

Enhancing Political Participation of Algerian Women- Challenges and Prospects

Kaci Fouzia *

University of Oran 2 Mohamed Ben Ahmed- Algeria

Submission date: 07-08-2024

Acceptance date: 13-09-2024

Publication date: 24-09-2024

Abstract:

This study explores the development and current status of Algerian women's political participation, with a focus on their roles in municipal councils, political parties, and civil society organizations. Historically, women's involvement in municipal councils was minimal during the seventies and eighties. However, political reforms in the early nineties led to gradual improvements, with notable increases in female representation in 1997 and 2002. The 2008 constitutional amendment, which introduced Article 31 bis, marked a significant commitment to enhancing women's political rights by expanding their representation in elected councils. This was further reinforced by Organic Law No. 12/03 in 2012, marking a substantial step forward in ensuring Algerian women's presence in the political sphere.

The study also examines women's participation within political parties. Despite their significant numbers, women encountered resistance in securing high-ranking positions, leading to inadequate representation in major parties. This research emphasizes the crucial role of legal frameworks in enabling women's political involvement and highlights the persistent challenges faced by Algerian women in achieving equal representation. The findings call for ongoing efforts to strengthen policies and societal norms that support women's political empowerment.

Keywords: *Political Participation; Algerian Women; Legal Framework; Gender Equality; awareness.*

* Corresponding author kaci.fouzia@univ-oran2.dz ([Research Unit: State and Society](#)).
© Kaci Fouzia - Creative Commons - Attribution-NonCommercial-NoDerivatives 4.0 International (CC BY-NC-ND 4.0)

Introduction:

Political participation represents a significant evolution in Algeria's political journey, reflecting a commitment to the rule of law and democracy as seen in the country's evolving constitutions. This shift has highlighted the importance of human rights and legal security, ensuring that rights, freedoms, and gender equality are protected. Algerian lawmakers have made empowering women a priority, working to strengthen their political presence and representation. Modern international law has further broken-down barriers that limited women's contributions, allowing them to actively participate in decision-making across various sectors, government levels, and international organizations.

Given this context, the central question of this study is: How involved are women in politics in Algeria? To explore this, several related questions arise: What advantages does women's political participation bring to Algeria? What legal frameworks govern women's political roles in the country? Are these laws sufficient to help women access decision-making positions? What obstacles are preventing women from participating in politics? And what strategies can be implemented to improve women's access to leadership roles?

The study explores two main hypotheses: First, that female representation in Algerian political life is significantly lacking, both in decision-making roles and within governmental and civil organizations. Second, that this underrepresentation is due to ineffective legal mechanisms designed to promote women's political engagement, along with political socialization practices that tend to favor men for leadership positions.

Using an analytical approach, the study aims to understand women's political participation and identify its shortcomings, focusing on Algeria's political and cultural context. It will examine women's involvement at both local and national levels by analyzing statistical data and comparing trends from Algeria's independence to the present. The study's importance lies in assessing and improving women's political participation to support development and progress. It seeks to explore the factors affecting Algerian women's political engagement and offer recommendations to enhance their participation.

I. Evolution of Political Participation through Algerian Constitutions

a. Under a Single-Party System

The key observation about the preamble of the 1963 Constitution is its full endorsement of the National Liberation Front (FLN) as both the leader of the nation and the guiding force in all state matters, following socialist principles. The preamble indicates that the will of the people is seen as synonymous with the will of the governing FLN, meaning the FLN is not just representing the people but is considered the people themselves, thus bypassing the need for a presidential or parliamentary system that requires pluralistic representation and genuine democratic principles¹.

The preamble of the 1963 Constitution did not provide any mechanisms or means to guarantee citizens' rights and freedoms, nor did it mention fundamental freedoms. Political rights were limited by the ruling party's policies, and the FLN was given the central role in overseeing state policy. Consequently, according to the preamble, the FLN was responsible for addressing constitutional issues, implying that the party also held responsibility for constitutional oversight².

The 1976 Constitution further entrenched the ruling party's control over state affairs and reaffirmed the commitment to socialism. It reinforced the single-party system by consolidating all state powers—legislative, judicial, and oversight—into the hands of the ruling party, referring to these as functions rather than authorities.

From the above, it can be concluded that the Algerian constitutions were primarily focused on advancing the principles of the socialist revolution, emphasizing economic, industrial, and cultural areas. At that time, there was little emphasis on providing legal guarantees for rights and freedoms, such as judicial independence or constitutional oversight. This approach was due to the belief that the socialist authority, led by the National Liberation Front, was responsible for representing the people and securing national independence and the achievements of the liberation revolution.

