

Chapter Sixteen

The Algerian Woman Issue: Struggles, Islamic Violence, and Co-optation

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Abstract This chapter examines the Algerian women's movement within a holistic and global approach to the process of political transformation and state-building, wherein the woman question is systematically manipulated to ultimately consolidate the legitimacy of the Islamo-conservative rule dominated by the military, to the detriment of accountability before the law and wide democratic participation in the management of politics. The chapter examines the relationship between Islam as a state religion and domestic violence against women, and it considers the manifold resistance of women against this Islamic violence during the post-colonial period. Feminist activists have used the political opening of autocratic rule to set up NGOs and employ political activism to wage struggles against gender discrimination.

Introduction

Algerian women have always been visible and strong in national crises. Their military and political participation in the revolution (1954–1962) and the gender equality roles they experienced during that period characterized the Algerian liberation movement. The world-famous movie *The Battle of Algiers*¹ meticulously depicts women's participation in the armed revolution. Indeed, women's struggles are not recent in Algeria and North Africa; they are old and secular. Kahina, the war leader of the Berber tribes that opposed the Arab Muslim armies of the Umayyad Dynasty, is a name to invoke at this juncture. In 680, Kahina defeated the Arab Muslim army under its leader, Hasan Ibn al-Nu'man, who marched from Egypt and captured the major Byzantine city of Carthage. Another example worth citing is that of the great freedom fighter Lalla Fatma N'Soumer (1830–1863), an important figure of the Algerian resistance movement during the first years of the French colonial conquest (July 18, 1854). Lalla Fatma succeeded against all odds in defeating Marshal

¹This movie was produced and directed by Italian Gillo Pontecorvo.

Randon at Tachkirt, in the Great Kabylia. Marshal Randon finally took over the Great Kabylia and dubbed Lalla Fatma "the Jeanne d'Arc of Djurdjura."² Another female icon is Assia Djébar, a novelist and filmmaker who passed away in 2015. She wrote more than a dozen books many of which won international literary prizes. Her novels focus on the creation of a genealogy of Algerian women, and her political stance is resiliently anti-patriarchal as much as it is anti-colonial. In 2005 she was elected to the Académie française, a prestigious institution tasked with guarding the heritage of the French language. She was the first writer from the Maghrib to achieve such acknowledgment; she was also rumored several times to be in contention for the Nobel Prize in Literature. It is very strange that Djébar is not read in the Arab world because her work is not translated into Arabic. The politics of authoritarianism and misogyny did not leave any space for her, and she left Algeria for France in the early 1960s.

Despite their involvement in times of crisis, Algerian women are systematically denied public recognition in times of peace. They are instrumentalized in political rhetoric but not empowered as women. In this chapter I use the Algerian case to address the issue of how a peculiar form of women's representation has always been used to consolidate populist ideology and authoritarian politics to the detriment of rule of law and how this precludes woman's participation in decision-making. I use the gender quota to show that religion is systematically used to support the state's instrumentalization of women.

In the post-colonial era officials have always used local ceremonies and international fora to pay tribute to women's participation in public affairs. The Union Nationale des Femmes Algériennes (National Union of Algerian Women [UNFA]) was set up in 1963 mainly for this specific ideological mission. For more than 50 years after independence and national sovereignty, officials have not missed a single opportunity to highlight women's participation in the construction of this sovereignty, especially in front of foreign delegations. Women's participation in public life is still incorporated in state discourse as a structural element of foreign policy, even with the decline of Algeria as a leader in the Third World Movement. In the 2000s, women are instrumentalized in political discourse as an icon of the nation.³ The government has always proudly reiterated its commitment to empowering women in the post-colonial era, and the state discourse has always advocated women's equality in the constitution and other official texts. For example, the first constitution (1963) and the subsequent ones have established numerous

² Djurdjura is a region in Kabylia, Algeria. On March 8, 1995, the bones of Lalla Fatma N'Soumer were finally repatriated to the national martyrs square in El Alia, Algiers. It took 132 years to consecrate this great revolutionary as a national heroine.

³ Joseph, S. "Gender and Citizenship in Middle Eastern States." In *MERIP*, N° 1998 Available from: <http://www.merip.org/mer/mer198/gender-citizenship-middle-eastern-states>.

liberties, including the right of women to vote in local and national elections and the prohibition of discrimination on the basis of birth, race, sex, and belief.

