Uncovering Narratives:
Disparities Between Media Discourses and Women’s Realities Surrounding Domestic Violence in the Algerian Legal System

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This thesis is a critical piece of work on the domestic violence laws in Algeria. Because of that, it is necessary to preface this piece of work with a few thoughts and considerations for the (most likely Western) reader.

My critique of the laws is not coming from a place of disdain for the country and its structure, but from a place of frustration as an Algerian woman. I retain privileges that many women before me do not, and this thesis is an attempt to bring a different perspective to light that would elevate the voices of those women. As an American, I have the privilege of reaching a Western audience, and as an Algerian I have the privilege of collecting the stories discussed. As a student of an elite institution, I have also had the privilege of gaining the skills necessary to communicate between these two communities, and attempt to start a conversation on this issue where one barely exists in academia.

This writing, while critical, is meant to also highlight the progress that is happening. I urge whoever is reading this to not take away a negative outlook towards Algerian Society from this, but to instead realize that it is a vibrant and diverse society, which is still in the process of situating itself in the modern global order (as it is quite a young country). I maintain hope, and this thesis is hopefully a testament to that.

Writing about a country you consider ‘home’ as someone who never officially lived there is quite challenging, and the feeling is best expressed by the Nigerian artist, Stephanie Nnamani: “For most first- and second- generation immigrants, there is a nuanced perception and conception of what constitutes as “home.” But the process of re-immersing oneself into their culture of origin presents challenges, whether psychologically, culturally, socioculturally. There is a competing sense of belonging underlined with a profound sense of being an ‘outsider-looking-in.’” I hope this better explains the internal conflicts that I had in writing this piece, and raises an awareness to the audience to maintain consciousness of their Western lens and misconceptions as they read this piece.
INTRODUCTION

Algeria boasts of achievements such as graduating more women than men from college, having roughly the same number of female and male doctors, and holding the highest number of women in parliament in the Arab region (Ghosh 2012). Algeria and its neighbors, Morocco and Tunisia, are viewed as the most progressive countries in the region for women’s rights, stemming from decades of persistent activism that led to reforms. In 2005, the country altered its family code to give women an easier divorce process, more child custody rights, an increase in the minimal age of marriage, and the opportunity to pass their nationality down to their children. After these reforms, Mounira Charrad, a leading North African activist and scholar claimed, “We can no longer say that in the Muslim world it is hard to change women’s rights (Kimani 2008).”

In 2015, another victory for women emerged from the Algerian judicial system, as domestic violence was criminalized and punishable by up to twenty years in prison (Middle East Eye 2015). Many international news agencies reported on this new law, acknowledging its necessity and praising Algeria for being the first in the Maghreb to pass it. Algerian citizens, however, had differing outlooks on these legal changes.

Since the reforms of 2005 and 2015 domestic violence laws were passed, the country has yet to see an increase in court cases from women demanding their rights. The cases remain low, even though one women’s rights lawyer has stated that marriage-related cases filed by women typically succeed in granting these women divorce and financial reparations (1A). The issue of low cases, given the fact that women in the country continue to be victims of violence and murder from their
partners, was not picked up by the international community or brought up by the government. The discussion, however, did erupt from media outlets in the country.

Media outlets broadcasted perspectives from locals on issues such as women’s rights and domestic abuse. “A real Algerian woman, if her husband doesn’t beat her sometimes, she’ll feel... he’s not manly” exclaimed an Algerian woman to a television reporter on the national network Ennahar TV (2017). This woman, along with other interviewees of both genders, asserted that getting beaten “normally” (no interviewee further defined normal) is acceptable, and even sometimes necessary in marriage. The majority of young men in these interviews expressed their support of domestic violence. One made the bold claim that “they [women] need violence.” These interviews garnered outraged responses from many Algerians, domestically and within the diaspora, who took to social media platforms such as Facebook and Twitter to express their anger at the comments. For many, they could not understand how these ideas persisted in 2017, among young men and women, and in a country that has been praised for offering women more domestic protection than others in the MENA region.

On another Ennahar TV (2016) segment, the question, “where are we [Algeria] on violence against women?” was explored. Aside from the few responses claiming that men currently face more domestic abuse than women, many disheartened interviewees expressed their lost hope on the matter. One woman, after stating that women continue to be victims of abuse remarked on the recent law, “we hear of these rights but do not see them” (Ennahar 2016). These women point out that the status quo has remained intact despite the positive legal changes occurring at the judicial level.
In the past few decades, anecdotal evidence suggests that media has played an important role in helping women and elevating their voices and experiences across the Arab region. Movements and discourse pertaining to women were popularized on platforms such as YouTube, Facebook, and Twitter. Manal al-Sharif, Saudi’s most prominent feminist activist, launched her driving campaign on YouTube in 2011, where it reached millions of viewers. She went on a joyride in Saudi and posted a video of it. Sharif was imprisoned but released a few days later after many notable leaders, including Hillary Clinton, demanded her release. She later called for women to defy this driving rule, and on July 17, 2011, many Saudi women drove their cars despite the potential to be arrested (Vu 2016). Within that same year, Asmaa Mahfouz used Facebook to encourage people to take to the streets in protest of the Egyptian government, arguably starting the Arab Spring in Egypt. She asserted that as a woman she would protest, and expects the entire country to do so as well (Mahfouz 2011). After the protests broke out, media was a prominent source in helping women protect themselves. The online application Harassmap was used in Egypt and other countries to document where women were being harassed during the Arab Spring protests (harassmap.org).

The media’s presence has undeniably influenced some of the change occurring in the Middle East and elsewhere. However, as shown above, it does not always contribute positively to the issues at hand. In Algeria’s case, the most viral videos all contain astonishing sentiments that support domestic violence or express frustration for the lack of tangible change in society. This thesis, therefore, aims to explore the
understudied phenomenon of media discourse on women in Algerian society and its effects on the likelihood of women engaging in the more reformed legal system.

1.1 Review of Literature

In order to explore this issue, it is necessary to examine the existing literature surrounding the MENA region, media spaces, and domestic violence. Since little to no scholarly literature exists on Algerian media or the Algerian media discourse surrounding domestic violence, it is necessary to look at broader frameworks that exist and cases from other countries to help guide the exploration of this issue.

Media spaces are an emerging phenomenon that have opened up a plethora of communication methods and facilitated globalization. They have become a hub for people to effortlessly exchange ideas and consume new information, and their accessibility has proved to be an asset even within totalitarian nations. These media spaces, as exhibited in the introduction, have become virtual communities, in which activists and other leaders have used the platforms to inform and mobilize others. Benedict Anderson (2006), in coining the term “imagined community” has provided a suitable definition for these spaces. Anderson (2006) defines imagined communities within the context of nationalism, but the notion of an imagined community is applicable not only to nationalism but any form of community in which people converge, consume the same information, and form opinions based on that information and their lived experiences. He further describes imagined communities as “all communities larger than primordial villages of face-to-face contact” that are “inherently limited and sovereign” (Anderson 2006, 6). In his research, Anderson (2006) provides a historical analysis of the emergence of nationalism, which he argues emerged at the end
of the eighteenth century. With the Enlightenment came new ideas of freedom, camaraderie, and political involvement that produced our modern understanding of nationalism. Anderson (2006) believes that these imagined communities of nationalism have persisted and will continue to survive for centuries because imagined communities are easily adaptable through all circumstances. To interpret the Anderson’s definition of imagined communities in the context of media spaces, we see that the limitations of media spaces are the virtual boundaries, and the sovereign nature of it allows participation without much exclusivity. He emphasizes the horizontality of imagined communities, as they enable exchanges to occur without a hierarchy. Anderson further states that imagined communities invoke “emotional legitimacy” (Anderson 2006, 4) and the shared space ultimately encourages people to mobilize through action. He believes that these imagined communities breed positive revolutionary outcomes through emotional exchanges and formed solidarity.

Similarly, Davenport (1997) explored the ways in which information culture and behavior exist online, and sought to come up with suggestions to ensure that others engage with the overwhelming amount of information that is put on the Internet. Davenport (1997) asserts that information is being put out without thinking of the “human aspects of information use” (Davenport 1997, 83), that is, the way that people engage with and digest this information. He argues that the current approach is one-sided and inefficient, as companies continue to spend millions on efforts to release more information into society without contemplating if it is even making an impact. After studying these firms, he proposed “we must communicate information in a compelling way that encourages the right people to recognize and use it.” Davenport
then proposes the information ecology, which contains four aspects: “(1) the integration of diverse information; (2) recognition of evolutionary change; (3) emphasis on observation and description; and (4) focus on people and information behavior” (Davenport 1997, 29). He stresses that a well-rounded approach is necessary to understanding how to study information management, and to create a solution to better information intake. Companies cannot just rely on data or engineering but they must also take into account the current state of the market as well as culture and the people targeted. Davenport (1997) goes on to state that factors such as emotional interest, originality, and perceive expertise of the speakers can improve people’s engagement with the information. He argues that by improving these factors of the information ecology, people will engage with the content put out to them more and even act upon whatever information they encounter. This vague solution is similar to Anderson’s who also believes that spaces where people engage in information sharing will be inspired to mobilize.

These theories, although a good foundation, are oversimplified and fail to account for the potentially atomizing and demobilizing nature of media sources. In effect, after sharing information and communicating with others, women might not mobilize or come forth with their domestic violence charges because the space itself discourages activism. Both scholars essentially argue that these spaces and originality of content create sufficient environments for activism to occur. While imagined communities do allow for more people from diverse backgrounds to access information and media, it is hasty to assume that these communities are enough to bring about positive outcomes within society. Anderson’s theory fails to account for the harassment and silencing that
takes place in community spaces, as well as the groupthink that makes communities a hostile environment. Mainstream ideas dominate in all spheres, allowing social issues to persist. Davenport (1997) dangerously oversimplifies the solution to the lack of information engagement by declaring that making the information more “compelling” and “creative” is enough to trigger action. Domestic violence narratives in most cases evoke strong reactions (whether that be sympathy or callousness) because they inherently deal with “compelling” aspects of human nature. Violence, power dynamics, and conflict are among the aspects that make this issue provocative. Davenport (1997) offers no insight on issues, such as domestic violence, that are already ‘compelling’ and ‘original’ yet do not garner the attention or action that they deserve. Both these scholars in their research also fail to account for the gendered experience in the spaces that they describe, leaving their theories incomplete in that respect.

