chores and family care responsibilities (Kassa, 2015)

Accordingly, the economic status of women in Algeria does not help them to impose their presence in the in the different political merits of the state. Therefore, their financial dependence let them in a subordinate position to men and delineated their representation in the parliament.

5. CONCLUSION

Political representation of women in Algeria is still a debated issue by the political elites and the authorities of the state. Men continue their dominance on politics however the battery of legal foundations that focuses on equality between men and women in all rights and duties.

In conclusion, the analyses of the political representation of women in the Algerian parliament from independence to the present day display an exclusion and withdrawal of women from the political

life for a long time and a reduction from their presence in power. Moreover, the violence that women encountered during the Black Decade was another reason that inhibited them from the political life and representation very low. In 2012, Algerian women could be represented in the parliament with a considerable percentage for the first time. This progress goes to the adoption of the gender quota system on the political representation of women. However this representation did not reach the requirements as the significance of the involvement of women in the development and evolution of the nation, it did not resist more than two mandates and deteriorated after cancelling the gender quota system in 2021.

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