However, in reality these texts and the state rhetoric that accompanies them do not echo the daily praxis that regulates women's lives. In modern Algeria, women are expected to return to the traditional roles of wife and mother; they are seen as the guardians of Islamic and traditional values, as the family code, based on the shari'a (Islamic law), clearly stipulates. This law emphasizes patriarchal gender relations and women's subordinate position within the family. For example, shari'a considers the family, kin ties, and women's reproductive capacities as fundamental natural and sacred elements of society.

The Algerian women's movement became vocal on the public scene in the 1980s. The battle for gender equality and against political violence, although overshadowed by the pressing economic question, has been the central issue of the Algerian women's movement, which became vocal and very active in the 1980s and early 1990s. These efforts were "co-opted" by the state. In the 2000s, President Abdelaziz Bouteflika formally included women in the political process, a process that nevertheless aims at the consolidation of a populist ideology and the re-traditionalization of the society.⁴ The question of women's rights has been manipulated to legitimize the Islamo-conservative rule dominated by the military to the detriment of accountability before the law and wide democratic participation in the management of politics.

Against this general background, I will examine the Algerian women's movement within a holistic and global approach to the process of political transformation and state-building, which significantly characterized women's struggles. This chapter is, thus, an empirical study and is organized as follows. Section "Islam and Domestic Violence Against Women" examines the relationship between Islam and domestic violence against women. This very sensitive topic is rarely investigated in a thorough way in women studies. Section "Islamism and Violence Against Women in the 1990s" sheds some light on the manifold resistance of women against Islamic violence during the post-colonial period. Because of the complexity of the issue, I will provide an analytical overview of the major events that have shaped these women's struggles. Section "Women's Struggle Against Gender Discrimination" examines how feminist activists within the political opening of autocratic rule could set up non-government organizations (NGOs) to wage struggles against gender discrimination. Section "Women's Political Participation and Representation: Bouteflika's Policy of Inclusion" considers how Abdelaziz Bouteflika's "policy of inclusion" has increased the numbers of women in government offices, after this number had declined in response to radical Islamism. But first, what are the religious sources that make women so vulnerable that rulers can easily use them?

⁴Tlemçani, R. 2009. "Femmes et politique en Algérie." In *Maghreb-Machrek, L'Algérie face aux crises*, N° 200, Été 2009, p. 24.

Islam and Domestic Violence Against Women

All three main religions (Judaism, Christianity, and Islam) have discriminated against women in the domestic realm up until a given period. A careful study of sacred texts reveals rationalization of abuse of persons in the family. In the West, the twin processes of modernization and modernity⁵ have been followed without interruption, leading to societal censure of domestic violence. But in Muslim countries, this process has been interrupted and perverted by a set of indigenous and external factors that are beyond the scope of this chapter. What can be learned from these factors is that modernization has been stronger than modernity in Muslim countries, and as a result women have been marginalized in modern state-building. Although violence against women in general has begun to receive more attention globally over the last three decades, this issue has taken on a new dimension with the rise of Islamism. It has extended to the public sphere where women have paradoxically gained more economic empowerment and political representation.

The relationship between Islam and domestic violence against women is a very controversial issue in women studies. According to religious scholars and leaders, there are explicit verses in the Qur'an, Hadith (Prophet Muhammad's tradition) and *sira* (the Prophet's biographical material) which authorize husbands to beat disobedient wives. This authorization is explicit in verse 34 of Surat An-Nisa (abbreviated 34:4). One of the English versions of this controversial verse states:

Men have authority over women because God has made the one superior to the other, and because they spend their wealth to maintain them. Good women are obedient. They guard their unseen parts because God has guarded them. As for those from whom you fear disobedience, admonish them and send them to beds apart and beat them. Then if they obey you, take no further action against them. Surely God is high, supreme.⁶

There is a unanimous agreement among Islamic scholars and leaders that this verse is not meant to allow men to harm or humiliate wives. On the other hand, Muslim women's groups argue that Muslim men use this verse as an excuse for domestic violence. For Islamic scholars, the word "beat" as used in the verse does not mean "physical abuse." For them, the Prophet meant "a light tap that leaves no mark," and beating should not result in physical injury. Prophet Muhammad further said that the face must be avoided. The issue thus seems to lie in the form of beating, soft or hard, but

⁵ While modernity generally refers to progressive social development, modernization is more linked with technological advancement.