Others have written extensively on the media’s developing role in the Middle East and North Africa, in which most people argue that media is encouraging political action. Dale Eickelman (2005) observed the effects of new media in the Arab region in the domestic and public spheres. With a focus on Morocco, he argues that better education for all nationals, easier access to travel, and access to new and diverse forms of media has brought more political discourse into homes. Increasing higher education rates has enabled more people to learn standardized Arabic, and access media from across the region, which typically broadcast in standard Arabic. Eickelman (2005) claims that this awareness has enabled people to watch state media critically and acknowledge the limitations of these vague official stories. Diverse media fills the gaps by providing new

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1 This is not meant to reduce domestic violence to the concepts listed but to emphasize that the nature of domestic violence already carries these aspects and others.
2 Francine Hughes (Farrah Fawcett) suffers the abuse of her husband, Mickey (Paul Le Mat),
perspectives and allowing for discourse in which comparisons and contrasts within different outlooks can be engaged. Outside of the home, different types of content (face-to-face conversation, newspapers, videos, television, etc.) all build off one another in larger discussions. This change has made it difficult for authoritarian regimes to present themselves as they have in the past, as increased diverse media presence has brought with it criticism of regimes. Mainstream programs, such as “The Opposite Direction” program on Al-Jazeera, use live-streaming and unscreened telephone callers to offer genuine questions and responses. During one particular program, the former Algerian Prime minister, Reda Malek, asked the program to be stopped after receiving a critical question. The host responded by saying “I can’t. We broadcast live. You’re not in Algeria anymore” (Eickelman 2005, 48). This prompted the former prime minister to curse and storm out. These reactions show the public that regular citizens can evoke strong reactions from authoritative figures, and uncensored media platforms offer citizens the opportunity to be more equal to their leaders. Eickelman (2005) also points out that satellite television in particular has contributed to “network society” which expands the debates to allow transnational conversations with Arabs in the diaspora (Eickelman 2005, 47). His conclusion, similar to Anderson’s, is that these new medias are inciting rapid change in consequentially encouraging action through active political participation.

Hussain and Howard (2013) in their book “Democracy’s Fourth Wave”, reiterate many of Eickelman’s statements. They state that the Internet provides “new structure for collective action” (Hussain and Howard 2013, 35) In tangent with Eickelman (2005), Hussain and Howard (2013) state that higher access to uncensored media has allowed
for criticism of Arab regimes, political organization, and mobilization. They specifically attribute regime criticism to the ongoing conversations surrounding wealth disparity and corruption, which emboldened citizens to speak up. Furthermore, they claim that media did not have a “sudden impact” on countries in MENA, pointing out that the Kefaya movement (which sparked the Arab Spring in Egypt) actually started in 2004, years before the events of the Arab Spring. They view media as a system that is “gradually eroding centralized state power” (Hussain and Howard 2013, 44). In regards to women, Hussain and Howard (2013) make claim that the online sphere allows women to participate in public political discourses, which was in some ways not available to them previously. They claim that women have “aggressively invaded the new public space created by digital media” (Hussain and Howard 2013, 62), which has resulted in a platform in which men and women can engage in conversation surrounding gendered issues in their respective countries. Hussain and Howard (2013) also point out that states, as a reaction to a large female presence in the media, attempt to control the space by discouraging women from gaining the skill sets needed to navigate the online spaces.

Two immense issues arise from their claims about women’s experiences with online spaces. Firstly, that they are ‘aggressively’ infiltrating online spaces in ways that are not seen offline. This is faulty because it erases all the efforts and undoubttable presence in real spaces. Women are the majorities in academic spaces across most countries, and in some they hold presence in public office similar to those in Western countries. To make this claim is to ignore the reality of female contributions made in public settings. Secondly, stating that the state’s role in discouraging women from the Internet is the
main hindrance in gendered discourse ignores the gendered harassment that is prevalent online.

Theories on media as experienced by women, and domestic violence discourse in media, accounts for the gaps found in the previous theories. Nancy Berns (2004) discusses the framing of social issues, among them domestic violence, by the media and the subsequent effects of that in greater society. She argues that these social issues are shaped into stories that ‘sell’ which in turn affect how people understand these social issues and the public policies that are enacted as a result of their perceptions. Berns (2004) goes on to analyze the discourse surrounding domestic violence in the US, and specifically on the lack of accountability society holds for abusers. She claims that domestic violence is a new social problem, because historically it remained socially acceptable. Consequently, we are still in the midst of deconstructing the issue, working against victim-blaming, and holding abusers accountable for their actions. Berns points out that the information that we gather through media often becomes a part of our experiences that we refer back to when discussing social issues. In order to explore this, Berns conducted interviews where she asked a range of people about their perception and exposure to domestic abuse. In her interviews, almost all people that did not have personal experience with domestic violence used movies or news article to justify their opinions on the issue. They associate the feelings elicited with movie experiences (such as the domestic violence scene in the popular movie The Burning Bed²) closely with

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² Francine Hughes (Farrah Fawcett) suffers the abuse of her husband, Mickey (Paul Le Mat), for almost a decade because she cannot find any help. When a drunken Mickey rapes her and then passes out, Francine pours gasoline over him and lights it on fire. In the ensuing blaze, Mickey dies and the house burns down. During Francine’s trial, she testifies about her years of suffering, and her attorney, Aryon Greydanus (Richard Masur), tries to have
their views on domestic violence. Going back to Anderson’s point, the evidence gathered through the media that supports these interviewees’ opinions stem from an imagined community in which all the content in circulation hold legitimacy to them. In her study, it is evident that media has impacted people’s perceptions of domestic violence. Although she is able to prove that it has some impact, Berns (2004) also points out the way in which media frames the issue is the reason why some people are passive while others misdirect their focus on the issue. She argues that our victim-centric approach allows abusers to get away with their actions because they are not being held fully accountable, and even when we do discuss abusers, blame is diverted by claiming exogenous factors such as alcoholism and child abuse are to blame. Ignoring the agency of abusers, while exaggerating the agency of victims (stating that they could leave whenever and therefore blaming them for remaining in abusive relationships) is an issue that Berns’ claims the media plays an important role in perpetuating.

Bern’s research, while tackling the same issue as this thesis, is strictly from a US context, which then renders some aspects of her theory useless. She believes that the public perception of social issues influence public policy, but in the case of Algeria, public policy was altered first and then the perceptions of the public were gauged.

Hajj, McEwan, and Turkington’s (2017) research accounts for the geographic difference by measuring the Internet’s effect on women’s political participation in the Middle East and North Africa. They explored female political participation specifically during the Arab Spring, when anecdotal narratives seemed to indicate that the Internet

her declared temporarily insane and acquitted. (https://www.moviefone.com/movie/the-burning-bed/1004911/main/)
was a breakthrough tool that significantly lessened the gender gap in the political activism sphere. To do this, they utilized the data gathered from the Arab barometer, which conducted research in three waves, from 2006-2008, 2010-2011, and from 2012-2014. Using this data, Hajj et al. (2017) measured the correlation between people’s media usage and political protest in both a broader and gendered context. The data she observed reveals that the Internet does increase political participation overall for both genders, but it does not actually equalize political participation between genders. The gap between men and women’s participation continues to exist, even though a visible increase in political participation has taken place between both genders. Hajj et al. (2017) explored these results further by interviewing female political activists on their experiences and perceptions of media. All of these activists, who access the internet multiple times a week, agreed that media aids women’s political participation because it is easily accessible, allows for information gathering, and eases communication between activists. Through these interviews we also gain more insight into the hindrances of women’s Internet usage.

With this, Hajj (2017) points out the mainstream notion that the Internet is not a defacto safe space for women, and acknowledges the limitations of the Internet community. Unlike Anderson (2006) and Davenport (1997), Hajj et al. (2017) recognizes that the Internet also carries with it the gendered harassment that exists in the physical world, with the added virtual advantage of anonymity. Anonymity, and women’s heightened presence on the Internet, allow for many more attacks and malicious behavior because of the little to no accountability for the antagonizers. Furthermore, the gender expectations that exist in the public sphere are also reinforced.
in virtual spaces, making it difficult for women to navigate and mobilize for inflammatory issues that receive sexist backlash publicly.

Jessie Daniels (2009) also explores women’s experiences in the digital world. After reviewing all the feminist theories on women’s engagement in media spaces, she finds that essentializing women’s experiences on the Internet is common among the literature, and argues for a more nuanced perspective. She provides evidence of ways that cyberfeminists use the Internet as a subversive tool, which allows them to escape gender and racial marginalization in the real world. Daniels (2009) explores common online methods which other scholars claim are occurring on the Internet, namely ‘identity tourism’ and ‘disembodiment.’ ‘Identity tourism’ is the ability to explore different identities than your own in media spaces, such as gender-switching, which temporarily allows escape from oppression of your identity. Disembodiment is also common because “the absence of the physical body in electronic space and the anonymity this offers have a liberating effect on repressed social identity” (Daniels 2009, 111). Daniels (2009) points out that some women use the Internet as a ‘safe space’ and others seek body transformation not escape it, rejecting the idea of disembodiment. To support this she offers examples from pro-anorexia platforms, which provides a community of pro-ana girls who encourage each other’s habits and transgendered women’s use of the Internet to transform their own bodies. Daniels (2009) goes on to further acknowledge, akin to Hajj’s point, that media spaces are not necessarily welcoming for all women, as they can perpetuate racial and gendered hierarchies. With a more multidimensional view, she argues, we can begin to accurately research women’s experiences online.
While Anderson (2006) and Davenport (1997) define media communities and information intake, their research by itself is insufficient because it ignores the reality of gendered experiences altogether. In their broad explorations of these ideas, the conclusion that they have both drawn is that these spaces produce mobilization. This again does not explain the phenomenon of the lack of domestic violence cases in Algeria, because their research predicts the opposite. Similarly, Eickelman (2005) and Hussain and Howard (2013) all focus on the positive impact of media in the MENA context, without fully examining gendered experiences or considering the ways in which media could discourage women. Hussain and Howard (2013) attempt to explore this but in the process they ignore women’s real contributions and only acknowledge state efforts to hinder women. Conversely, Berns (2004), Hajj (2017), and Daniels (2009) all delve into gendered experiences online and have produced evidence that media contains negative facets that can hurt women’s online experiences and hinder positive actions. These theories are important to take into account when studying domestic violence discourse’s effect on Algerian women.

After synthesizing the relevant literature, I hypothesize that the elevated discourse that encourages violence in mainstream Algerian media is in fact preventing women from feeling comfortable enough to come forward with their domestic violence cases.

1.2 Research Design

In order to explore this hypothesis, I first have to analyze the discourse of different forms of media on domestic violence. The main forms of media that are discussed are print media (newspapers) and television media (in the form of interviews and segments of popular shows). Articles in popular newspapers from Algiers and Oran, the two most
populated cities in Algeria, were collected. These came from the National Council on Human Rights in Algiers, which has an extensive newspaper archive dating back decades. The newspapers used were found in the 2015-2017 collections, specifically under the women's rights section. From there, thirty articles were found that mentioned domestic abuse and/or the new domestic abuse law that was recently implemented. These were translated from French and used alongside television content in order to gather a more holistic understanding of the discussion that has been occurring since the new law emerged.

