

The Algerian Feminist Associations: Law & Objectives

الجمعيات النسوية الجزائرية: بين القانون والأهداف

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Abstract:

Some observers argue that Algerian society is shaped by patriarchal structures, globalization, and the enduring effects of colonialism. Despite its conservative and religious orientation, and notwithstanding efforts to reconcile religious and cultural elements, the political, economic, and social situation is deteriorating, particularly with regard to the family which is experiencing a multi-dimensional and multi-level transitional crisis.

Significant imbalances threaten family cohesion and the integrity of society as a whole. These are exacerbated by feminist organizations that advance their agendas through legal channels. Western feminist ideologies and the responses of families to these ideas contribute to these tensions. Concerns also arise regarding secular associations that disregard the regulations governing their activities and the purposes for which they were established which has led to social and ethical problematics, including deepening conflicts, dismantling the family structure, and the collapse of innate values.

Keywords: feminist, association, influence, law, Algerian society, ...

المخلص:

حسب عدد من الملاحظين، تأثر المجتمع الجزائري بهيمنة النظام الأبوي، والعولمة، وآثار الاستعمار المستمرة ورغم طابعه المحافظ والمتدين، وبرغم محاولات التوفيق بين الأبعاد الدينية والثقافية، تشهد الأوضاع السياسية والاقتصادية والاجتماعية تدهورا ملحوظا، خاصة على مستوى الأسرة. التي تشهد أزمة انتقالية متعددة الأبعاد والمستويات.

يواجه المجتمع الجزائري اختلالات عميقة تهدد تماسك الأسرة ووحدة المجتمع ككل، تسهم فيها الجمعيات والمنظمات النسوية التي تمرر أجنداتها عبر الأطر القانونية. وترتبط هذه الإشكالات في الغالب بتأثير الأيديولوجيات النسوية الغربية واستجابة الأسرة لها، إلى جانب القلق من بعض الجمعيات العلمانية التي تتجاهل اللوائح المنظمة لعملها والأهداف التي أنشئت من أجلها، وهو ما أدى إلى إشكالات اجتماعية وقيمية، تشمل تعميق الصراعات وتفكيك بنية الأسرة وانهيار القيم الفطرية.

الكلمات المفتاحية: نسوية، جمعية، تأثير، قانون، المجتمع الجزائري...

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Introduction:

The scholar Lorenz von Stein is widely regarded as one of the pioneers in conceptualizing social organization. In his seminal work, *History of the Social Movement in France 1789–1850*, published in 1850, he used the term “social organization”(Mengelberg, 1961, pp.267-274) to describe the efforts of the working class to acquire economic and political power. This approach is closely aligned with that of Karl Marx in the same context.

One of the most important modern attempts to define social movements is found in Rudolf Heberle’s study *Social Movements: An Introduction to Political Sociology*, published in 1951(Tilly, 1994, pp.1-30). In that work, Heberle pursued a central aim: to develop a comparative scientific theory of social movements within the broader framework of sociology.

Feminism, also referred to as the women’s movement or Women’s Liberation, comprises various campaigns seeking reforms related to women’s future prospects and national issues. These initiatives form part of a wider constellation of movements, including local national liberation and religious reform movements, such as Islamic reform currents, particularly in Egypt. Egypt is recognized as a pioneering country in articulating feminist ideas and promoting women’s activism through organized collective action(Magdy, 2017).

The significance of the women’s movement is intertwined with the broader context that shapes the associative landscape in Algeria. Although the number of associations has increased notably, this quantitative expansion has not produced a civil society reflecting balance and renewal in political interaction.

This raises the central question of whether *the plurality of women’s movements in Algeria affects Algerian families*.

1. The essence of an organization

The origins of organizations may be traced back to the earliest stages of human civilization. The historical evolution of organizations demonstrates a gradual development in the ways in which people structure activities essential to their survival(Shinohara, 2016).

