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The Issue of Violence Against Women in Algeria: Causes and Public Policies

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Abstract

This contribution deals with the topic of: violence against women in Algeria: causes and public policies on violence against women. The violence against women in Algeria has represented a social phenomenon that affects Algerian women of all ages, single and married, residing in cities or rural areas, working or non-working. This phenomenon is most often carried out within families by the husband against his wife. However, the Algerian authorities have adopted a range of policies in order to face this violence against women: persuasive measures of awareness and sensitization through the family, school and the media, as well as providing protection to women in centres. In addition, over the last twenty years, the Government of Algeria has promulgated policies, programs and a series of laws has been enacted to punish harassment of women. Finally, the government created a national committee whose aim is the implementation of the National Strategy to Combat Violence against Women.

Keywords: Violence Against Women, Algeria, Public Policies.

Introduction

The violence against women in Algeria has represented a social phenomenon that affects Algerian women of all ages, single and married, residing in cities or rural areas, working or non-working. Violence often happens within families, by the husband against his wife.

However, the Algerian authorities have adopted a range of policies in order to face the phenomenon, such a persuasive measures of awareness and sensitization through the family, school and the media, as well as protection in towns.

In addition, over the last twenty years, the Government of Algeria has promulgated policies and programmes and a series of laws has been enacted to punish harassment, and tighten the punishment for men, including husbands, who engage in physical and moral violence against women.

Nowadays, a husband who practices any form of coercion or intimidation on his wife, in order to dispose of her property or financial resources, will be punished by imprisonment from six months to two years; anyone who deliberately injures or beats his wife shall be punished by imprisonment from one to 20 years, depending on the severity of the injury, and in case of death, the penalty is life imprisonment.

Finally, the government created a national committee aimed at the implementation of the National Strategy to Combat Violence against Women and in 2013 an action plan related to this area in has established the mechanisms for its evaluation.

In the following pages, I will try to analyse causes and statistics about the violence against women, as well as the different policies developed by the Algerian government to fight the phenomenon.

1. Evolution of violence against women in Algeria

In the contemporary era, the first widespread acts of violence against Algerian women occurred during Algerian revolution 1954-1962. In that occasion, many Algerian women were raped by the French military, as a response to the attacks committed by the Algerian combatants (mujahedeen), or for their participation in the anti-colonialist revolution.

However, very few women dared to speak of the rapes by French soldiers, like Louiza Iguilahriz, a former mujahedeen, who decided in 2001, despite her son's disapproval, to publish a book on the rapes she suffered during the torture sessions of French army (Belarouci, 2008, p.53).

After independence, in the 1970s Algerian women faced the first acts of violence in the public sphere by men, and later, in the 1980s, by the Islamist movement. Both adopted a conservative approach against women, who were physically assaulted in major cities for refusing to wear "attire conforming to Islamic standards"; some of them were sprayed with acid on the face or on their uncovered legs, and attacked on the beach (Iamarene-Djerbal, 103-142), particularly between 1988-1990.

More specifically, at the end of the 1970s, first signs of moralizing social tendency emerged, by limiting public space to women and imposing to them a type of attire (Matmati, 2017).

At that time, the aggressions on women were neither reported in the mass media, which was controlled by the public authorities, nor were a subject of denunciation¹. Since 1965, the woman speech was gradually reserved for mass organization UNFA, which was under the organic and ideological dependence of the FLN (Belhouari-Musette, pp. 177-192).

The aggressions, which represented a clear violation of individual freedoms and human rights, were not publicly condemned, as being practiced on a large scale by the authorities themselves. Hence, silence of mass media, One-party FLN, and the public authorities, during all the years 1980 to 1988: violence against women, attacks on the liberty of individuals, intimidation, threats, will be a constant in the recent history of Algerian society (Iamarene-Djerbal, 103-142).

In addition, during 1980s, women's associations considered that the 1984 family code, elaborated and enacted by the deputies of the FLN, was too conservative, because it imposed differentiated conditions on marriage and divorce: what it allows or prohibits, depends on whether one is a man or a woman; more in general, the code places women in an unequal relationship (Lalami, 2017, pp. 83-90).

During the 1980s, following the rise of Islamists, and the 1990s, with their radicalization, the violence against women increased (Matmati, 2017): segregationist speeches and calls for violence against women " mutabarijat ", large-scale physical violence against who did not respect the dress code; since 1991, even murders of women who did not respect this code, who were accused of supporting the authorities and were related to members of the security services.

In the same period, new dangerous forms of violence appeared: obligation for women and families to maintain armed groups; rapes through forced marriages, sometimes with the complicity of parents; multiplication of kidnappings of women, under the pretext of maintaining armed groups; rape and collective under cover of *zauadj el mut'a* throughout the country (Iamarene-Djerbal, 2006, pp. 103 -142).