I used media content gathered from mainstream national news agencies such as Ennahar TV and Echourouk, which are among the most viewed television networks in Algeria. These networks reach the broadest audience in Algeria, and contain interviews with locals on various political, social, and economic issues. These independently owned networks also host show programs, which discuss domestic and public issues with academics, government officials, and regular Algerian citizens. According to IMMAR, a research and consultancy company that gathered television viewer data in June 2017, 48% of viewers watched private Algerian channels. When looking at individual private channels, Echourouk TV garnered 40% of the viewer ratings, while Ennahar TV had a viewer rating of 14% (IMMAR 2017).
These channels are therefore the appropriate forms of media to target as they offer insight into mainstream society and the content that the average Algerian citizen consumes. Furthermore, IMMAR has approximated that around 99% of Algerians can access television in their homes, either through satellite or through the Internet. In analyzing these forms of media, I will be looking broadly for statements of sympathy, indifference, or victim-blaming. Sympathy acknowledges the hardship that the victims confront, and those who express it are most likely to denounce domestic violence. Conversely, those who are unsympathetic are more likely to accept domestic violence through indifference or agreement. Through these statements, it will become clear whether the people in the videos are encouraging victims to come forth with their abuse (by denouncing domestic violence and working against it) or attempting to silence victims and prevent them from coming forward (by expressing that domestic violence is an accepted part of society or justifying the violence). The analysis of these
forms of media in particular will provide more insight into the attitudes of mainstream Algerian society.

Social media, although a hub of communication and information exchange, does not contain many active Algerian groups on domestic violence in both French and Arabic, which makes them insufficient for analysis.

To determine whether or not the discourse in the media is having an effect on female domestic violence victims, interviews were conducted with domestic violence victims. This research contains seven interviews with women from a variety of cities in Algeria. Many of the women were found in women’s shelters, specifically SOS Women in Distress and Dar el Hassana. The others were found through word-of-mouth, as it is important to reach the women who have had abusive experiences but who are not in shelters for a variety of reasons. These women recounted their stories, and answered questions on their perceptions on the media and how it played a role within their lives and their relationships. In effect, gathering this research for my thesis and comparing the findings allows me to assess if a disconnect exists between media and reality. This will also allow me to suggest a stronger causal link between people’s perceptions of media content and the likelihood of bringing forward (or not, as the case may be) domestic violence cases to the reformed legal system.

\[3\] The values that mainstream Algeria is perceived to hold can affect the viewer’s own opinions on domestic violence, and make them reluctant to act against the mainstream if they hold opposing views.
CHAPTER 2: TRIBES, EMPIRES, COLONIALISM, AND THE EMERGENCE OF THE MODERN STATE

Algeria’s unique geographic positionality, ethnic group composition, historical governance, and struggle to forge its own government have all come to shape modern Algeria and, consequently, the family code and the experience of domestic violence victims in the country. In order to understand the current state of women’s rights in Algeria we must first delve into the historical experiences that have played a crucial role in shaping it.

History’s span of influence in modern politics is often largely contested. Many of those who talk of modern Algeria, attribute its current system solely to Islam, which overlooks the nuance and complex identity struggle that has been taking place for the past few centuries. Algeria has always been home to ethnically diverse indigenous and nomadic people, and the experiences that these groups were a part of, alongside the influence of foreign governments and Islam, has collectively formed the politics and culture that exists in the state today.

Many people also challenge the emphasis of foreign influence in the region (namely the Ottoman Empire and France) and its role in shaping modern Algeria, as they believe it strips the country of its agency. Abdalluh Laroui remarks that Algeria has always been seen as “a land that is conquered, that is exploited, that is ‘civilized’ (Willis 2012, 10).” Many want to challenge the current depiction of Algeria as an “object of history rather than the product of its own experiences” (Willis 2012, 10). A more suitable portrayal of Algerian history would involve the acknowledgement of both moments of exploitation, but also
powerful resistance as a result of initial helplessness. A country has no agency when it is colonized. It does however, in the case of Algeria and other recently liberated nations, breed forms of resistance after colonialism is thoroughly implemented. This resistance marked the beginning of Algeria’s modern identity, most notably under French colonialism.

Algeria’s identity was largely shaped during French colonialism due to the increased suppression (relative to Ottoman rule) and the infrastructural advancements that allowed for the Algerian people to unify during their struggle. These resistance movements produced ideas that were institutionalized in sovereign Algeria’s government and laws. The shifting attitudes towards Algerian women by both the French and Algerians, prior to independence in 1962, set the stage for today’s ongoing battle for women’s rights.

2.1 Algeria’s “Eight Centuries of Peace”

Before the presence of the Ottoman Empire and France, the tribal and nomadic groups within the region formed their own local polities, and were sometimes under the control of a variety of rulers, such as the Romans, the Byzantines, the Almohads, etc. Each time a new ruler overtook villages, they were unable to maintain power over more than a quarter of modern day Algeria. This was due largely in part to the difficulty in maintaining the power in varying landscapes (the humid coastal region, the Atlas mountains, and the Sahara desert) (Stone 1997). In attempting to conquer lands with varying landscapes, James Scott notes, “until at least the early nineteenth century, the difficulties of transportation, the state of military technology, and, above all, demographic realities placed sharp limits on even the most ambitious states” (2009). As a result, Amazigh people in the north were shaped by different experiences than the indigenous and nomadic populations in the Sahara. The groups within Algeria were able to exist in their own sphere, each
forging its own traditions, norms, and ways of life. Everything from marital traditions to agricultural techniques varied, given the difference in resources and experience of these different groups.

The period of time that predates the Ottoman rule in Algeria was termed the “eight centuries of peace.” From the 8th century to the 16th century, various indigenous kingdoms ruled Algeria. Although violence was often present during this era, foreigners did not disturb the region. The power struggle that existed was mostly between local groups, who vied for territory and resources. In this “sovereign” period of Algerian history, the region was fragmented into a plethora of groups, which did not allow for a central national identity to form (Abun-Nasr et al 2016). Tribes were spread across the land and kept to themselves as a measure of security. Village infrastructures were designed in a way to confuse and defend against outsiders, further emphasizing the segregation that different groups sought to cement.

These village structures (ksar), which are often likened to a castle, were comprised of long winding corridors and uneven steps meant to discombobulate attackers, allowing the villagers more time to flee or retaliate if an unexpected infiltration occurred. Tribes all along the Maghreb built defensive ksars, regardless of whether they were surrounded by the ocean or landlocked. The presence of inland ksars suggests that tribes needed defense from even the groups that were situated close to them. During these centuries of ‘peace’ inland groups felt a greater need to defend themselves against their neighbors than any other potential invaders. The diversity, vast land, and defensive measures minimized the ability for groups to unify in the region, and many of them surely did not see a reason to, as
they each wanted to maintain their own traditions and hold power over other groups⁴. Unification came with imperialism, which brought together distanced groups and allowed for an Algerian identity to begin to take form.

**2.2 Ottoman Algeria**

The control of the Ottoman Empire came gradually, as the threat of European imperialism in northern Algeria increased. In the early 16th century, the pirate leaders⁵ who inhabited the northern coast of Algeria felt endangered by the presence of Spanish forces. After the Spanish attacked Algiers, the local leaders, the Barbarossa brothers (also known as “Red Beard”) requested Ottoman assistance in defending the area. The Ottomans agreed, as this was an opportunity to expand their power to Northern Africa. Wanting to protect its own empire from encroaching European forces and maintain Islam within the region, The Ottomans sent military force to defend the area, and ultimately succeeded in driving the Spanish forces away. The Barbarossa brothers, and the subsequent local leaders, maintained power by accepting Ottoman assistance and slowly becoming integrated into the Empire (History Files 1999).

The Ottomans did not control the region as a full imperial force. While Ottoman elites were at the highest level of the governmental structure, local leaders still remained in place. Leaders were obliged to abide by the rules and tax system that Ottoman elites

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⁴ The purpose and historical use of *ksars* is known amongst many North Africans, particularly those who come from them. Here I am citing my own knowledge, as my ancestors come from *ksars*.

⁵ Known as the ‘Barbary Corsairs’. The Amazigh or ‘Berber’ population was also referred to as “Barbary”, especially when they engaged in piracy. Both of these words are problematic as they stem from the word “barbarian” and are therefore derogatory and dehumanizing. I will not be using either of these words in this text, but the majority of mainstream scholarship on Algeria normalizes this language, and further perpetuates this degradation through its continued and abundant use in academic discourse.
implemented. High-ranking officials (pashas) and appointed regency rulers (deys) oversaw the government in Algiers, but grew increasingly more independent from the Ottoman Empire. By the end of the three-century Ottoman rule in Algeria, the officials in the region operated almost independently, and became associated with Constantinople only by name. Before the French colonized Algeria, the majority of the coastal land was unified under Ottoman control, but large parts of Algeria (namely the Sahara) were left untouched and independent of foreign rule. (History Files 1999). Ottoman Northern Algeria had secured its spot in the world because of its strong naval presence in the Mediterranean Sea. Nations, among them far reaching nations such as the United States, entered into contracts with the leaders of Ottoman Northern Algeria for protection in the Sea, as it was riddled with pirates that would attack these nations’ ships (Algeria Martyr Museum 1982). This role empowered Ottoman Northern Algeria, and allowed it to support itself financially and diplomatically.

The end of the Ottoman rule in Algeria officially began with a diplomatic dispute. In 1827, when meeting with the French consul, the regent ruler of Algiers, Hussein Dey, lost his temper and threw his fly swatter at him. He was upset that the French government had defaulted again on paying Algerian merchants for the products that they purchased. After the debt reached over a million francs, Hussein Dey confronted the consul. This incident came to be known as the “affair of the fly swatter” by elite French officials. The French government’s response to the incident was a naval blockade. Three years later, in 1830, France invaded and captured Algiers. After the stronghold city was taken, it became significantly easier for France to drive out the Ottoman rulers in other parts of Algeria (Pamela 2015). Within the Maghreb, Algeria was the only country to experience brute,
sudden military force that was a common colonial tactic in the 19th century. Morocco and Tunisia, both colonized at least half a century after Algeria, were first penetrated through economic means, where the French steadily increased their financial power in the countries, before moving utilizing military force to completely colonize (Willis 2012).

The 1830 invasion of Algeria was not suddenly provoked. The French previously discussed the prospects of entering and overtaking Algeria, as it offered them more control of the Mediterranean Sea and a connection to other African countries, which could’ve improved their trade and sphere of influence. Also within this period, Britain was gaining more control in the area, mostly in Egypt and the Middle East. France became bothered by Britain’s increased power in the region, and explored ways in which it could compete and retain its title as an imperial superpower (Halaço 2013). The fly swatter incident served as a perfect opportunity for the French to occupy the region.

2.3 French Colonialism

France maintained control of Algeria for the following 130 years. It implemented complete domination by overhauling the Ottoman system that was previously in place, and only appointing French officials to leadership positions. Algerians were relegated to second-class citizenship through restricted access to resources and opportunities, and French immigration to the region increased exponentially, as a means to overtake more land and offer more natural resources to French citizens. For the next few decades, France embarked on a mission to gain unwavering control of the area, and integrating Algeria into the country (Barclay et al 2017).