The roots of organizations stretch back to the dawn of humanity, driven by our instinct to work together for survival, hunting, and gathering during the Paleolithic era. As we transitioned into the Neolithic agricultural revolution, we saw the rise of structured organizations, which brought about specialized roles, social hierarchies, and intricate administration in ancient societies like Sumeria and Egypt.

In early societies, which laid the foundations for social development, individuals came together in groups to meet diverse needs. It may therefore be concluded that the development and expansion of organizations constitutes a mechanism for overcoming the limitations that constrain individual efforts.

1.1 The definition of an organization:

An organization consists of a group of individuals(Mihelčič, 2012, p.26) unified by a common objective and employing various methods to achieve that objective. This includes, inter alia, humanitarian, environmental, and labor organizations, which enjoy legal personality and operate as entities distinct from their members.

Accordingly, an organization is a legal entity that assumes the form of a human collective operating under a specific framework, in a cooperative and supportive manner, in

pursuit of a predetermined goal. It functions on the basis of roles defined by legal rules that specify the duties(Palmer, 2023) and responsibilities of each member within the group.

Organizations may be commercial, industrial, service-oriented, governmental, or otherwise. Some scholars define an organization as the interaction and cooperation of a group of individuals to achieve objectives that are more effectively realized collectively than individually.

Among the social theorists who have defined organizations is Etzioni, who describes them as social units or human groupings established for a specific purpose and restructured so as to realize certain goals(Polatoğlu, 2000, p.6).

Barnard adds that an organization is a consciously created system of cooperation that achieves its purposes through coordinated action among individuals, within a systems approach to organizational analysis(Gabor & Mahoney, 2013, p.134). Blau and Scott, for their part, define organizations as formally constituted structures designed to achieve specific objectives.

1.2 The legal framework of the organization:

A voluntary organization is a non-governmental entity that defends the rights, interests, or objectives of particular groups or segments of civil society. It contributes, directly or indirectly, to community development and operates within a legal framework encompassing political regulations and internal rules governing its activities. Such organizations acquire official status by registering in accordance with the relevant legislative and regulatory provisions adopted by the competent authorities(Van Til & Williamson, 2001, pp.16306-16308).

Non-governmental organizations operate within the framework of general labor law(Law N°06 12, 2012) and derive their legitimacy from strict compliance with the regulations governing them(SALIGAN, 2022).

They are not established for private profit, although they may generate income to further their purposes. They enjoy independent legal personality and rights and may operate across different sectors, provided they do not jeopardize state security or public morality.

The organization derives its legitimacy from its aims and from the interests of its members. It is registered with the approval of the state yet enjoys full autonomy. It may be established by individuals, by the state, or jointly, in accordance with the applicable laws and regulations, and with due respect for international and regional human rights instruments(Resolution 217 A (III), 1948), in particular the rights to freedom of association and freedom of expression.

1.3 The organization's objectives and goals:

The goal of an organization represents the direction towards which its activities are oriented(Kono, 1984, pp.47-70). The terms “goal”, “objective”, “purpose”, and “end” may be used interchangeably in this context. Organizations in the non-profit sector operate without the primary aim of making profits. They are created by citizens at the local, national, regional, or international levels and are devoted to specific missions.

These organizations are typically led by individuals sharing common interests and provide a wide range of humanitarian services and functions. They also monitor public policies and foster political participation within communities.

Organizations have developed within a legal framework shaped by the United Nations, which has increasingly assigned them an active role in addressing social, economic, and cultural challenges.

Today, it is widely believed that such organizations constitute the principal refuge for the implementation of humanitarian projects, particularly in view of the limitations of the state, the paralysis of some of its institutions, and the predominance of bureaucracy.

2. The essence of feminist associations

The concept of feminism encompasses a broad spectrum of ideas, notwithstanding its frequent use in academic, media, and literary discourse (Tong, 2001, pp.5484-5491). Over the past century, the term has gained significant prominence and has come to embody a variety of interpretations.