⁶ <http://islamawakened.com/quran/4/34/>.

also in the circumstances under which beating is appropriate: beating/hitting should only be done with good reason. Wives are to be treated gently and kindly but are still under the man's authority. If the wife persists in disobedience to her husband's wishes, the latter has the right, and the responsibility, to beat her and bring her back into submission. Beating should ultimately re-establish, as goes the argument, a happy marriage. Critically, this interpretation is taken for granted and deeply grounded in the Algerian anthropological and cultural makeup.

Furthermore, women are "wards" under men's control because they cannot control themselves. The Islamic definition of "ward" means a person who has been legally placed under the care of a guardian or court. Muslim wives are placed under their husband's protection and control. As a fundamental fact, Islam views the woman as inferior to the man and, as such, places her in a subordinate position in the marriage relationship, which is seen as a primary religious obligation.

As for men, they are de facto given the leadership role, with the responsibility of providing financially for their families. According to the Qur'an, men must provide for all the material needs of their wives because it is generally believed that "Allah made men to be better than women." To consolidate and reinforce this idea, other verses clearly stipulate that working women are not allowed to keep their income for their own uses.⁷ Likewise, the Prophet's sayings repeatedly call for happy marriages and kind treatment of women without mitigating the authority given to men over women or the position ascribed to women. During the 1990s civil war in Algeria, Islamist groups could easily find several verses to justify domestic violence against women and extend it to the public sphere.

As this background shows, Islamic groups do not see any problem with beating women in the private sphere and assaulting and hassling them in the public sphere. Recently, Islamic and other conservative groups in the parliament have stubbornly attempted to withdraw the March 2015 bill criminalizing violence against women.⁸ Although the law makes room for the concept of "forgiveness" in the sense that legal proceedings may not go forward if the wife forgives her husband, and hence does not aim at radically transforming the prevailing relationship in the family, both "inclusive/moderate" and "exclusive/Salafi" Islamists see the law as intruding on intimacy, legalizing Western sexual behaviors, and breaking up the family unit. Indeed, when religion is used as a political device, we have crossed the Rubicon to an uncertain future.

⁷These verses have been used as grounds for divorce when women refused to contribute financially to household expenses.

⁸Tlemçani, R. "La violence contre les femmes et la Montée des groupes islamiques en Algérie," International Forum, *The Escalation of Violence against Women the Mena Region*, May 29–31, 2015, Fez, Morocco.

Islamism and Violence Against Women in the 1990s

Nowadays Islam is the only religion with which women are "assaulted" in the public sphere. This violence may be justified by the Qur'an itself, although the above-mentioned verse was revolutionary at the Prophet's time because girls used to be buried alive before the coming of Islam. But more than 14 centuries later, the world has been profoundly transformed. Muslim women's groups do not examine this verse and similar ones in the light of the ongoing transformations. To encourage this to happen, the door of *Ijtihad* should be opened.⁹ The 1988 October riots¹⁰ set in motion overnight an opening of the autocratic regime, and a new constitution allowed pluralism of political parties and NGOs. The late 1980s, retrospectively called the "Algerian Spring," NGOs and political parties, including Islamic groups, mushroomed in a spectacular way. The Islamic Salvation Front, known by its French acronym, the FIS, started during this time and is today one of the most notorious Islamist parties in the Middle East and North Africa (MENA) region. Several women's organizations were also set up, namely, l'association Egalité des hommes et des femmes devant la loi (Association for Equality Between Men and Women Before the Law), l'Association Indépendante pour le Triomphe des Droits des Femmes (The Independent Association for the Triumph of Women's Rights), l'Association pour la défense et la promotion des droits de la femme (Association for the Defense and Promotion of Women's Rights), and SOS femmes en détresse (SOS Women in Distress).

Throughout the 1970s and 1980s, verbal and physical attacks on women activists, whose conduct was deemed non-Islamic, were but a few examples of such violence. It was often reported that when women complained to the police about the assaults, they were told that they "brought it upon themselves." During that period, it was the silence, and sometimes the complicity, of the neo-patriarchal state that encouraged Islamist assaults on women in the public sphere.