Algeria, which sits just across the Mediterranean, was not regarded as a colony, but as an addition to the country, which prompted a more rapid and violent integration
“L’Algerie Francaise” constitutionally became a part of France in 1848 under Napoleon III’s rule and solidified the importance of Algeria as a colony (Chapin Metz 1993). French citizens poured into the nation with the promise of free fertile land (taken from the indigenous populations) and control of the government and labor markets. Algerians were considered French subjects, therefore not eligible for the freedoms granted to citizens, and were occupationally restricted mainly to the agricultural sector (Halaço 2013). Naturally, resistance movements sprung up to revolt against the harsh subjugation that the Algerians were facing from these new rules. Emir Abd-el-Kader led the most notable revolt—and one that the revolutionaries of the 1950s drew inspiration from—in 1832 (Claude Brower 2011).

Shortly after the French invasion, with the heightened violence as Algeria’s integration into France continued, Emir Abd-el-Kader unified support from various tribes and led rebellions against the French military (Kiser 2017). This is the earliest form of modern Algerian nationalism that exists, as it was founded on anti-imperial sentiments and the struggle that they collectively faced. France’s grouping and degradation of the entire indigenous population gave Algerians a common thread, easing the unification process. Kateb Yacine, an Algerian author, has called Abd-el-Kader the “founding father of the nationalist movement” (Claude Brower 2011, 44). His two wars lasted approximately 15 years, a remarkable feat for a relatively small rebellion group going against one of Europe’s strongest militaries. Abd-el-Kader had lasted longer than anyone predicted, and had earned the title of “humanitarian” for defending the marginalized and his treatment of POW. Emir
Abd-el-Kader was eventually taken prisoner, but was exiled to Syria for the remainder of his life. He was (and is, to this day) renowned by people across the world (Kiser 2017).

The French reacted with such brute force and violence to these rebellions (as expected) to discourage any future revolts. They were successful in their efforts, as no significant rebellions took place for nearly a century. Emir Abd-el-Kader’s forces were the first and last ones to threaten the French until independence.

During the end of the nineteenth century and much of the twentieth century, expansion in Algeria, technology, and political turmoil in the world assisted in further establishing an Algerian identity. French immigration into Algeria did not ease up, and the French expanded their reach into the Sahara. They set up military bases near the desert, and took the most fertile land in the area. Due to the scarcity of resources in that area, this took a significant toll on the indigenous population. Deeper penetration into the region also meant that transportation became more advanced. Roads were constructed spanning thousands of kilometers, and cars were being imported. Although this was intended mostly for the benefit of the French and European settlers, Algerians were able to gain more mobility, and connect with other Algerian populations across the region. The World Wars of the twentieth century also helped bring Algerians closer together (Malley 1996). As French subjects, Algerians and other indigenous people from their colonies were compulsorily drafted into the French army. A 1912 decree made it possible for the French government to forcibly draft Algerians if the volunteer numbers were short (Pine 2016). If an Algerian refused, they were often tortured or killed, and many agreed to do it because of

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6 Among his supporters are western leaders such as Queen Victoria, Abraham Lincoln, and Robert Browning, who penned a poem (“Through the Matidja to Abd-El-Kadr”) exhibiting admiration for the Emir.
the heinous fates that their fellow Algerians endured. Over 100,000 Algerians were thrown into World War I, joining the other half a million Africans that unwillingly fought in the French army (Koller 2014). Many Algerian families suffered losses during the war, which intensified their hatred towards their colonizers, and their grief allowed them to relate to and come together with one another. This happened once more during World War II. These two destructive wars, occurring in a short time span, affected the Algerian population. Many could not fathom why they had to suffer for a war that was started by and concerned only European powers.

The independence movement is a culmination of the Algerian people’s grief. Having suffered more than a century of dehumanization, and half a century of forced conscription, rebellions began across the country. This revolt, unlike Emir Abd-el-Kader’s was much more widespread, and incorporated guerilla tactics. The warfare had evolved significantly since Emir Abd-el-Kader’s time, as there was no longer horseback or rifles, but instead the fighting started in the old neighborhood of Algiers and the rebels' weapons of choice were homemade explosives (Malley 1996). Because of the discreet strategy of the rebellion group (formally the Front de Liberation Nationale or FLN), they were in need of ways to infiltrate enemy territory and plant bombs without suspicion. Precisely because of these objectives, women and femininity came to play a central role in the battle against colonialism. Women’s contributions to the Algerian independence movement are acknowledged and praised, as seen in almost all of the historical accounts from that period. Their unique status in society allowed them to easily navigate both Algerian and French spaces for their own nationalistic purposes.

2.4 Women in Colonized Algeria
During French colonial rule, Algerian women were relegated to statuses below their male counterparts in society, and they held even less rights than a male Algerian ‘French subject’. French society mainly viewed Muslim Algerian women as oppressed and invisible mostly due to their visibly modest personas. In the 1930s, they became intent on ‘westernizing’ the Algerian women, by initiating campaigns to convince them to remove their veils. They believed that Algerian women were the crux of Algerian society, and the easiest to control. Unlike the European women, Algerians wore the *haik* and restricted their exposure to the outdoors, rendering them (in the eyes of the French) as victims of Algerian men who would gladly welcome liberation in the form of bare skin and access to cafes. It was precisely this modesty, and the misunderstanding of Algerian women in society that was exploited during the revolution (Fanon 1965).

The Algerian woman remained a mystery to her colonizers. While Algerian men were constantly mingling with the French through work and other public affairs, the women existed in separate spaces, and rarely overlapped. This distance surrounded Algerian women with ‘mystique,’ that the French were intent on uncovering and conquering. Fanon, in *Algeria Unveiled* makes the case that France’s persistent unveiling campaigns throughout the years were due in part to its obsession with dominating Algerian women, who rejected westernization in the country. The French men’s unsettling obsession with the mystique of the Algerian woman, led them to pose unveiling as the only route that the colonial administration should take. They disguised this as efforts to liberate these women, but in reality they wanted to oust and replace the Algerian men who were in control of the Algerian women. European culture dictated that this “strange beauty” should be “showcased” rather than hidden, and the *haik* was a source of frustration for many
colonialists because it went against their cultural understanding (Fanon 1965). Malek Alloula, through photography, further explains the frustration that Frenchmen often experienced when they try to demystify Algerian women. He asserts, “Algerian society, particularly the world of women, is forever forbidden to him [the photographer].” With regard to the Algerian women donned in haiks, he states “the photographer undergoes an initial experience of disappointment and rejection,” which makes him acutely aware of his status as an impenetrable outsider (Alloula 1986). Unveiling, by their comprehension, became a way in which Algerian women rejected their inferior culture and men, in favor of the colonial society. It was precisely this false notion that blindsided them when Algerian women used unveiling as a method to fight the colonial power.

As exemplified in Gillo Pontecorvo’s film, Battle of Algiers, women manipulated their image with the haik in order to further the resistance movement. Initially, women were not suspected of assisting in transporting supplies and messages for the resistance movement, which placed them in the perfect position (Pontecorvo 1966). As Fanon states, “in the colonialist program, it was the woman who was given the historic mission of shaking up the man” (Fanon 1965). Women, as depicted in one scene in Pontecorvo’s film, used the haik to transport weapons through the crowded city streets without the knowledge of the French police. Men also wore the haik in efforts to escape the police (Pontecorvo 1966). These instances exhibit every party’s awareness of an Algerian woman’s image, and the exploitation of it to undermine colonial rule.

Shortly after the police discovered these methods and began to crack down on the haik, many female rebels began to ditch the white veil. In what is arguably Pontecorvo’s most notable scene, Djamila, a member of the FLN, alongside her two friends, dress in
French clothing, style their hair, and wear makeup for their next attack. Under the ironic guise of familiarity, they entered the French quarters of the city with purses full of explosives (Pontecorvo 1966). Their effortless execution of the plan demonstrates France’s utter misunderstanding of Algerian women, and ignorance to their suffering under colonial rule.

Women’s involvement in the war was not restricted solely to the activity in Algiers. When the revolution spread to the rest of the country, women became active in providing guerilla fighters with the necessities to survive. Many would frequently trek between the cities and the war torn mountains to bring supplies and food to the fighters, while others remained in the mountains to treat the soldiers, cook food, and sometimes even surveil for them. In these instances, the colonizer’s perception of Algerian women as inferior and oppressed beings again allowed the women to exploit these views in order to achieve their own aims. This was the case for Mbarka, who was merely 18 years old at the time that the war broke out. Outside the northwest town of Sfissifa, she and six other girls cooked and helped care for the wounded guerilla fighters in the Atlas Mountains. Known to the fighters as “taghilast sitnat” which is Shilha7 for “The seven girls” or “the seven girls of Sfissifa,” these women’s efforts enabled the fighters to persist. Mbarka did recall a moment in which she was apprehended by French forces, but later let go after she acted emotionally and mentally unstable. After the French forces heard her and her friends singing in the mountains, they surrounded them and began demanded to know what they were doing there. Mbarka suffered from a nosebleed and passed out, and the French soldiers took her to the nearest hospital. When she regained consciousness, she began frantically telling the

7 A language spoken by the Shilha population in Sfissifa.
soldiers of the spiritual demons she encountered in the woods, and warned them to steer clear. The soldiers, convinced that she was merely an uneducated, religious woman who asininely settled down in a dangerous part of the mountains, took her back home. Mbarka capitalized off of the reputation of Algerian women in order to protect both her friends and the guerilla fighters that were hidden in the surrounding areas of where she was found. After a short hiatus and after all suspicion of her passed, Mbarka took up the job of transporting supplies to the guerilla fighters again (1B).

Algerian women were always acutely aware of colonial tactics, and used that knowledge along with their own in order to partake in the national liberation movement. Their contributions became so central to the cause that many of them, including Mbarka, were publicly recognized in ceremonies and awarded medals by the new Algerian government (1B). The events of the 1950s were the last ones to considerably contribute to the modern Algerian national identity, and because of the women’s undeniable presence towards the end, they were able to engage in the discourse surrounding the establishment of the new government. Women as a whole were treated as equals as contemporary Algeria emerged. Women’s rights were frequently discussed, and these conversations would provide the basis for all of the events to follow.

2.5 The Emergence of Modern Algeria

Following the departure of the French government in 1962, Algeria found itself unified and sovereign for the first time in history. As with any revolution, chaos and desperation ensued once the war ended. Algerians rushed to populate old French quarters, and many were freely given houses that had belonged to French families. There was virtually no government, as all but a small group of people working the government
buildings fled after the French victory. With no official government in place, Algerians began persecuting their enemies from the war in the French courts within the country (Ottoways 1970). Negotiations between the revolutionaries, who all had differing plans for Algeria’s future, ensued. A year after independence, Algeria held elections, and Ahmed Ben Bella, of the FLN, became the first president of Algeria (Tlemcani 1986).