¹ Refer to: Paragraph (24) of the preamble of the 1963 Constitution.

² Refer to: Paragraph (16) of the preamble of the 1963.

b. Under the Multi-Party System :

This phase marked a crucial turning point in Algeria's constitutional history. It was when the constitutional founder began the process of legal institutionalization, which positively impacted the content of the constitutions issued during this period. The provisions of these constitutions focused significantly on offering legal protection for fundamental rights and freedoms, both in principle and practice.

The 1989 Constitution marked a significant shift towards legal security and institutionalization. It was the first to reflect a commitment to these principles, representing a major advancement in line with the democratic transformations occurring in many third-world countries at the time, including Algeria. This shift was driven by the people's growing awareness and demands for changes in their governance, reclaiming sovereignty over state affairs, and safeguarding their fundamental rights and freedoms.

The 1996 Constitution built upon the 1989 Constitution, aiming to enhance its provisions and introduce additional legal guarantees, particularly in the legislative branch. Notably, it established a bicameral parliament by adding a second chamber, the Council of the Nation, as outlined in Article 98 of the constitution¹.

The Algerian constitutional founder continued to advance legal protection and constitutional oversight with the 2016 Constitution, introducing significant amendments, especially regarding individual rights and freedoms. The preamble was updated to reflect these changes, including the revolutionary addition of Article 35, which aimed to enhance women's political rights and representation in elected councils. This commitment to gender equality was reinforced in the 2020 Constitution, where Article 59 echoed the focus on women's representation, and Article 68 supported gender equality in the labor market.

From the above, it is evident that the Algerian constitutional founder adapted his approach to align with evolving circumstances and developments. While earlier constitutions (1963, 1976) focused on reflecting the ruling party's agenda, later constitutions (1989, 1996, 2016,

¹ Refer to: Article 98 of the amended 1996 Constitution.

2020) demonstrated the maturation of the modern Algerian state. The key question is whether this maturation has positively impacted the reality of women's political participation in Algeria.

II. Legal Framework for Women's Political Participation in Algeria

The legal framework governing Algerian women's political participation can be divided into two main parts: the first involves international commitments and treaties ratified by Algeria, and the second focuses on national legislation and regulations.

a. International Commitments

Algeria has been actively involved in global efforts to promote women's rights, especially in politics, by ratifying numerous international conventions. These include the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social, and Cultural Rights (both from 1966), the Convention on the Political Rights of Women (1955), the International Convention on Equal Remuneration for Men and Women Workers for Work of Equal Value (1966), the UNESCO Convention against Discrimination in Education (1960), and the Convention on the Elimination of All Forms of Discrimination against Women (1979).

However, despite the Algerian Constitutional Council's 1989 recognition that international obligations take precedence over national laws, the participation of Algerian women in political life is still influenced by the unique characteristics of Algerian society.

b. National Legislation:

The political participation of women in Algeria is supported by key legislation that promotes equality between men and women in political life. The Algerian constitution enshrines equality among all citizens by institutionalizing equal treatment before the law and the right to hold state positions without conditions, except those specified by law. It also prohibits discrimination based on gender, birth, custom, opinion, or any social status. Consequently, the rights to vote and run for elections are constitutionally guaranteed for both women and men.

In this context, the Algerian legislator aimed to enhance women's representation in elected councils through Article 31 of the 2008 constitutional amendment. This article states that "the state shall work to promote the political rights of women by expanding their chances of representation in elected councils." It is the first constitutional article specifically dedicated to the political rights of Algerian women.

In line with Article 31, Organic Law No. 12-03 was enacted in 2012 to increase women's proportional representation in elected councils. This law mandates that every electoral list presented by an independent body, party, or coalition must include a minimum number of women¹:

For the National People's Assembly elections:

- When there are four seats, at least twenty percent must be women.
- For five or more seats, at least thirty percent must be women.
- If there are fourteen or more seats, at least thirty-five percent must be women.
- For thirty-two or more seats, at least forty percent must be women.

For the Council of the Nation elections:

- When there are thirty-five, thirty-nine, forty-three, or forty-seven seats, at least thirty percent must be women.
- When there are fifty-one to fifty-five seats, at least thirty-five percent must be women.

According to this law, if an electoral list does not meet the required percentage of female candidates, the entire list is rejected. If a candidate withdraws, their replacement must be of the same gender. To encourage political parties to include more women, the state provides special financial assistance based on the number of female candidates.