⁹Ijtihad is an Islamic legal concept allowing trained jurists or scholars to put forth independent interpretations in instances where the Qur'an and Hadith/Sunnah do not provide clear direction for specific decisions. During the early years of Islam, when the shari'a was first being formulated, Ijtihad was a common practice. It was a religious duty for a *mujtahid* (renewer) to conduct legal rulings using Ijtihad. In the fourth century of Hijrah, a person called al-Qaffal (closer) issued a fatwa "closing the door of Ijtihad." Since then, governments and religious establishments have kept the doors of Ijtihad closed. This decision has resulted in chronic intellectual stagnation and has had a negative impact on modernity and secularization.

¹⁰On October 5, 1988, Algerians took to the streets across the country, ransacked stores, and tore down symbols of the then prevailing single-party system. A new constitution was drafted which legalized political pluralism. More critically, Islamist groups managed to set up political parties which clearly preached violence against working women.

In the 1990s Algeria witnessed the birth of a plethora of jihadist groups, the most prominent being the Islamic Armed Group that targeted “Western women and girls,” who were seen as mouthpieces of the “impious state.” Women’s NGOs rapidly came under attack from Islamists, who accused them of propagating behaviors and ideas that were against Islamic ethics and Algerian cultural values. According to Islamists, women were easy targets for neo-cultural colonialism, and Islamists felt they had the legitimate power and authority to protect, through violence if necessary, Algeria’s Islamic identity, customs, and values. The emerging civil society was the privileged target of emerging Islamists, who perceived it as the vehicle of “feared” women’s liberation and emancipation.

When they set up the FIS, Islamists groups set up women as the center of their enterprise; Islamic violence targeted women’s bodies as a battlefield.¹¹ Algerians were alarmed by the rapid rise in the use of punitive raids against “Westernized” women, women who did not wear Islamic clothing (headscarf, veil, hidjab, niqab, tchador, burqa, etc.) and who wore clothes deemed alien to Algerian customs.¹² There are at least eight forms of Islamic garb, according to Lilia Labidi.¹³ The hallmark of religiosity for a woman became this singular clothing. Islamic groups, whatever the ideological dose of Islamism they incorporated or school of thought they adopted (moderate, salafist, wahabist, jihadist, messianic, secular), concurred on the obligation of hidjab-wearing in the public sphere, and even at home for some groups. The social pressure reached such a point that some activists and feminists did not mind wearing Islamic clothing. Some professional women, including medical doctors, journalists, and teachers, found in the veil a sort of freedom in the public space. Islamic clothing had been virtually unseen in the 1960s and 1970s, but by the end of the civil war it had invaded the public sphere in Algeria, whether in “deep Algeria” or urban areas.

Furthermore, militant Islamists in some municipalities forced segregation between boys and girls in schools and deprived girls from playing sports.¹⁴ Working women of all social categories were targeted during the civil war,

¹¹Zahia Smail Salhi, *Gender and Violence in Algeria Women’s Resistance against the Islamist Femicide*. Available from: <http://www.lse.ac.uk/middleEastCentre/events/2011/Zahia%20Smail%20Salhi.aspx>. [Accessed on November 11, 2011].

¹²The argument was that the veil protects women from the predation of men; specifically, from sexual harassment and or rape. According to Marnia Lazreg, while the veil is supposedly a requirement for pious women, it is really an expression of men’s feelings and identities. She argues that the veil in fact protects a man’s own sexual identity “by signaling to other men that one’s wife, sister, or sometimes daughter is off limits to them.” Lazreg, Marnia, 1994, *The Eloquence of Silence: Algerian Women in Question*. Routledge, New York, p. 219.

¹³Labidi, Lilia *Islam and Women’s Rights in Tunisia*. Available from: <http://www.orient-gesellschaft.at/ipw2005/ipw-lapidi.pdf>.

¹⁴Today, schoolgirls wear pink blazers and schoolboys blue ones.

including cleaners, students, medical doctors, journalists, teachers, and the mothers and wives of security forces. Intimidation was used as a weapon, and mail threats were sent to "rebels." The FIS also used Friday sermons in mosques to demonize "dissident" women. Names of "wanted" women were listed and pinned on mosque doors and shouted over loudspeakers.

Militant Islamists succeeded without difficulty to rally the "precarious society," the people excluded from the bazaar as well as other parts of the economy,¹⁵ to their "cause." Increasing numbers of unemployed youth, particularly those living in shantytowns, joined the FIS or the FIS's military branch. Brainwashed at school, this vulnerable social category was easily persuaded that women should stay at home to fulfill the role of homemaker. It did not matter if they were educated or even university graduates; women had to leave their jobs to unemployed males who needed them more, especially because the Islamic state promised women a fair income if they stayed at home (the so-called 'Islamic income').