The government of Algeria is comprised of three major branches, the executive, legislative, and judiciary. It’s structure holds similarities to western and non-western countries alike, as it has attempted to divide positions for checks and balances, but that is ultimately negated through the overwhelming power that the president holds. The executive branch consists of the president, prime minister, and cabinet. The president is in charge of appointing the Prime Minister, approving every other member of government that the Prime Minister suggests, and is the leader of the Council of Ministers. The Algerian President also has the power to dissolve Parliament, declare war and/or a state of emergency, rule by decree, and initiate revisions to the constitution. Furthermore, s/he decides on foreign policy and can override the budget put forth by the Parliament. Typically, presidents are elected for five years, with the maximum of two consecutive terms. While most presidents abided by these rules, the current president, Abdelaziz Bouteflika, has revised the constitution periodically to support his nineteen-year presidency. As exemplified, the president holds absolute power over the country, and is not liable to any consequences from the government. The prime minister is second in command to the president, and also holds significant legislative power. S/he can sign decrees (approved by the president), and appoint members to the cabinet. The prime minister is also free from consequences, and can only be removed if the president wills it.
Historically, the Algerian Prime Ministers appointed already maintained close friendships with the president before they took the positions, which made it much more unlikely that they would be terminated from their positions. The Algerian cabinet members, recommended by the Prime Minister and appointed by the President, hold the right to approve legislation, and are responsible for the parliament (Carnegie Middle East Program 2010).

The Legislative branch consists of a bicameral parliament, made up of the National popular Assembly and the National Council. The National Popular Assembly, which has 389 members, is the more powerful chamber in parliament. Members are elected for five-year terms, and eight seats are reserved for Algerians in the diaspora. This chamber holds the right to dissolve the cabinet with a two-thirds vote. The National Council, consisting of 144 members, can only pass legislation through a three-fourths majority vote. Members are appointed to six-year terms, and a two-thirds of the members are voted in through general elections. The president maintains the right to terminate any Member of Parliament’s term(Carnegie Middle East Program 2010).

The Judicial branch is divided into a variety of hierarchical courts, and is headed by the High Council of Magistracy. The president, unsurprisingly, is the leader of the High Council, and appoints judges to the different courts. The president can also access the other councils regarding specific affairs, such as the Constitutional Council, The High Islamic Council, and the High Security Council. The civilian courts are structured by region, and if

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8 In the summer months of 2017, President Bouteflika removed Prime Minister Tebboune after three months of being in the position, and reappointed Ouyahia, who was dismissed from his post a few years prior due to corruption charges. Ouyahia remained a close friend of President Bouteflika, and it is speculated that Tebboune’s dismissal stemmed from his intent to crack down on government corruption (Moroccan World News 2017).
needed, advance to the courts of appeals, and the Superior courts. Each of them is divided into four chambers: The civil, criminal, administrative, and accusation groups. Civil chambers are responsible for all civilian disputes, including issues such as marriage and custody (Carnegie Middle East Program 2010).

2.6 Women in the New Algeria

Algeria, although it received financial and diplomatic support from communist countries such as Russia and Cuba during the war, implemented a socialist regime (Ottoways 1970). Many of the old French structures remained in place, and were altered to provide more benefits to the Algerian people. Healthcare and education became free and accessible to everyone in the country, regardless of tribal origin, region, or gender. Female literacy rates increased dramatically, and some women who fought in the war were even given administrative positions in the new regime (Ottoways 1970).

The majority of women, however, felt their positions in society regressed after Independence. They imagined the equality that existed between them during the war would be upheld in the forming of the new government, but lost hope after their rights were seen as secondary to the other issues Algeria was tackling. In 1992, during a demonstration against the newly elected Islamist party, women in Algiers held a banner that read, “Hassiba Ben Bouali, if you could see our Algeria now” (Slyomovics 1995). This paid homage to one of the most prominent women who fought alongside men during the Algerian Revolution. The banner illustrates the frustration and disappointment towards the new Algeria, which was continuously regressing with regards to women’s rights. In this, the feminists used an elevated and praised figure to juxtapose the difference in women’s freedom across time. In another instance, one women in the 1980s stated, “Our only regret
is the loss of that absolute equality during the revolution. As far as that’s concerned, we seem to have moved backwards rather than forwards” (Shaaban 1998). Women have been promised equal rights to men, and although voting rights and consensual marriages were granted to women following independence, they were still denied the proper legislature that would protect them. Women channeled their frustration into action, mobilizing to protest and urge the MPs to uphold their revolutionary promises. Their efforts to discuss women’s rights in Algeria finally urged the Parliament to create the 1984 Family Code (Salhi 2003).

While the government framed the 1984 Family Code as a solution to the issue of women’s unprotected rights, many feminists were enraged and disappointed at the process of its creation and its content. In 1981, President Chadli announced a new family code would be written and instituted, without elaborating on its content. Newspapers began to speculate that this code would be deeply rooted in ‘Islamic values,’ as Chadli’s government was known for trying to incorporate religion more into government. Women have grown cautious of the ‘Islamicization’ of texts or entities, because oftentimes they are just oversimplified patriarchal interpretations that ignore the rich nuance of Islamic laws. It becomes hard to oppose these rules without being seen as sacrilegious. Algerian women, who were angry that this was the approach that the government was taking, nonetheless protested. Their most immediate demand was to make the drafting of the family code as public as the other legislation that was passed, to allow for public reactions and input. First they confronted the Union Nationale des Femmes Algériennes (UNFA), which is a government organization whose mission is to represent and support Algerian women. The presence of this organization and its silence on the issue of the family code reaffirmed the
notion that Algerian women were recognized as an integral part of the nation, but not prioritized or listened to. Shortly afterwards, approximately five hundred women gathered in front of the National Assembly to protest during a closed door session on the family code. Khalida Messaoudi, a leading feminist at the time (and who would later go on to become a politician and Minister), stormed the National Assembly and demanded that the family code be subject to the wills of the people, and not just a government elite. The Assembly then gave Messaoudi and the other protesters four days to propose new amendments. With hundreds of people attempting to negotiate with each other on whether to accept or reject this proposition, the four days quickly passed with no resolution (Salhi 2003).

The family code of 1984 held many restricting rules for women, and legally created unequal power dynamics within marriage. It outlined the rights of women before, during and after marriage (divorce). The age at which a woman could legally get married was 16 years old, and her consent was not a legal requirement. Women were not involved in the drafting of their marriage contract, as the groom and the Wali, or the legal guardian of the bride, drafted it. The Wali was not necessarily a person of the bride’s choosing, which provided the potential for coerced marriage. Once married, women faced other obstacles under the family code. Women were not allowed to pass down Algerian citizenship to their children, which disadvantaged half-Algerian children because Algeria citizenship could ease the process of travelling to the country, as well as provide them access to benefits such as free healthcare and education. Polygamy was easily achievable as the consent of current

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9 The nationality issue particularly enraged Algerians when the children of Palestinian and Algerian parents were unable to leave the West Bank and Gaza (due to their lack of citizenship to another country) when violence broke out in the region in the early 2000s.
wives was not necessary for a man to remarry. These overwhelming disadvantages sometimes created toxic environments for families, and exacerbated women’s status in Algeria. Unfortunately, the legal obstacles that the family code imposed on women did not end with divorce. In order for women to even file a divorce, they were required to provide much more substantial justification than their male counterparts, and even then it was not a guarantee that this would result in divorce. Initiating divorce also meant that women gave up their right to alimony, and they were never entitled to their houses, because it was believed to be the responsibility of a man to purchase the house, and therefore his rightful property in divorce. Husbands also had more of a claim to their children, and would automatically be granted full custody if they requested it (1984 Family Code). The 1984 family code worsened women’s situation in Algeria. Disappointingly, the government had done what the women in Algeria had ask for by passing legislation on their rights, but in the process completely neglected their voices and issued a disastrous code that women are still fighting against today. The presence of this legislature set back the feminist movements, and provided a guideline and precedence for courts to enforce gender inequality for the next several decades.

A common misconception surrounding the Algerian Family code is that it is a product solely of Sharia law. While it is undeniable that the family code does have patriarchal Islamic influence, its roots also stem from western, and more accurately French, law\textsuperscript{10}. Numerous academics and state agencies continue to oversimplify the Algerian family

\textsuperscript{10} The purpose of this explanation is not to justify the sexist laws that were created in Algeria and the other countries mentioned here. The purpose is to put into perspective the
code by stating that it is derived from old Islamic traditions, and “Algerian women are still subjected to the dictates of seventh century Koranic law” (Ottoways 1970, Chapin Metz 1993). By continuously framing it as a piece of Islamic legislature and refusing to acknowledge the similarities between the personal status laws in Muslim and non-Muslim majority countries, we continue to perpetuate Middle East and North African exceptionalism and minimize the impact of western imperial systems in the formation of post-colonial nations. As Ann Elizabeth Mayer states, “westerners also fail to realize that aspects of family laws in Muslim countries that strike them as archaic had, until recently, counterparts in Western law” (1995).

Even the basic foundation of the judicial system in Algeria and its Maghrebi neighbors is an adaptation of French colonial law. In old Islamic law, religious scholars handled the legal disputes within populations, by referencing parts of the Quran in their justification for each verdict. When Algeria, Morocco, and Tunisia gained independence from France, each decided to reject the old Islamic format, and relied on a system that would allow them to consolidate most of the power in the new government apparatuses instead of the local religious community. This “new” system in post-colonial Algeria takes almost the exact form of the French legal system, which Algerians were exposed to throughout the entire colonial period. Another similarity that is often ignored in the prevailing narrative surrounding is women’s legal status in marriage. Since the nineteenth century, France had a civil code in place that disadvantaged women before, during, and after marriage. Women were not allowed to work, travel or enter into public activities without their husbands consent. They were not consulted on discussion regarding the evolution of law in various countries, and to bring to consciousness the similarities in order to dispel much of the unwarranted Islamophobic remarks on the Algerian family code.
terms of the marriage, and were not able to easily seek a divorce. These went on to institutionalize gender inequality, and these laws were present in French colonies until the day they gained independence (Mayer 1995).

The change in women’s legal status in France and other western nations took place in the span of one decade, from 1965-1975. These changes correspond to the post World War feminist movements that demanded legal reforms, and were granted because of the evolving economic and political conditions, in addition to the strength of these movements (Mayer 1995). The timeline of reform in western nations is crucial to consider when analyzing Algerian laws, as it puts into perspective just how recent women’s legal status has changed globally. Framing the Algerian family code in this context demystifies and de-orientalizes much of the mainstream discourse that has attributed the Algerian family code solely to religion. The acknowledgment of both colonial and Islamic influence in Algeria’s legal system, and more importantly in women’s rights, is important in order to understand the complexity of the nation’s post-colonial thought process and how women have attempted to navigate it. The presence of colonial influence is important to understand where many of the laws were derived from and its normalization in history. Religion’s presence in Algeria also alludes to the diversity of the factions in the nation since independence, and the clashing between advocates of patriarchal Islamic rules and feminist groups.