Feminist organizations are dedicated to breaking down systemic patriarchy, sexism, and oppression in the pursuit of true legal, social, and economic equality for all genders. They act as powerful agents of change by empowering individuals, offering support services to survivors of violence, and advocating for policy reforms. These groups prioritize women's leadership and often use intersectional, grassroots approaches to tackle inequality head-on.

2.1 The definition of feminist association:

Feminism, or Women's Liberation, refers to movements and campaigns that promote women's future prospects and address national concerns. These initiatives form part of broader national liberation movements and religious reform efforts, including Islamic reform, particularly in Egypt, which is recognized as a leading context for the articulation of feminist ideas and women's collective activism (Ramdani, 2013, pp.39-52).

Feminism emerged in the wake of the French Revolution as part of a historical process of advocating liberation and equality that began in Europe before extending to the Arab and Islamic worlds. Rooted in the principles of the French Revolution, which often challenged prevailing religious and socio-cultural norms (Kiguwa, 2019, pp.220-235) feminism has developed diverse schools of thought and approaches, each offering distinct philosophical perspectives on the ideals of liberation and equality.

At the linguistic level, the term refers to the women's movement within society, regardless of its origin or orientation. Specialists distinguish between feminism and women's activism (Gouws & Coetzee, 2019, pp.1-8).

Women's activism encompasses activities carried out by women, irrespective of any underlying intellectual or philosophical framework; it refers simply to actions performed by women. Feminism, by contrast, carries an explicit philosophical and intellectual dimension.

2.2 Origin and evolution:

The history of the feminist movement may be divided into several key phases, each marked by specific characteristics and demands. There is, however, no precise historical boundary delineating the beginning or end of each phase, as they often overlap and may not be fully replicated in every national context.

The movement originated in the Western world at the end of the 18th century and unfolded in three major waves. The first wave focused on middle- and upper-class white women and advocated universal suffrage and political equality. The second wave adopted a more assertive stance against social and cultural inequalities (Resolution 34/180, 1979). The

third wave, which is still ongoing, seeks to renew earlier campaigns by calling for a greater role for women in political life, as follows:

The first wave of feminism emerged at the end of the 19th century and the beginning of the 20th century. It concentrated primarily on women's suffrage. Prominent writers such as Virginia Woolf have been associated with the ideas of this early feminist movement (Hooks, 2000, pp.13-45; Balkansky, 2019).

The second wave of feminism saw the notion of "wave" gradually replaced by "feminism" as the dominant concept describing a new feminist movement. This wave emphasized the struggle against social, cultural, and political inequalities and against discrimination embedded in laws and culture, and it is associated in particular with the thought of Simone de Beauvoir (Burke & Bergoffen, 2023).

The third wave of feminism arose in the early 1990s, partly in response to perceived limitations of the second wave. It highlights women's achievements and contributes to a renewed feminist discourse (Freedman, 2003, p.44).

2.3 Its legal foundation:

The freedom of association, including women's associations, is grounded in international human rights instruments. The Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights affirm the right to peaceful association and cooperation, permitting restrictions only where necessary to protect national security, public safety, public order, public health, or morals.

The 1979 United Nations Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) reinforces the objective of achieving equality between men and women and calls for the elimination of legal, political, and economic disparities (Article 1, Resolution 34/180).

Domestic laws governing associations differ from one country and legal system to another. Some associations fall under general civil law, while others are regulated by specific legislation reflecting their particular features. These laws may be subject to frequent amendment and may be formulated in ambiguous terms; they also depend heavily on a country's political culture (Borek et al., 2014, pp.73-101).

2.4 Its goals:

First, Wade in 1973, and other Supreme Court cases. Three main types of feminism emerged: mainstream/liberal, radical, and cultural. Mainstream feminism focused on institutional reforms, which meant reducing gender discrimination, giving women access to male-dominated spaces, and promoting equality.