Although it began as verbal attacks, threats, and intimidation, this hostility toward women soon became a huge wave of extreme violence. During the decade of "dirty war," working women and activists became a privileged target. For instance, several French teachers were murdered for daring to teach the "language of the crusaders." Women married to foreign men were also assaulted. As a result, many women put on the veil out of fear and many others abandoned their jobs with the promise of receiving an Islamic income. Often, the perpetrators remained strangely unidentified and unpunished. The main issue for NGO activists shifted from demanding gender equality to securing physical survival. Their own survival, even as an already "second sex," as Simone de Beauvoir put it, was dangerously at stake.

A Few Significant Cases of Violence

Disobedient women were assassinated, raped, or subjected to extreme torture in the 1990s. One of the first women to be gunned down on April 7, 1993 was 21-year-old Karima Belhadj, who worked as a clerk in a youth and sports office. In 1991 a single woman and her two children died in Ouargla in a fire set by Islamists; they were killed on the assumption that the woman was a prostitute. On January 23, 1994, Mimouna Derouche, a 28-year-old mother of five was decapitated in front of her children. On February 25, 1994, two sisters aged 12 and 15 were kidnapped and gang raped. On March 3, 1994, Samia Hadjou, aged 69, had her throat cut. On March 15, 1994, two students were shot down at a bus stop in Algiers because they did not wear the hidjab. On February 15, 1995, Nabila Djahnine, president of a women's group, was gunned down in Tizi-Ouzou. In July 2001, in Hassi Messaoud (southern Algeria), a group of young men set fire to the homes of women, all mothers,

¹⁵Tlemçani, R. 1999. *Etat, bazar et globalisation: L'aventure de l'infitah*. Alger: Editions El Hikma.

accused of being prostitutes. These women migrated to Algiers, Oran and other cities and villages to work as cooks, secretaries, and maids. According to the Swiss daily *Le Matin*, 211 women were assassinated in 1994.¹⁶ In 1998, Human Rights Watch reported that more than 2,000 women were raped in 5 years of conflict. According to an official partial survey, about 7000 women were kidnapped or given away for temporary/pleasure marriages.¹⁷

In February 2006, President Abdelaziz Bouteflika, in order to secure a third term of office, adopted an amnesty law without organizing a public debate, in contradistinction to what occurred in several countries such as South Africa, Morocco and Chili, to name a few. In these latter countries national debates on state violence such torture and killings were instigated on TV and other public channels. The full text of the law was not disclosed before its adoption. In direct opposition to women's struggles against political violence and terrorism, the bill consecrated impunity for crimes under international law and other human rights provisions. The military-led power had manipulated women's struggles to obtain legitimacy in the world of politics. This legitimacy reached its heyday when the USA and the West adopted the Algerian method¹⁸ in the world campaign against terror and terrorism.

Women's Struggle Against Gender Discrimination

In Algeria, the legal system is basically founded on French legislation, while nationality, citizenship, and the family code are based on the country's interpretation of shari'a. Given this state of affairs, women started immediately after independence to organize themselves within the official women's organization UNFA, an extension of the ruling single party, the Front de Libération Nationale (National Liberation Front). According to this organization, the revolution had liberated women once and for ever, and therefore women did not have specific problems in independent Algeria. According to the state discourse, gender was no more than a petit bourgeois concern in free and

¹⁶Bouatta, C. "Evolution of the women's movement in contemporary Algeria: Organization, Objectives and Prospects." In *United Nations University Working Paper* N° 124, February 1997.

¹⁷Temporary/pleasure marriages are different names for the Arabic word *mut'a*, which is a sexual contract between a man and woman, much in the same way the conventional marriage is. The main difference is that the temporary marriage lasts only for a specified period of time. The first one to legislate *mut'a* and all the rules pertaining to it was the Prophet. All schools of Islamic thought agree that the Prophet legislated *mut'a* and made it legal after his migration to Medina, and people practiced it during his lifetime. However, there is a disagreement between the Shi'a and Sunni as to whether the Prophet later banned it or not. Most Sunnis assert that although the Prophet legislated it, he later forbade it. This type of marriage has re-emerged recently.