This clash could not have been more prominent than in the Algerian Civil War of the 1990s. Although the war was between the religious conservatives and the Algerian government, women faced increased violence for their beliefs and lifestyle by the religious conservatives. Weddings were raided if music was played, and if women were found to be
in colorful celebratory clothing (the norm for Algerian weddings, as most traditional clothing contains colorful prints and embellishment), they faced verbal and physical threats\textsuperscript{11}. Female abduction and rape became more widespread during these violent years and as a result, women were fearful to go to school or work (Ertürk 2007). The conflict, which lasted from 1991-2002 and claimed hundreds of thousands of lives, created an environment where women (and men) feared for their basic right to live, and therefore were much less fixated on family code reform. The Algerian journalist Rachid Khiari explained, “people lived for eight years not knowing if they would even return home when they left the house in the morning. People saw babies massacred and whole villages wiped out. Today there are cases of schizophrenia relating to those years. It was horrible, and after a while, no one knew who was killing who anymore” (Beardsley 2011). There was less of a mainstream feminist presence during this time, as it was abundantly clear (through the constant violence on women) that the religious conservatives were against them. The Algerian Civil War was a lost decade for its women.

A few years after the end of the civil war, and following in the footsteps of Moroccan family code reform, Algeria made changes to their code. 2005 renewed hope for feminists, as 34 articles were modified, and eight were added, bringing about the overdue changes that feminists have been working towards for two decades. The reformed family code made changes to all stages of marriage. The minimum legal age for marriage was brought up to eighteen years old, and women were now able to choose their own Wali. Consent was legally obtained. While forced marriage, or jabr, was always illegal in Algeria, no proof of consent was necessary in the past. Women are now able to pass down their citizenship to

\textsuperscript{11}This knowledge also comes from various experiences that my family members had during this time period.
their children, and custody is on a circumstantial basis, making it easier for women to gain full custody. Attaining approval for polygamy has now become an arduous process, and is not possible unless the wife consents and agrees to go through the entirety of the legal process as well. Similar to Morocco’s family code, the justification for this was an Islamic one, as the Quran states that polygamy is only allowed if the man has the economic and emotional means to care for multiple wives. It further states that if a man is unable to treat his wives equally, then he is not allowed to partake in the practice. This has made polygamy infinitely harder, as the mainstream argument in the nation is that no one has the capability to treat two wives in completely equal manners, therefore rendering the practice as practically null. This is just one example of how Islam has been used to reduce gender inequality. Finally, Divorce has become easier for women to file (Algerian Family Code 2005). These changes worked in the favor of Bouteflika’s post-civil war government, as it displayed their commitment to bettering the legal situation of women in the country, and helped them garner immense support.

The latest addition to women’s legal rights came about in 2015, when Algeria became the first country in the region to criminalize domestic violence. Domestic violence figures estimate that prior to the law, almost 10% of women in Algeria were victims of domestic abuse (this number does not account for victims of abuse who do not report their situations) (Human Rights Watch 2017). Domestic violence was prevalent after the war, and it was evidence in the reports released by agencies such as UN Women, National

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12 Polygamy in the nation has decreased
13 Islamic feminism has gained momentum in the Maghreb countries, and their presence is immensely important, as they counter the religious conservatives with religious textual evidence. This can make more of an impact, as religious conservatives would denounce women for their lack of religiosity but lack a basis to do so for these Islamic feminists.
Human Rights Council, and the State Ministry for the Family and the Status of Women. These reports highlighted the need for women’s protection, which the government came to publicly acknowledge. The domestic violence law of 2015 makes violence against women punishable by up to 20 years in prison, or life in prison if the violence results in death (Djarboub 2016). Once women were able to provide evidence of abuse through physical check ups, they were granted immediate divorce. The new law also protected women’s financial assets, by stating that their husbands have no right to control them. The domestic and international communities brought attention to this law, who praised the government for taking another step to bridge the legal gender inequality. The domestic physical and financial abuse law did evoke opposition however, by men in parliament who claimed that this law interferes and “aims to break up the family” (Middle East Eye 2015). The backlash was miniscule, however, compared to the overwhelming support that it had from members of parliament and other elite government officials. Justice Minister Tayeb Louha asserted, “violence against women in our society exists and is growing”, and went on to further argue for the law by stating that this law reflects Islamic values, as the Quran has verses that protects women’s wellbeing and does not allow for violence against them” (Middle East Eye 2015). This law, like similar reforms in the 2005 family code, draws upon both religious text and factual evidence (increased violence against women), displaying again how religion can serve the interests of women in the region.

Women's rights in Algeria have changed significantly in a historically short period, but is that evident in practice? Much of the discussion on domestic violence in the media talks about the disparity between law and practice in the country. While many people recognize that women have attained significantly more legal rights, women have expressed
their disappointment on national television about the lack of enforcement. If women can only “hear of these rights but do not see them,” then what is the reason for all these efforts? In the following chapter, I will use data gathered from domestic violence victims across Algeria in order to gather a deeper understanding of the effects of the legal reform on domestic violence, and whether the elevation of the topic in media has made an effect on women’s willingness to engage with the judicial system.
3.1 Perceptions of Domestic violence in the Media

When the domestic violence law emerged in March 2015, over 30 articles were published in popular newspapers in the cities of Oran and Algiers. Vibrant discourse emerged that mainly supported or was critical of the new law in place, and many denounced the Islamist party for criticizing the law and claiming that it would “break up the family unit” (Middle East Eye 2015). On March 3rd Le Quotidien d’Oran wrote, “There are no foreign pressures that have brought about this law, which was imposed through the religious and cultural beliefs of the society.” It further elaborated by stating, “To not take the necessary measures to stop domestic violence against women is contrary to the principles of Sharia Law, which protects women and their dignity” (2015). A month later, on April 7th, El Moudjahid supported the claims of the Minister Mounia Meslem, who stated that this was a great first step in changing the mentalities towards this taboo. While people sung the praises of the new law, there was still a lot of awareness of its shortcomings, and sought to express that within written media, some going so far as to call this new provision in the Family Code a “double edged law” (Benhamed 2015). On March 4th, El Watan, which was highly critical of the clauses in place, stated, “Nevertheless, this law is not enough to protect women against assault and battery, forced marriages, rape, and the many intimidations they suffer from their families” (2015). Liberté, on February 5th, asserted that “this bill, which the government keeps on presenting as a protection for women, is, in fact, only a decoy to those who are very fragile and prone to the pressures they will inevitably suffer from family and society” (Hamma 2015).
The Islamist party also came under fire by all these newspapers and more, for being explicitly opposed to the implementation of this law. Some reiterated the Prime Minister's belief that this law stems from Sharia law, as the protection of women is an important pillar. They then went on to mock and criticize the Islamist party, who claimed that this law would ‘disrupt family order.’ El Watan even titled one of their articles on the new law, “When the Conservative-Islamists are Against Women” (Tlemcani 2015). These newspapers, which all took different angles on the issue, highlight the initial reactions from journalists on the subject, and discuss accurate concerns that arise from this law and its implementation in society. The newspaper articles on domestic violence also provided great opportunities for journalists to elaborate on the rights that this law brought to women, and in many cases they even outlined the prison sentences that abusers could face for different violations. Overall, newspapers overwhelmingly sided with domestic abuse victims and urged the betterment of women’s rights in the country.
Today, the average citizen consumes visual media instead of print. 99% of Algerian households contain televisions, and with increasing access to social media, they are relying more on satellite and online platforms to quickly access news (IMMAR 2017). In all my discussions surrounding domestic violence discourse\textsuperscript{14}, people alluded only to television and social media for examples of popular discourse on domestic violence. While the mainstream papers are known to appeal to the more liberal educated crowd in Algeria, television is not. It is consumed by all citizens, and therefore aims to be “representative.” Ennahar TV, founded in 2012, promoted itself as a news outlet that would represent the average citizen’s and promote freedom of speech. It did this by attempting to display the diversity of opinions that people had, mainly through street interviews. In displaying vastly different opinions however, there is always a risk that they are falsely representing the population. For instance, on a topic such as domestic violence, they may frame the segment to appear to be representative, by showing half of the interviewees as being for domestic violence and half of them being against, when in reality the opinions within the country may not be evenly split. Many of the reactions that are shown in these interviews are also passionate, showing people who are either strongly for or strongly against. Due to the lack of a country survey on the issue, we have no data that accurately captures Algerian’s opinions to domestic violence, and therefore rely on media as a way to gauge opinions.

\textsuperscript{14} These discussions were with relatives, neighbors (in Algiers and Ain Sefra), taxi drivers, airport personnel, and some restaurant owners. People who I perceived to be of various educational, socio-economic, geographical, and professional backgrounds.
next issue, then, is whether this potentially false representation is detrimental in greater society, as it may overestimate the amount of people who support domestic violence and normalize it in the public sphere.

Giving a space for domestic violence supporters validates their opinions, and gives them a public, wide reaching space to justify their actions and gain the support of viewers, even if that is not the intention of the host. On a segment on Ennahar TV, the host interviewed people in a popular shopping mall in response to the new domestic violence law. The people that were shown to be against the new law had passionate reactions to the law, stating that men are now more disadvantaged than women, and that more women will use this tool frivolously, in a counter-abusive way. Another man asserted that “it is true that we are against domestic violence towards women, but for someone to be sent to jail for 20 years if he makes a mistake—that is a prejudice against men.” A few expressed opinions that “putting your husband in jail” is wrong, and that there are other forms of mediation that should happen before going to court (Ennahar TV 2015). The segment, true to its mission to be ‘representative’ did display opinions that were strongly for the law, showing men and women of varying ages praise the law as a way to empower women, and stop the ongoing abuse that some women face. However, giving those who oppose the law a space to express their views and delegitimize women’s decisions to come forth with their abuse in courts can outweigh the benefits of showing people who support the law and women’s empowerment. Developing a rhetoric, which victimizes the men and accuses the women of using her “privilege”, can encourage abusers to publicly accept what they have done and dismiss it as normal behavior.
This is exactly what occurred on the other top national network, Echourouk TV, during the television show “Red Line,” when a Palestinian man living in Algeria appeared to urge his Algerian wife to come back to him. This show provides a platform for people to appear anonymously, narrate their problem, and receive advice from the main host and her guests. The man explained that his wife must come back to him for the sake of their children and her reputation. After he divulged his issue, the main host tried to bring him back to the beginning of his story. She asked him why his wife left him in the first place. The man then explained that he hit her after a dispute, to which the host asked the man how he could expect his wife to come back to him if he does not apologize for his behavior. He dismissed this point, stating that she has a higher responsibility to her family, and that her response (to escape) was not warranted. While the host tried to push back on this, the man did not seem to understand how his behavior was wrong, and more importantly, why he would need to apologize or come under fire for what he had done (2016). The intent of the media, to produce shows and segments that ‘represent’ Algerians, although good in its intentions, has paved the way for potentially detrimental discourse, as is evident with the victim-blaming on the Ennahar TV segments or the normalized presence of an abuser on Echourouk TV. This could have effects on not only viewers who have experienced domestic abuse, but on those who are far removed from this topic, and could perpetuate victim blaming and/or the idea that men are now ‘being oppressed’, and continue to normalize its presence.