However, according to a non-exhaustive official census, during the ten years of the conflict between armed Islamists and the national army, 10.000

¹ The only woman who spoke and denounced forced marriages and suicides of young girls, was Fadéla M'Rabet, as a result she was quickly exiled after the publication of her book *The Algerians* (Iamarene-Djerbal, 2006)

women were sold for marriage of enjoyment by their relatives, served as sex slaves in the Islamist *maquis* (Khelifi, 2008), and, according to the officially reported data, from 1993 to 1997 other 5000 women were raped by these groups and taken as spoils (Benoune, 2018) of war during attacks. Some of them were raped by the leader of the group, who “passed” them on to his men (Khelifi, 2008).

The number of the victims is still imprecise and the authorities gave an estimate of 700 for the year 2005. The survivors of the *maquis*, who managed to escape or were released by the army, live in shame, due to the social stigma (Khelifi, 2008) surrounding rape and the widespread impunity for abuse in the 1990s, so that very few victims have publicly spoken of their experiences (Benoune, 2018).

The systematic rape of women and girls was one of the strategies adopted by terrorists. Women were invested “as [a] battlefield where all blows are allowed: rape, mutilation, sexual slavery... as part of the strategies implemented by fundamentalists in order to humiliate and destroy the whole community considered as an enemy” (Belarouci, 2008, pp. 53-56).

The military defeat of the Islamists in the early 2000s did not reduce their pressure as soon as the religious practice has even developed (Matmati, 2017).

In that context of male domination and widespread violence against women, thanks to the influence of western values clandestine women’s associations emerged, such as Equality, Emancipation, Promotion, Israr and many others. Their activists will continuously stroll the sidewalks of Algerian cities still 1990s to fight against unequal rights and they asked to cancel the family code of 1984 (Daoud, 2004, pp. 345- 360).

2. Causes of violence against women

Violence against women in Algeria takes many forms:

1. Physical violence: Assaulting a woman’s body by punches, slaps, blows with objects (belt, stick...), knives... resulting in injuries, fractures, burns.

2. Sexual violence: trying to attack the woman’s body, such as rape or harassment.

3. Social violence: restricting the freedom and movement of women.

4. Psychological violence: turning to women for insults and verbal abuse, using obscene words, and calling woman with inappropriate names and attributes

In general, physical violence is always followed or preceded by insults and death threats. These acts leave psychological and negative effects on women.

Violence also breaks out “for nothing, under any pretext”, extra-marital relationships, drugs, alcohol, jealousy, hence violence can be a mode of family functioning (Bouatta, 2015, 85- 98).

Moreover, the lack of economic opportunities and increasing unemployment, as well as conflict and tension in the relationship between the spouses are considered as a major factors of violence against women in Algeria.

Also the prevailing culture of society is considered one of the most important reasons that lead to the emergence of violence against women: religion and patriarchy, which are linked to the process of social oppression

In fact, Patriarchate represents an important form of oppression in the Algerian society, which manifests itself at all levels of social life. Patriarchate is expressed by a system of rules in which social relations are determined according to sex, age and kinship in such a way that they confer special privileges on fathers, brothers and husbands.

This familial patriarchate constitutes the beginning of the subjugation of the women, insofar as the masculine dimension considers normal and ordinary the subservience of the women and nobody imagine of recognizing their rights.

Moreover, Algeria faces the existence of public patriarchy, which tends to deny women, to varying degrees, the enjoyment of human rights. This public patriarchy can be characterized by traits:

- A collective mentality that considers violence against women permissible and less severe than other forms of social violence.
- The official proclamation of the equality in front of the law turns to the opposite; by condemning women not to pretend to have access to the civil and political rights, which men enjoy (Chikhi, 2001, 189-191).

3. The Algerian strategy to fight violence against women:

Due to NGO's and international organisations' pressure, in last decades the Algerian authorities has taken many measures to protect the status of women, empower women's rights and reduce gender-based violence.

After the Beijing Conference in 1995, the Algerian government adopted policies that respond to the requirements of the program of work of the Beijing conference, through the ratification - with reservations - of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in 1996, hence the implementation of the recommendations of the Beijing International Program for Women in 1995 (Benzine, 2012, pp. 13-38) (OHCHR, 1979) and the creation of institutional mechanisms favourable to gender equality, such as the Ministry of National Solidarity, the Family and Women (MSNFCF) and the National Council for the Family and Women (CNFF) (Secrétariat de la Fondation des Femmes de l'Euro – Méditerranée, 2019). Therefore, the Algerian state adopted the gender approach in preparing some government programs in order to guarantee women's rights in the workplace and women in difficult situations (Benzine, 2012, pp. 13-38).

Furthermore, the Algerian government has enacted many laws for the embodiment equality between men and women, like the criminalization of sexual harassment at work in 2004, through the penal code -Which stipulates the offense of sexual harassment and will be punished by imprisonment from two (2) months to one (1) year, and a fine of fifty thousand (50,000) DA to one hundred thousand (100,000) DA, for any person who abuses the authority conferred on him by his function or profession, by giving orders to others, making threats, imposing constraints or exerting pressure, in order to obtain favors of a sexual nature. In the event of recidivism, the penalty is doubled (Presidence de la Republique, 2012, p. 95) (Lalami, 2017, 83 – 90), and the amendment of family code in 2005 (Presidence de la Republique, 05-02 du 27 Février 2005, p. 2), that establishes the legal age for marriage to 19 years for men and women.