¹⁸For example, the US government used the women's rights issue in its wars in Afghanistan and Iraq.

socialist Algeria. Economics was deemed the real issue, a much more pressing issue than gender and citizenship.

In the 1960s and 1970s, women's groups that propped up state policy clashed over personal status issues. These groups failed to reach a consensus, a failure which thwarted various attempts to codify the family law.¹⁹ In 1979, when the Ministry of Justice announced that it was about to set up an ad hoc committee on the family code, women started to organize themselves, and by so doing they challenged the single-party authority. Women demanded to know the identities of the committee members and to participate in the committee's decision-making. In 1980, when the government of Chadli Bendjedid prohibited women from traveling alone without permission from a male guardian, women staged demonstrations in Algiers to repeal the extremely conservative law. The government order was rapidly canceled as pressure from international media mounted almost overnight. However, in 1984, the government finally succeeded in passing the shari'a-based family code without any public debate.²⁰

The Revised Family Law

When radical Islamism was defeated militarily in 2000, Islamic groups were no longer a serious threat to Algerians and national security, and political violence decreased considerably across the country. The new political and ideological context was favorable to secular civil laws, but President Abdelaziz Bouteflika, who rose to prominence with the assistance of women's NGOs and activists, made only minor changes to the family code in 2005. The amended clauses granted women more rights in terms of divorce and housing, reduced the role of a woman's male guardian to largely symbolic status, and ensured Algerian women's right to transmit citizenship to their children. Still, the 2005 law lags behind Morocco's 2004 Mudawwana, (Moroccan family law) which was developed after completely repealing the country's 1957 family code.²¹

On March 8, 2015, President Bouteflika made a call to re-edit the 2005 family code. The most crucial issue was to abolish once and for all this bill [meaning the family code] that does not support equality between men and women. This legal inequality is in contradistinction with the new reality in which women have secured a growing and active role in the public sphere. It is no longer possible to argue that women do not participate actively and positively in the national income increase. More than 60 % of students are girls in 2015, and

¹⁹Lalami, F. 2012, *Les Algériennes contre le code de la famille. La lutte pour l'égalité*. Paris: Les Presses de Sciences Politiques.

²⁰The world-famous conservative Egyptian Cheikh, Mohammed Al-Qaradawi, who regularly preached on national TV in the 1980s, is widely credited for having impacted the drafting of this bill.

²¹<http://www.hrea.org/programs/gender-equality-and-womens-empowerment/moudawana/>.

women's participation is more significant than men's in the crucial sectors of health and education. Other sectors, such as the judicial apparatus are also becoming increasingly feminized (38 % of attorneys are women).

Women's Political Participation and Representation: Bouteflika's Policy of Inclusion

The Arab region was ranked by the Inter-Parliamentary Union as the region with the lowest percentage of women in parliament.²² The political participation of Arab women is therefore a critical issue. The Arab Spring created or consolidated new challenges for Algerian women.

Women have been excluded from the decision-making process from the very start of Algerian nation-building. For example, no woman was granted a high position in the national liberation movement although women waged armed struggles alongside men. No woman was a member of the first nine Algerian governments. It was only in 1984 that Algeria witnessed the first appointment of a woman minister. Between 1987 and 2002, two women were included in executive government agencies. Algerians had to wait until June 2002 to see five women appointed as members of the government. Only one of these was a minister; the other four were delegates.²³ This number dropped in April 2006, when only three women were members of the government (one minister and two delegates). As an immediate impact of the Arab Spring, Bouteflika appointed seven women in his April 2014 cabinet. Significantly, the co-opted women in the cabinet and parliament do not have histories of being radical or feminist; these women have failed to raise social issues in support of the growing grassroots movement, support that would have most likely profoundly destabilized the regime. For example, the appointed women have not demanded a repeal of the family code as female Moroccan politicians did. Their activism can be seen as part of the politics of extremism, which is mainly aimed at ultimately putting pressure on decision-makers, particularly the president. For extremists, public opinion is not yet ripe for radical change. In office, their political behavior has been no different from that of other office holders,²⁴ even the Islamists. When the elites are shaped by patriarchal culture and ties, one should not be surprised to see the consolidation of status quo politics to the detriment of a democratic transition agenda.

²² Sabbagh, A. "The Arab States: Enhancing Women's Political Participation." Available from: http://www.idea.int/publications/wip2/upload/Arab_World.pdf.