The Western feminist movement seeks gender equality, women's emancipation, and economic and political empowerment. These objectives are pursued through international policies, academic feminist studies, and the incorporation of feminist claims into the contemporary policy language of "gender".

Radical feminism strives to achieve its aims through both governmental and non-governmental mechanisms, including international organizations, sometimes by fostering antagonistic gender narratives.

International conferences such as the 1994 Cairo International Conference on Population and Development, the Beijing Conference, and the New York World Summit for

Children have been criticized by some observers for contributing to a reduction of the role of the family and for creating new forms of distance between parents and children.

2.5 Its directions:

Liberal feminism is rooted in the principles of the French Revolution—equality and liberty—and advocates equal rights for women, as well as individual freedom and rationality.

Marxist feminism draws on Marxist philosophy and contributed to the development of popular feminism and the doctrine supporting wages for domestic work, especially after the collapse of the Soviet Union.

Radical feminism is characterized by its more extreme positions, which at times lack realism and a gradualist approach. It tends to prioritize women's interests in a manner that overlooks broader social contexts and consequences. This stance has, in some accounts, aggravated women's issues and fostered an experimental attitude that treats societies as permanent laboratories.

Islamic feminism emerged among Muslim women in Egypt in the 1920s. It challenges patriarchal practices and transcends Western and secular boundaries, contesting dominant Western perceptions of feminism and situating women's rights claims within an Islamic frame of reference.

3. Women's associations in Algeria

The role of Algerian women became increasingly visible in the political sphere during the War of National Liberation, attracting significant international media attention. Their "heroic" participation in that struggle played a decisive role in shaping the idea of women's liberation, as women began to claim their rights in both political and social domains (Turshen, 2002, pp.889-911).

Political discourse has often revolved around notions of "liberation", "freedom", "progress", and "development" as tools for addressing women's alleged "backwardness". This has contributed to a division among women and to the emergence of two major currents: secular and Islamic (Badran, 2005, pp.6-28).

3.1 The emergence and development:

Algerian society is undergoing profound transformations that require a reconsideration of how women's issues are classified and approached, particularly given the influence of globalization and the growing role of international institutions.

Algerian feminist associations (AMI, 2012), including *Refus*, "Women in Distress", "Rachida", and the "Association for the Defence and Advancement of Women", have called on the public authorities to amend the family code—sometimes referred to by critics as the "Law of Shame"—which they argue relegates women to the status of "second-class citizens" and reinforces their permanent dependency.

These associations contend that women proved their entitlement to equal rights through their participation in the liberation struggle and their role in confronting terrorism. The reform of the family code therefore remains a central demand of many Algerian feminist movements.

The official women's movement in Algeria operates under the ministry responsible for women's affairs, although its powers are limited. Previously, representation was exercised through the National Union of Algerian Women (UNFA), which has since become an

independent structure but remains closely linked to the FLN and supported the President during the 2004 elections.

The secular women's movement, established during the single-party period, advocates a model of citizenship based on paid employment and equality in family law. It calls for the creation of independent associations and organizations, the repeal or substantial reform of the family code, the protection of women's labor rights, and equality in civil status, and it explicitly connects its agenda to the relationship between secularism and modernity.

The "Islamic" women's movement—despite the fact that some of its actors reject this label—is deeply rooted in society, particularly through structures such as the Free Students' Union. The wearing of the Islamic hijab is one of its most visible markers, symbolizing adherence to faith and rejection of practices deemed contrary to Islam. This movement aims to create a space for marginalized women, to affirm women's social leadership, and to mobilize women around key social challenges.

3.2 Its legal foundation:

Law N°.12-06 regulates associations in Algeria, replacing Law N°.90-31. It defines an association as a group of persons who voluntarily contribute their knowledge and resources on a non-profit basis, in various fields. The objectives of the association must be consistent with the public interest and national values, and its purpose and name must be clearly defined (Law N°.12-06, 2012).