¹ Refer to: Organic Law No. 12-03 dated January 12, 2012, which specifies the methods for expanding women's representation in elected councils, published in the Official Gazette of the People's Democratic Republic of Algeria, Issue No. 1, issued on January 14, 2012.

Overall, Algerian authorities have made efforts to enhance women's political participation through various laws and international agreements. However, the extent of this participation depends on the freedom and political upbringing of the Algerian people.

III. Constraints on Women's Political Participation in Algeria

a. Within the Government, Parliament, and Local Councils

In the first nine Algerian governments, there was no female representation, with the first woman appointed to a ministerial position only in 1984. Between 1987 and 2002, progress remained minimal, with typically only one or two women holding ministerial roles at any given time. A significant change occurred in 2002, when five women were appointed to ministerial positions in the twenty-sixth government. However, this progress was not sustained, as the number of female ministers dropped to three in 2007. Moreover, these positions were limited to areas such as education, family, and migration¹.

As previously mentioned, Algerian women had to wait 22 years after independence to hold their first ministerial position, despite the constitution recognizing their right to such roles. Women have not been appointed to key or strategic positions, such as defense or foreign affairs. From 1987 to 2002, representation was minimal and inconsistent, with typically only one or two women in ministerial roles. In 2002, this number increased to five female ministers but then decreased to three in 2007. Currently, after the 2021 legislative elections, there are only four female ministers in the government. This irregular and limited representation indicates that Algerian women continue to suffer from political marginalization, as the number of women in government positions does not reflect their proportion in Algerian society. This marginalization has hindered women from exercising leadership roles in their communities².

The Algerian Parliament is composed of two chambers. The Council of the Nation (Senate) is the upper house, where two-thirds of its

¹ Mounzer Al Shater, *Female Participation in Politics in Algeria: Case Study*, Master Thesis, Modul University, Vienna, 30th April 2013, p.23.

² *Ibid.* pp. 23, 24.

members are elected by vote, and the President of Algeria appoints the remaining one-third. In 1997, women secured three seats through elections and received five seats via presidential appointment. During the partial replacements in 2000 and 2003, women won no seats through elections but obtained three and two seats, respectively, through presidential appointments.

The People's National Assembly (APN) serves as the lower house, with seats allocated only to parties that have received at least five percent of the votes. In 1997, twelve women were elected to the People's National Assembly. This number increased to twenty-seven in 2002 and to thirty-four in 2007¹.

Since independence, women's representation in the Algerian Parliament has been consistently low, ranging from 1 to 8 percent. The highest number of seats obtained by women was during the legislative elections on June 12, 2021, where women secured only 34 seats, representing 8 percent of the 407 seats in the People's National Assembly. This marks a significant decline from the era of former President Abdelaziz Bouteflika, during which women achieved 145 seats in 2012, representing 31 percent. This decline of 23 percent highlights a significant reduction in female representation in the current parliament².

The insufficient representation of women in legislative bodies can be attributed to their limited presence on electoral lists, where they are often placed in less favorable positions. This issue is rooted in a societal bias against women, which is reflected in the Electoral Law of 1980, specifically Article 51/2. This provision allows certain family members, such as husbands and fathers, to vote on behalf of their wives and daughters, respectively, further perpetuating gender biases and limiting women's political participation.

The Electoral Law of 1989 marked a step beyond the previous legislation by introducing Article 53, which allows spouses to vote or run for elections on behalf of each other using the family book. This

¹ Ibid. p. 24.

² Younes Bournane, "The 'N of Niswa' in the Algerian Parliament... A Free Fall," an article published on the website Al-Ain Al-Ikhbariya, dated Wednesday, June 16, 2021. The website was browsed on July 8, 2021 [Original article written in Arabic]. The article is available at the following link: <https://al-ain.com/article/algerian-parliament-women>

provision has led to family-centered voting practices that reinforce the subordination of women to men. It also highlights women's reduced engagement in political power and their limited awareness of their role in decision-making. As a result, women's representation in parliament remains significantly lower compared to men¹.

In 1967, female representation in municipal councils reached 60, with two women heading municipalities in the Adrar province. However, throughout the seventies and eighties, women's roles in municipal councils remained limited. Following political reforms in the early nineties, representation improved, with the number of women in municipal councils increasing to 75 in 1997 and 147 in 2002, though it decreased to 103 in 2007. Women typically held social roles within these councils, focusing on health, childhood, and family issues².