²³ Tlemçani, R. 2009. "Femmes et politique en Algérie." In *Maghreb-Machrek, L'Algérie face aux crises*, N° 200, Summer 2009, pp. 21–27.

²⁴ When Louisa Hanoune, head of the Workers' Party, a Trotskyist group, adopted radical discourse, she was very popular, particularly among women. Her popularity drastically declined when she started to promote a discourse in favor of the dominant ruling clan. She was a candidate in the 2014 presidential election, the results of which clearly disclose that her popularity has faded away.

The System of Gender Quota

The number of elected women has been very low in Algeria. Because of the misogyny and bigotry that characterize the political elite, women are rarely promoted as candidates in elections, whether local or national. To address the loss of its popularity on the eve of the election for a fourth mandate, the head of state²⁵ decided to enact a bill introducing a gender quota system. The system of quota has in reality consolidated the politics of authoritarianism, populism, and electoral fraud.²⁶ As argued above, Algerian politics excludes women from political participation and the decision-making process. However, several feminist groups, secular as well as Islamic, have a different perspective. They feel that deputation could be a learning experience in the process of liberation and emancipation. The political landscape changed overnight with the January 2012 electoral law²⁷ which established a system of gender quota for political representation. The new law stipulates that Algerian women must be represented politically at all levels—local, regional, and national. According to Article 5 of the law, any list of candidates violating the quota requirements will be rejected.

The May 2012 legislative elections were a great victory for women, although women did not wage a particular electoral campaign.²⁸ Women took 146 seats out of 462, a representation rate of 32 %, while the rate was only 8 % in 2007. The current rate is higher than the rates in many Western countries, including Switzerland, Canada, France, Britain, and the USA. Does this result in and of itself suggest that Algerian women are among the most advanced and liberated in the MENA region? Why did women not form a group to stand up in parliament for the 2015 bill criminalizing violence against women?

²⁵The President of Algeria is elected for a term of five years and this process is renewable. The present Algerian president was elected for the fourth time although he has been incapacitated since 2012.

²⁶Massive electoral fraud, or political corruption, is not an element of dysfunction in the Algerian political system; rather, it is a structural element of it, as I have argued in most of my work.

²⁷This bill requires variable quotas from 20 % to 50 % of the candidates for parliament to be women, depending on the number of seats in each district. The law prescribes the following quotas in relation to the magnitude of the electoral constituencies: 20 % for constituencies with 4 seats; 30 % for those with 5–14 seats; 35 % for those with 15–31 seats; 40 % for those with 32 or more seats, and 50 % for constituencies abroad.

²⁸It is opportune to contextualize this electoral victory. The elections themselves were characterized by massive fraud, acknowledged today by officials themselves and, paradoxically, even by President Bouteflika. Consequently, Algerians are no longer interested in elections, which they perceive as not open and free. Unsurprisingly, the real rate of participation was very low, not exceeding 30 %. (Tlemçani Rachid. 2001, *Algérie, Dictionnaire du Vote*, Pascal Perrineau et Dominique Reynié (Editors), PUF, 2001, Paris, and *Algérie: un autoritarisme électoral, Tumultes*, N° 38–39, 2012).

Does this high rate of representation empower women in the decision-making process when President Bouteflika, sick since 2005 and ill-elected, has full power over the parliament and other state institutions?

Conclusion

To consolidate neo-authoritarianism, religion is manipulated as a political instrument by groups from different political stripes. Violence against women has always been a divisive issue. In Egypt, both the army and Islamists put forth shari'a as the source of law in a society where more than 7 % of the population are not Muslims. In Turkey, the most democratic country in the region, most of the population guide their lives by Islamic law. While the state is secularized in the sense that religion is a question of private life, Islamists, under Recep Tayyip Erdogan, have consolidated state power and populism and have started to obstruct and corrupt the historic process of secularization and modernity. In 2008 the parliament passed an amendment to lift the longstanding ban on headscarves in public institutions. Most recently, the newly elected president Erdogan said to a summit in Istanbul on justice for women that treating men and women equally

goes against the laws of nature. Our religion [Islam] has defined a position for women: motherhood. Some people can understand this, while others can't. You cannot explain this to feminists because they don't accept the concept of motherhood. Their characters, habits and physiques are different [...] You cannot place a mother breastfeeding her baby on an equal footing with men. You cannot make women work in the same jobs as men do, as in communist regimes. You cannot give them a shovel and tell them to do their work. This is against their delicate nature.²⁹