Article 3 of Law N°.12-06 classifies women's organizations within the broader category of associations. Members must be at least 18 years of age, hold Algerian nationality, enjoy full civil and political rights, and have no criminal conviction incompatible with the association's field of activity.

Article 13 distinguishes associations from political parties on the basis of their objectives, names, and means of action, while requiring them to respect national values and the legal order. Partnerships with foreign associations and international non-governmental organizations are subject to similar conditions, and any cooperation must receive prior authorization from the competent authorities.

3.3 The objectives and impact:

Three main themes currently dominate the agenda of women's associations in Algeria.

First, there is a strong emphasis on gender mainstreaming, which includes training and supporting the staff of associations and securing financial resources. However, women associated with Islamic movements are often partially excluded from such initiatives (Siham & Benneghrouzi, 2022, pp.299-307). A segment of association staff receives specialized training in gender issues and is capable of organizing activities aimed at strengthening civil society participation.

Second, women's political participation within legislative and executive bodies has been addressed through a memorandum developed by UNIFEM (now UN Women), in cooperation with women parliamentarians and female representatives of various political parties. This initiative seeks to enhance women's presence in decision-making positions.

Third, in relation to violence against women, studies carried out by the National Institute of Public Health have led to the establishment of psychological counselling and listening centers by associations, in partnership with organizations such as the SOS center for

abused women, which is among the most prominent. Networks such as the Guidance, Counselling, and Shelter Network have also been created to offer protection and support to women and other vulnerable persons.

Conclusion

Heberle argued that social movements aim to radically transform the social system, particularly regarding the distribution of wealth and the organization of labor relations, contrasting with von Stein's view that primarily conceived them as labor movements within industrial societies.

Heberle extended the concept of social movements to include peasant, national, and fascist movements, highlighting the role of "conscious will" and the existence of social groups with specific structures.

Paul Wilkinson identified core elements of social movements, including their orientation towards change, a minimum level of organization, and a sustained commitment to both change and organization.

Algerian society faces complex challenges at both the national and international levels, including patriarchal systems, globalization, and a dual identity shaped by the colonial legacy. Women occupy a central position in society.

A former French official underscored this reality by stressing the importance of "winning over women" in order to secure what remains—an observation that reflects the lasting impact of colonial strategies.

Contemporary feminist organizations in Algeria often appear disconnected from the broader society, focusing on slogans such as "granting women full citizenship rights" without always providing the practical mechanisms needed to realize these objectives. In contrast, Islamic movements tend to share the cultural references and identity markers prevalent in society.

Processes of Westernization are unfolding amid political and economic difficulties, exposing society to external pressures and perceived conspiracies. In order to avoid social rupture, communities seek to adapt these external influences to their own traditions and values.

At the same time, it is essential to address problematic attitudes and behaviors towards women without deviating from religious principles, ethical norms, and cultural identity. The influence of some organizations is often perceived as stemming from external agendas rather than from a genuine engagement with the community's concerns.

Results:

- The intellectual roots of the feminist movement predate contemporary developments and are historically deep.
- Transformations in Algerian society are influenced by Western ideas and initiatives. The agendas promoted by the United Nations and international organizations are increasingly projected onto Islamic societies.
- Feminist ideas contribute to shaping political discourse among national elites. The progress made by the feminist movement in Algeria is reflected in political and legislative reforms.
- Many feminist organizations in Algeria advance claims that are controversial or contested, and their impact on Algerian society remains limited in substantive terms.

Recommendations:

- Reassessing partnerships with international organizations in order to establish frameworks of cooperation and clearly defined areas of shared interest.
- Engaging with Islamic institutions, such as the Organization of Islamic Cooperation and academic and research bodies, to safeguard society and support Muslim minorities worldwide.
- Designing strategic initiatives to address current challenges by creating alternative media platforms and strengthening political participation, so that the aspirations of the community are reflected in binding legislation, particularly in the field of family law.

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