For the first time since independence, the Algerian legislature enshrined women's political participation in the constitution through the 2008 amendment³. Article 31 bis of the 2008 constitutional amendment marked a significant step forward, as it emphasized the state's commitment to advancing women's political rights by increasing their representation in elected councils. This commitment was further realized with the introduction of Organic Law No. 12/03 on January 12, 2012, which detailed the procedures for boosting women's presence in these councils. This development represented a meaningful achievement for Algerian women, enhancing their role and visibility in the political landscape⁴.

The law established that in municipal People's Councils for districts and municipalities with populations over twenty thousand, female representation must be at least 30 percent. Electoral lists had to meet this requirement to be accepted, ensuring a significant increase in women's involvement in local governance⁵.

¹ Mounzer Al Shater, *Op.Cit.* pp. 28, 29.

² *Ibid.*, p.29.

³ Law No. 08/19 dated November 15, 2008, which includes amendments to the constitution, was published in Official Gazette No. 63 issued on November 16, 2008.

⁴ Khaled Hassani, "Protecting Women's Political Rights in Algerian Legislation," *Journal of the Constitutional Council*, Issue 02, 2013, p. 55. [Original article written in Arabic]

⁵ *Ibid.*, p. 57.

b. Within Political Parties and Civil Society Organizations

During the single-party era, the National Liberation Front had a notable number of women, but those who sought higher positions within the party faced significant resistance from their male counterparts. As Algeria shifted to a multi-party system, the National Liberation Front and the National Rally for Democracy emerged as the main parties, but women's representation in these parties still fell short of reflecting their actual role in politics. In contrast, the Movement of Society for Peace allocated 20% of its positions to women, and the Rally for Culture and Democracy adopted a gender-equal agenda. These two parties demonstrated a more progressive and supportive approach to women's political participation compared to the earlier dominant parties¹.

The Algerian Workers' Party is notable for being led by a woman, Mrs. Louisa Hanoune, who has been its leader since 1991. Her long tenure represents a significant achievement in advancing women's role in Algerian politics². To further improve women's political participation, Organic Law 12/03 was introduced after the 2008 constitutional amendment. This law implemented a quota system, mandating specific percentages of female representation in both national and local elected councils. Additionally, the state supported this initiative by providing financial assistance to parties that actively promoted female candidates, helping to create a more inclusive political environment.

The 2020 Constitution includes Article 59, which mandates the state to enhance women's political rights by increasing their representation in elected councils, and Article 68, which commits to promoting gender equality in the job market. This emphasis on gender equality created challenges for youth-oriented parties in the 2021 legislative elections. The absence of a clear gender parity ratio in some regions complicated the signature collection process for several young political parties and independent lists.

¹Mounzer Al Shater, Op.Cit. p.33.

² Ibid. p.33.

See also: Freedom House, *Women's Rights in the Middle East and North Africa 2010 - Algeria*, 3 March 2010, available at: www.refworld.org [accessed 7 July 2024].

This issue prompted a significant mobilization of female candidates in the previous legislative elections, resulting in a record 5,744 women running for office¹. Despite the substantial mobilization of female candidates, particularly young women, which resulted in 5,744 nominations, this effort largely served as a formality to meet gender parity requirements. Consequently, women's representation in the 2021 parliament remained under 8 percent, with only 34 seats out of the total. This disparity highlights the limited impact of the new Electoral Law 21/01², which, although it emphasized gender parity and equality and eliminated the quota system of the previous law, did not significantly improve actual female representation.

The information reveals a varied approach among political parties in Algeria regarding political equality, with some adopting proportional representation systems and others rejecting them. Additionally, the placement of women on electoral lists differs across parties. Many parties have aimed to attract female voters due to their significant numbers and social influence, yet they often fall short of implementing meaningful changes. This has resulted in women's limited presence in key decision-making roles, largely due to their unfavorable ranking on electoral lists.

Instead of relying solely on political avenues, Algerian women have actively advocated for their rights through civil institutional efforts. The Algerian feminist movement, which began during the struggle for independence, gained significant momentum with the advent of multiparty politics and the enactment of Law No. 31-90 on associations, leading to the rise of numerous women's organizations.

The National Union of Algerian Women stands out as a leading organization in Algeria's political landscape. With thousands of members and branches across the country, it was the sole platform for women's participation until the advent of political pluralism in 1990. This organization has a significant political legacy, as many Algerian women who have achieved leadership roles, particularly in politics, were once members of the union.