In Egypt, the Muslim Brotherhood under Muhammad Morsi has also attempted to set back women's rights and halt secularization. As a symbolic measure, President Morsi removed the unveiled historical feminist figure Doriya Shafiq from school textbooks. Tunisia, under the Islamist-led government, pressured young women to wear the hidjab in a country with the most vibrant civil society in the MENA region. More critically, an article in the draft constitution stipulated that the roles of men and women "should complement each other within the household." The moderate Islamists urged the population to return to polygamy and urged girls as young as three years old to wear the hidjab because a girl at this age is said to be sexually attractive.³⁰

²⁹Flood Alison, Turkish novelists Orhan Pamuk and Elif Shafak accused of being Western stooges by pro-government press. Available from: <http://www.theguardian.com/books/2014/dec/12/pamuk-shafak-turkish-press-campaign> [December 12, 2014].

³⁰Arfaoui, K. "Radical Islam and the Weakening Status of Women," International Forum, "The Escalation of Violence against Women the Mena Region," May 29–31, 2015, Fez, Morocco.

This attempt to change the most liberal Personal Status Code constitution in the region is seen as a threat to women's rights and emancipation. Another warning sign is the flow of young women leaving their homes to provide sexual services to Islamist militants in Syria.³¹ In today's Algeria, young people can be jailed for not observing the fast during Ramadan. In short, Islamists, whenever they rise to prominence, do not hesitate to obstruct women's rights and frustrate modernity and secularization.³²

The withdrawal of the reference to Islam from the constitution and other fundamental texts in Algeria should be the immediate aim in the struggle for gender equality, citizenship, and human dignity. The most crucial issue is not the interpretation of religion but religion per se, as the controversial argument goes. Freedom of conscience should be seen as the heart of modernity and citizenship, as Abdellatif Laabi strongly argues.³³ Believers, atheists, agnostics, and others should strive to reach for such freedom. The Arab Spring has brutally brought to the forefront this very sensitive issue.

Bibliography

- Arfaoui, K. (2015). Radical Islam and the Weakening Status of Women. International Forum, *The Escalation of Violence against Women the MENA Region*, May 29–31, 2015, Fez, Morocco.
- Bouatta, C. (1997). *Evolution of the women's movement in contemporary Algeria: Organization, Objectives and Prospects*. United Nations University, Working paper N° 124, February.
- Joseph, S. (1998). Gender and citizenship in Middle Eastern States. In *MERIP*, N° 1998.
- Laabi, A. (2013). *Un autre Maroc*. Paris: La Découverte.
- Labidi, L. (2005). *Islam and women's rights in Tunisia*. Available from: <http://www.orient-gesellschaft.at/ipw2005/ipw-labidi.pdf>.
- Lalami, F. (2012). *Les Algériennes contre le code de la famille. La lutte pour l'égalité*. Paris: Les Presses de Sciences Politiques.
- Lazreg, M. (1994). *The Eloquence of Silence: Algerian women in question*. New York: Routledge.
- Sabbagh, A. *The Arab States: Enhancing women's political participation*. Available from: http://www.idea.int/publications/wip2/upload/Arab_World.pdf.
- Smail Salhi, Z. (2010). Gender and violence in Algeria women's resistance against the Islamist Femicide. In Z. Smail Salhi (Ed.), *Gender and diversity in the Middle East and North Africa*. New York: Routledge.

³¹Maher A. "Tunisia's 'sexual jihad'-extremist fetwa or propaganda?" Available from: www.BBC.bloc/news/world-africa-24448933 [October 26, 2013].

³²Islamist groups' ultimate goal is to set up a caliphate, an Islamic state, in the Muslim world. The basic disagreement among them lies in the methods to be used for reaching this chief goal: moderate Islamists privilege peaceful means whereas radical ones privilege violence.

³³Laabi, A. 2013. *Un autre Maroc*. Paris: La Découverte.

- Tlemçani, R. (2012). Algérie: un autoritarisme électoral. In *Tumultes*, N° 38–39, 2012.
- Tlemçani, R. (1999). *Etat, bazar et globalisation: L'aventure de l'infitah*. Algiers: Editions El Hikma.
- Tlemçani, R. (2009). Femmes et politique en Algérie. In *Maghreb-Machrek, L'Algérie face aux crises*, N° 200, Été 2009, p. 24.