In 2005 also the nationality law was amended, allowing the transmission of nationality from mother to child and from wife to spouse (Presidence de la Republique, 27 Février 2005, p.14), whereas in previous code, only paternal ancestry allowed to obtain Algerian nationality.

However, the institutional response provided in 2005 remains below the expectations of women associations, which considered these amendments a balancing act between the demands of the feminist movement and those of the Islamist and nationalist conservative currents (Lalami, 2017, pp. 83 – 90)

New measures were taken in the following years. In October 2007, the Algerian government announced a national strategy to combat violence against women, which is based on three main axes:

1. Ensuring security and protection for women: by developing partnerships with the security services, government and civil society, as well as providing an appropriate reception space for women survivors of violence and finally establishing structures for listening, treatment and recording complaints (Ministère Délégué Chargé de la Famille et de la Condition Féminine, 2007, p. 17).

2. Ensuring appropriate sponsorship by health users; by including violence against women as a public health problem, as soon as the health sector according to its tasks is the first to resort to survivors of violence, so, it is required to provide primary treatment, detection and examination of acts of violence, as well as to ensure prevention and guidance jointly with security services and the justice sector (Lalami, 2017, pp. 83-90).

The strategic aims of the health sector are:

- a) The development of a national care and prevention program
- b) The integration of reception at the emergency level and the management of violence in the basic care services / systems and specialized services concerned, through the life cycle approach,
- c) Strengthening the technical and institutional capacities of the health sector for a coherent care of survivors of violence by a multidisciplinary team.
- d) Strengthening cooperation and coordination mechanisms with other government and civil society partners (Ministère Délégué Chargé de la Famille et de la Condition Féminine, 2007, p. 18).

3. Ensuring legal protection and legal assistance: by strengthening the technical capabilities of judicial institutions, including family affairs courts, and providing appropriate reception spaces for listening and legal advice to survivors of violence, as well as developing free and specialized legal

advice at all levels, especially needy groups (Ministère Délégué Chargé de la Famille et de la Condition Féminine, 2007, pp. 19-20) .

Among the most recent measures, the penal code was amended in 2015 by including criminalization of various forms of violence against women like; marital violence and any form of assault against the wife or verbal violence, as well the frequent psychological condition that puts the victim in a state that affects her dignity or affects her physical safety or psychological, and the practice of any form of coercion or intimidation on his wife in order to dispose of her property or financial resources (Présidence de la République, 30 Décembre 2015, pp. 3-4).

Finally, harassing women in public places, saying or signalling that she is offending her modesty with increasing the penalty if the victim is a minor.

Besides, strengthening the social protection of women according to Law No. 15-01 of January 4, 2015, which includes the establishment of the alimony fund, guarantees the divorced women who are custody children to receive the amount of alimony if the husband fails to pay for it (Présidence de la République, 7 Janvier 2015, p. 6).

Moreover, the status of women has been reinforced in the constitution of 2016, which emphasizes the principle of equality between men and women in the labour market.

In the political field, the representation of women has been eased through the inclusion of quotas, as a positive measure accordance to the constitution and organic law since 2012 (Présidence de la République, 14 Janvier 2012, p. 39). As a result the number of women represented in the parliament and in elected assemblies has increased, for example in the legislative elections of 2012, women won 145 seats, i. e. 31.38% of total, whereas in the legislative elections of 2017, the number decreased to 105 seats out of 462 (Sid Ali, 2017).

As a whole, these amendments were enacted thanks to the lobbying exerted by the women's movement towards female deputies, whose number quadrupled after the legislative elections of 2012 (Lalami, 2017, pp. 83-90).

What is the impact of this strategy on the violence on women? Let us examines the following data:

Tab. 1. Cases of violence

Years	Cases of violence
2007	8277 (Khelifi, 2008)
2014	6.983 (Samir Rabah, 2016)
2015	9.663 (Samir Rabah, 2016)
2016	
2017	7586 (Samir Rabah, 2016)
2018/19 (first months)	7061 (Ismain, 2018)

Data show the decline of violence against women since 2015, demonstrating that the strategy adopted by the Algerian government has having an impact on the protection of women.

Conclusion

Women in Algeria have faced the violence from men, provoked by many reasons, both political, with the influence of the conservative tendency of Algerian society, and social, due to the influence of patriarchy.

This situation has urged women in the cities to initiate a struggle to obtain rights, especially those related to equality with men.

Hence, after Algeria's signing international agreements and treaties related to the protection of women, the country has adopted a national strategy, which has contributed to reduce the cases of violence against women.

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