¹ Abdelhafiz Sijal, "Women in the New Parliament: Did the Gender Parity Law Truly Empower Them?" Article published on the Ultraalgeria website, dated June 21, 2021. [Original article written in Arabic] accessed on July 7, 2024, at the following link: <https://ultraalgeria.ultrasawt.com/>

² Refer to: Decree No. 21-01 dated 26 Rajab 1442 corresponding to March 10, 2021, which includes the organic law related to the electoral system.

The union has actively promoted women's political engagement through various campaigns, including seminars, discussions, and awareness-raising initiatives. It has been instrumental in mobilizing women as both voters and candidates in elections, thus playing a crucial role in enhancing women's participation in political life.

In 2012, statistics revealed that Algeria had only 23 women's associations, highlighting the limited representation and influence of these groups. This minimal number reflects a significant weakness in advancing women's issues amidst male dominance in other associations. Many of these women's associations are constrained by traditional approaches and outdated discourses, often following similar goals and strategies without substantial innovation or reassessment¹.

IV. Obstacles to Women's Political Participation in Algeria

Since Algeria's independence in 1962, women have had opportunities to engage in political life, including securing seats in the parliament during the single-party era. However, their political participation expanded significantly with the transition to a multi-party system. This shift provided greater access to key roles, such as ministerial positions, supported by constitutional rights that guarantee women's right to participate in, vote, and run for elections. Despite these advancements, women's access to decision-making levels in politics remains limited. The disparity between women's and men's political participation can be attributed to various factors and obstacles, including²:

- ***Political and Institutional Obstacles*** : Male dominance in the electoral environment has hindered women's participation in Algeria, with historical events such as the 1990s'strikes and political violence deterring women from getting involved. Algerian political parties

¹ Mounzer Al Shater, Op.Cit. p.35.

² Ibid. pp. 47-49.

Also refer to: Massrati Salima, "Algerian Women and the Right to Run for Election in Elected Councils: Between Legal Recognition and Limited Practice," Al-Mufakir Journal, Volume 7, Issue 1, 2012, pp. 198-201. [Original article written in Arabic].

often underestimate women's roles and capabilities, frequently assigning them token positions without strategic value and rarely including them as primary candidates on electoral lists. Institutional mechanisms intended to promote women's rights are plagued by inadequate funding, poor management, and lack of independence. Furthermore, there is a lack of active non-partisan women's organizations; most are government-affiliated or ineffective private groups due to insufficient support.

- ***Social and Cultural Obstacles*** : Social and cultural barriers significantly hinder women's political participation in Algeria. Traditional views, shaped by a male-dominated culture, assign political roles and decision-making to men, thus controlling social and governmental institutions. Many Algerian women do not pursue high political positions, focusing instead on family and social roles, and their political choices are often influenced by male family members. Additionally, women tend to prefer male political leaders, guided more by candidate personalities than by political programs. Limited access to modern technology and media further restricts their engagement with contemporary political platforms, as many women lack the skills to use tools like the internet and social media.

Conclusion :

Despite improvements in educational attainment among Algerian women, their political participation remains significantly lower than that of men. This disparity reflects a gap between gender equality laws and their implementation, resulting in women's exclusion from decision-making roles and limiting their political engagement. The cultural and societal values in Algeria, which prioritize male superiority and afford men greater privileges, strongly influence this imbalance. This cultural bias disrupts gender equality, affecting women's access to opportunities and decision-making positions in Algerian politics.

In Algerian society, traditional cultural norms dictate a clear division of roles between genders, with women primarily responsible for household chores and childcare, while men dominate leadership roles in politics, social, and economic spheres. Gender discrimination is often justified by emphasizing inherent differences between men and women,

leading to a rejection of progress toward gender equality and the advancement of women's rights in various fields.

The study proposes several key measures to enhance Algerian women's political participation through a holistic approach. It emphasizes the need for legal reforms to ensure gender equality, supported by educational campaigns and affirmative action policies. Empowerment programs should focus on developing women's political, economic, and social skills. Community engagement and fostering gender-sensitive attitudes are crucial for overcoming traditional barriers. Training programs and networking opportunities are essential for building leadership skills, while ensuring inclusivity for women from diverse backgrounds is a priority. Engaging men as allies and establishing monitoring mechanisms to track progress are also important. Recognizing women's achievements, promoting gender equality, and reforming electoral systems are vital for creating a more inclusive political environment. Media initiatives, educational efforts, and government support are necessary to address barriers and support women's political initiatives.