Media’s most harmful contribution to domestic violence in the nation, however, has been its role in depriving domestic violence victims from having a voice on a national platform, and perpetuating stereotypes of what a domestically abused women looks like.
The only voices that seem to be missing from these discussions, both in print and in visual television, are those of the victims.

3.2 Background on Women

The people who arguably hold the most knowledge on domestic violence’s social and legal realities are those who are victims themselves, and specifically, those who have the opportunity to pursue a legal way out of their situation. While the majority of the discourse on domestic violence victims in this chapter will be focused on those who have engaged with the legal system, it must still be acknowledged that too many women in Algeria are still enduring their abuse silently, not having access to the courts for various reasons (the most hindering ones being physical and socio-economic barriers). The stories outlined in this chapter can be viewed as relative successes—success defined as their removal from these abusive environments. Each woman’s story varies, yet these women from different parts of Algeria, and of different backgrounds hold similar opinions and recommendations for helping other domestic violence victims.

The women interviewed came from a range of ages. The youngest woman was in her late twenties, while the oldest woman was in her early 50s. All of the women had children with their abusive ex-husbands. Most of the women interviewed resided in women’s shelters at the time that they were spoken to. One woman was at SOS Femmes en détresse (SOS Women in Distress), which is a UNHCR supported shelter in Algiers, which aims to help women who are fleeing horrendous domestic environments. They are a transitional shelter that houses women and provides financial and psychological support, while trying to reintegrate them into society by finding them permanent housing and a job. Four women were at Dar el Hassana, a government run shelter that provides refuge for homeless
women. This shelter, unlike SOS, houses a variety of women such as orphans, those with mental illnesses, domestic violence victims, etc. It is the largest shelter in Algeria, and on average it houses fifty women. Women are allowed to enter and exit as they please, and many make use of the psychiatric services there. This highly secure shelter maintains a great reputation even within the international community, as many nations donate annually to it through their embassies.

The last two women interviewed came from higher socioeconomic backgrounds (within the middle class) whose stories were referred to me through relatives. While the women in the shelter come from lower socioeconomic statuses, the women that have never needed to go to shelters provide experiences of the barriers that women of a higher social status still face, and are crucial in understanding the diversity of victim’s experiences.

Despite the climbing numbers of domestic violence victims in the nation, jumping from approximately 1,000 reports\(^\text{15}\) in 2012 (CIDDEFF 2012 report) to approximately 4,000 in 2017 (Human Rights Watch 2017), the frequency of women at shelters and in court has remained the same since the end of the Civil War (Dar el Hassana and SOS Women in Distress 2017)\(^\text{16}\). Due to the scarcity of shelters and the confidentiality of court cases, it is difficult to find female domestic violence victims and therefore gather a more representative view of the experiences they face. Nonetheless, this thesis highlights the opinions of the few women who were able to come forth with their stories, and aims to accentuate the commonalities between the women and the similar reactions that they have had to media and greater Algerian society.

\(^{15}\) The numbers here are for reports of abuse, which does not necessarily translate to judicial cases

\(^{16}\) This was gathered by talking to staff members at the Dar el Hassana and SOS Women in Distress shelters when conducting interviews with victims
The disjuncture was apparent even when attempting research on the subject. In the busy intersection of the Rue De L’Indépendance in Algiers, a police officer stood across from the National Human Rights Council directing traffic. My mother and I approached him, asking him where we could find the SOS Women in Distress Shelter. He stood confused for a few moments, first telling us that he does not know where the shelter is located, and then telling us “I hope it’s not for either of you.” We clarified that it wasn’t, and told him that I am heading there to collect research. He laughed and said “Ok good, I was shocked because you don’t look like you belong there.” We later came to realize that the shelter was located a street away from the intersection. This police officer’s lack of knowledge on available resources and stereotyping of abused women parallels that which is portrayed by some people in the media. Women’s reality, as explained in interviews, reaffirmed this disconnect.

3.3 Women’s Reality

The media, mainly television, has continued to elevate opinions about domestic violence and victims that are riddled with misconceptions. Many Algerians interviewed on Television segments have stated that this law is “discriminatory towards men” and will entice women to “search for small reasons to take their husbands to court” (Ennahar TV 2015). What is not acknowledged in the media, however, is the long, tedious, and often dangerous process that domestic violence victims need to endure in order to bring their cases to court. The women who shared their stories in these interviews had a more holistic view of the perceptions and reality of domestic violence in Algeria, and their experiences led them to disagree with mainstream sentiments. Many of them expressed that the legal ‘protection’ granted to them does not extend beyond the walls of the courts. The reality for
domestic violence victims is often that they face a lot of barriers when trying to obtain legal protection. As one interviewee stated, “you hear of all these custody and divorce rights, but when you enter the terrain then it’s a whole other reality” (2A).

The pre-trial process alone can be enough to discourage women from filing for divorce. These women, who were in abusive relationships anywhere from five to twenty years, had to successfully navigate the pre-trial process, oftentimes with little financial and emotional support. Seeking a legal way out of their relationships was also dangerous, as all of their husbands’ physically confined them, and aimed to control their lives. Once they did find an opportunity to leave, the women found themselves with little professional assistance, corruption, and no accommodations that would allow them to be removed from their abusive partners before and during the trial. Those stemming from a higher socioeconomic background were usually able to overcome these challenges, while others obtained divorce with great difficulty or fled to women’s shelters.

The first step in filing for divorce on the basis of domestic violence is obtaining a 14-day certificate from a court doctor. This report details the injuries they endured for the past 14 days of the report, and is a crucial piece of evidence in court. But as one woman pointed out “14 days does not encompass all that I have experienced in my relationship”(2B). As these certificates only document one incident out of the many that they have experienced, it misses out on the full extent of physical and mental abuse that victims face. This certificate is then taken to the police, where it will ideally be processed and result in a court date. In smaller towns, however, finding a court doctor is not guaranteed. One woman from Biskra, who escaped her house one night after getting severely beaten by her drunken husband, was unable to find a court doctor for a few days.
She instead filled out a descriptive abuse report at the hospital, which was refused at the local police station because it did not come from the doctor. When she finally received a 14-day certificate and filed it at the police station, she encountered a friend of her husband who tried to shame her from following through with the process. She recalls, “He tried to discourage me by saying ‘No this is your husband, you shouldn’t put him in prison. This time he’ll straighten out.’ So I returned to him.” (2B). Her husband, upon learning that she filed a complaint against him, told her that if she did not retract that claim then he would have his friends testify against her in court for prostitution and adultery, which would separate her from her three children.

She explained, “I was afraid. I was afraid for my reputation, my parents, and my children—if he makes a claim like this in court I would lose my children. So I stopped the investigation. I cried as I signed the documents to stop the investigation. If the officials were doing their jobs properly, they would know that I was reluctantly dropping the charges” (2B). Another woman from Algiers faced a similar situation. She sought a divorce after 19 years of marriage due to her husband’s abuse and infidelity. A mother to four children, she was physically and mentally abused by her husband, and later by her oldest son. The first time she sought help, her husband convinced her children to talk her out of it. “He closed all my doors,” she said, in response to her life before her divorce (2C).

Victims of emotional abuse find seeking a divorce to be immensely more difficult, as emotional abuse isn’t always recognized as abuse in court. When a professor at a University in Mascara brought her case forward for emotional abuse, she found difficulty in proving it. Her husband was unemployed, and he controlled all of her finances. “He was living with my money” (2D). The more she stayed with him the longer she realized that his controlling
tendencies and mental abuse made her feel insecure and submissive. She mentioned how her high level of education did not make her immune to abuse, but that it was a reason why she stayed in the marriage, and also why others did not believe she was being emotionally abused. “With him I degraded, because he made me think that I was less than him, even though I was more educated than him. What I endured was discreet violence. Like how a drop of water on rock does nothing at first, but eventually it erodes and breaks” (2D). She eventually brought a divorce case forward on the basis of infidelity and neglect, because she knew that she had no evidence for abuse, as it was not physical. Her divorce was granted, but she lost her house in the process, which she would have gotten had she been able to prove that she paid for it or if she was able to prove physical domestic violence.

The false notion that women will find it easier to file for divorce and will therefore abuse this new right, which is continuously brought up in the media, is very misguided. As one interviewee remarked, “you can’t do it unless you are absolutely certain you want to leave and have someplace to go. That’s why so many people stay silent, because they have no place to go” (2A). Domestic abuse victims navigate a flawed system to get the rights that they deserve and are promised under Algerian law. By requiring time-consuming processes before the trial, victims are left to return and defend themselves against their abusers, leaving them in exceptionally unsafe environments.

Once women successfully overcome the pre-trial barriers, they face the trial process, where being granted their full rights are not necessarily guaranteed. As lawyers are not required for trial, women often forgo or are unaware of the additional reparations they can legally obtain. Under law, if a man is to blame for the divorce (for infidelity, abuse, or any other unacceptable conduct) then he is required to provide financial assistance and
reasonable housing accommodations to his wife after the divorce. All of the divorced women spoken to stated that their ex-husbands defaulted on their payments after the divorce. While defaulting on payments can result in more fees and possible jail time, the women’s husbands got away with it using the same tactics. They would pay one month of their remuneration, and use the proof of payment for that one month in court to argue that they were consistently making their payments. The courts accept this, and all of the women eventually gave up on getting their payments.

While trial can lead to losses for the women, it is important to highlight the advantages that it can give them as well. With a 14-day certificate and witnesses, women are almost always granted divorce by the judges. Judges are widely known for siding with victims, and they use trial as an opportunity to denounce the behavior of the abusive partners. In the case of the woman from Ain Sefra, recounting her abuse in court gained her the sympathy of the judge, and ultimately allowed her the custody of her daughter. She sought a divorce after her husband took her daughter away from her for weeks. The woman initially sought the help of the police, but was turned away because they would not consider this an abduction case. This drove her to court for a divorce, with the goal of getting primary custody over her daughter. In court, she divorced him on the basis of infidelity, as well as physical and emotional abuse. The judge eventually granted her this, and publicly offered his support. He told her “Put yourself first, and think about your own future. If you think this man will get better we can close the case, but if you don’t think he will change then I will grant you this divorce”(2A). To this the woman responded, “I have lived through the period of terrorist [Algerian Civil War] for ten years, and these past five years brought me back to those days. I do not feel safe in my own home” (2A). The woman
was granted a divorce and custody of her daughter. The husband, unsatisfied with this decision, took the case to the district court. Fortunately, the district judge decided to uphold the verdict from the lower court. When another woman from Ghilisane took her husband to court for domestic violence, the husband profusely tried to deny the claim. The judge, however, told him that there was undeniable proof of the abuse because of the certificate, police statement, and the witnesses who came forward. He immediately granted the woman a divorce. While the system has its flaws, these authority figures that are upholding the new laws are important for maintaining the legitimacy of the process. Many of the judges expressed sympathy, and the women recall that the trial made them feel validated in their experiences and decision to leave.

Throughout these interviews, many of the women emphasized that their family and neighbors were the ones that had the most impactful effect on their situations. Upon finding out about the abuse, family members urged the women to leave, and took steps to ensure that they could. The woman from Biskra recalled her neighbors efforts to help her after she spotter her with swollen eyes and bruises on her body in the morning. She took her to the hospital and paid for her medication. Later, the woman’s uncle drove her and her children to Algiers, after the women decided to leave her husband when her efforts to get a divorce failed. Due to their low socio economic status, her family was unable to financially support her, so her uncle later brought her to a domestic abuse shelter, where she would be assisted with housing and finding employment (2B). In the interview, the woman from Ain Sefra outwardly stated, “it is because of the help of my parents that I am standing here” (2A). After her parents discovered the abuse, her father urged her to divorce her husband, and convinced her to move to her parent’s house with her daughter. Her mother and father
supported her financially, and provided childcare when the woman decided that she wanted to work. Other women highlighted the support that they received from their neighbors inside and outside of court. The woman from Ghilisane detailed her last night being abused by her husband before she sought help, and mentioned that without her neighbors, the police would never have been called. They heard the abuse, contacted the police, and later physically prevented her husband from getting close to her while the police were on their way. One of her neighbors, a doctor, was able to treat her injuries immediately and even issued her a 14-day certificate that night. Many of them later testified against him in court (2E). The woman from Algiers, who faced abuse from her oldest son after her husband left, was saved by her passing neighbor. She described her neighbor as a highly respected ‘man of religion,’ who entered her home and physically, restrained the son. The woman also spoke about an anonymous neighbor who would leave groceries on her doorstep as a gesture of support (2C). For many of the women, the decision and ability to divorce or leave their husbands came only after the support of neighbor and family. They navigated the legal process, corruption, and lack of resources and accommodations with the support of social networks.

Above, I provided a brief and general outline of these women’s experiences, but it is worth considering the specific cases of two of the women, one who successfully17 emerged from the legal process and another who was unable to get the legal protection that she sought, to understand the complexity of the issue.

The woman from Ain Sefra comes from a middle class family and is one of eight siblings. She was a college graduate from one of the local universities, and married her first

17 “Success” is used relative to the other cases described here.
husband at the age of 21. Like most of the people in the town, she moved to her parents-in-law’s house while she and her husband raised enough money to buy a house on their own. She married a man that she was convinced that she loved, even though her parents warned her to be cautious about him, as his family had a questionable reputation in the town. After two months of marriage she got pregnant, and she also remembers that time as the beginning of her tumultuous and abusive relationship.

Throughout her pregnancy, she began to face more physical and verbal abuse from her husband. Her in-laws did not help her, and they in fact helped to intensify the situation when they cut off all communication from her and her husband. She previously had a few arguments with members of his family, and they decided to stop talking to her even though they collectively lived together. The problems continued after they moved into their own house in a neighboring part of town, and did not end until after the woman gave birth to her daughter. Her husband, offended that his family would treat him like this, began to physically take his anger out on her while she was pregnant. This situation was worsened by the fact that the woman soon discovered her husband cheating on her with a younger woman. He had used her phone a few times to call his girlfriend, and in one instance forgot to delete their messages before handing the phone back to his wife. The woman ultimately decided to forgive her husband for his infidelity for the sake of her daughter. After she gave birth, and in an attempt to alleviate the animosity that her in-laws had towards her, she visited his parents’ house and asked for forgiveness.

The woman attempted to fix the problems in her marriage by reconciling with her husband’s family, but unfortunately, it wasn’t long before he found new reasons to mistreat her. While their daughter was still a newborn (approximately a year into the marriage), the
woman underwent a procedure due to the threat of colon cancer. The woman then decided to spend a few days recovering in her parents’ house. After a few days passed, her husband called her and told her to get her stuff together because his brother will be coming to take her home. She protested, telling him that she still felt sick and she had not fully recovered. He responded with, “If you do not come now you will never come back.” The woman, under the impression that this was just another angry outburst that will subside, decided to stay. A week after this conversation, the husband sent her the keys to the house. Although he did not indicate that he was leaving during that week, he had cleared out his belongings from the house. The woman called him to ask him why he had sent them, and he told her that their marriage was over. A few days later, le huissier\textsuperscript{18}, or court administrator who notifies a person of a subpoena for his/her presence, came to the woman’s house to notify her that her husband has started a case for their divorce. The case never made it to trial however, because the man retracted it a few weeks later. Her parents, at that moment unaware of the physical and verbal abuse that she had been enduring, warned her against returning to him. His parents also told him that if he gets back together with his wife, he must move to the outskirts of town, in order to create distance between themselves and the young couple. The woman and her husband reconciled, and they moved to a small town outside of Ain Sefra, named Tiout. The abuse worsened after this, as the woman found herself removed from her friends and family. Her husband also frequently came home intoxicated, and it was mostly in these moments of intoxication that he would physically abuse her. This isolation and abuse continued for 6 months, until they moved back to Ain Sefra.

\textsuperscript{18} Huissers come from the French legal system, and was a position that remained in place after the transition into the post-colonial state.
Even though by this point the woman had faced years of abuse, she recalls her time after moving back to Ain Sefra as the peak of her situation. Her husband physically and mentally abused her, while her mother-in-law verbally abused her and although she knew of her son’s physically abusive behavior, she did nothing to help the woman. In the interview, the woman states that she did not seek outside help because she believed that “the troubles between a married couple should remain between them.” It wasn’t until much later in the relationship, with the help of her parents, that she realized the behavior was abusive and that she should leave.

She recalls one series of events in particular, in which she became acutely aware that she should leave. She admits, however, that although she knew she should leave she did not leave until months later, when another incident initiated the divorce process. The series of events that made her aware that she should leave was when her sister gave birth to the woman’s nephew. Traditionally, the immediate family is present immediately after the birth of a new child, and a baby shower occurs days afterwards, which is open to the extended family and friends. The woman, however, was unable to be with her sister immediately after the birth because her husband had ordered her not to go. The woman’s husband and her sister’s husband had been on bad terms, and throughout that conflict he forbade her from going to her sister’s house or interacting with her in any capacity. The birth of her nephew would have been the first time in months that she was able to see her sister alongside with her family. The day that she was meant to go, she got a phone call from her mother that made her step out of the room that her baby daughter was in. By the time that she returned, she found that her daughter had soiled her pants. She started to scold her daughter (who was not at a level to respond or even understand what was being
said) when her husband heard and came into the room. He yelled at her for speaking loudly, and told her that she can no longer go to her sister’s house. He then left the house and locked the door from the outside. Crying, she called her mother to tell her that she could not go. Her mother reached out to the husband, who was able to manipulate the story in order to blame her for the incident. As celebrating a new birth in the family spans several days, where the people come at all hours of the day to give their congratulations, immediate family is expected to be present to assist in hosting guests. When the woman was finally able to attend, she could only go for one day because her husband told her she could not go for longer. Aggravated on the day that she was supposed to go, she made lunch for her husband and said, “it’s over there.” in a tone that he got angry about. He yelled at her, and hit her in the back with a rolling pin that he grabbed off the counter. Already weak from exhaustion and stress, the woman passed out near the stove that was on. Today, she still suffers from spinal problems that she got from that injury. She was unaware of how long she had been unconscious for, but recalls waking up a few hours later on the kitchen floor with her daughter over her (she had crawled over). Her husband had finished his meal, turned off the stove, and left during the time that the woman was unconscious.

One year and a half later, the divorce came about over the abduction of their daughter by the father. The woman had realized that their marriage was beyond repair, but tried to get her husband to meet with her father so he could counsel them. The husband refused, and the woman went to her parents’ house anyways with her daughter. The next day, the husband told the woman to come home to tend to him and his brothers, as his brothers were coming from out of town. She complained, telling him that his sisters and mother are more than capable of hosting them on their own. She told him that she would
rather remain at her parents’ house, as she hadn’t spent time with them. The husband, enraged by this response, drove by the house and found his daughter playing outside. He picked her up, and took her away to his mother’s house. The woman’s young niece, who had been playing with the daughter, came inside to tell the woman what happened. The woman called her husband, and he told her that her daughter would stay at his mother’s house. He told her that if she wanted to get her back, she would have to stop asking him to return all the money and gold\(^\text{19}\) that he took from her. She agreed, but he still wasn’t convinced and further prevented her from seeing her daughter. In response to this, the woman and her mother went to the police station to file a report. The police, however, told them that this is not considered abduction, as the couple is legally married and they are both the legal guardians of the child. The woman then went to the courts to file for divorce and immediate custody of her daughter, stating domestic violence and infidelity as the reason.

Previously, the husband told the woman on multiple occasions that he wants to divorce her. When they were in the courtroom, however, he told the judge that he did not want to divorce his wife. The wife, astonished at the shift in narrative, started crying and told the judge that he was constantly threatening her with divorce. The husband then responded that if she wanted to divorce him then she should pay him reparations. After the wife recounted the past 5 years of her marriage, the judge angrily turned to the husband and asked, “How can you consider yourself a man?” The judge asked her what she was asking for in the divorce. The woman reiterated that all she wanted was primary custody

\(^{19}\) Women often keep their savings in the form of gold jewelry, as it is a more secure method than the local bank in small towns, and allows them to have quicker access to their money (centralized debit and credit systems are not popular in everyday transactions in Algeria).
over her daughter. A month after deliberations, the woman was granted a divorce and primary custody of her daughter.

A few years after the finalization of the divorce, the woman became employed and eventually remarried. She emphasized that without the financial and emotional support of her parents and siblings, she would not have been able to rebuild her life. She mentioned difficulty in trying to find someone that would be accepting of her daughter, and because of that ended many relationships. She states that in the end, the marriage was worth it, as it brought her daughter into the world. “She is my life. Even if a man were dipped in gold I would refuse his proposal if he didn’t let me live with my daughter. I would divorce ten men for my daughter” (2A).

The woman from Ain Sefra has had more ‘success’ in her divorce, relative to the other women who were interviewed. It is important to acknowledge that many women have similar stories to the woman from Ain Sefra. Due to her socio-economic status and supportive family, she was not concerned with housing fees, lawyer fees, or other living expenses. The interviews mentioned here were collected mainly from shelters, with two interviewees who are exempt from that category. Women who have gone through divorce because of domestic violence, and have not sought outside resources or shelters, are difficult to find in society, unless you hear about their situations through friends, family, or directly from them. These women were mostly of a middle or upper-middle class background. While speaking to women I just met or those in my own family about my research, many of them were able to think of at least one woman who has gone through similar situations as the woman in Ain Sefra.
The woman from Biskra was unsuccessful in bringing her case to court and getting a divorce. Her story is important to mention, as it presents another avenue that other women have had to go through when they are unable to attain the legal protection that they sought. In highlighting her story, we can see instances of corruption within authority, specifically in smaller towns where almost everyone is connected and holds a relationship with one another. In her case, her husband’s friends held positions within the police force, which was enough to hinder her from entering court with her case.

The woman from Biskra is originally from the capital, Algiers, and moved to Biskra after her marriage to her husband. Her father, knowing very little about him from their meetings, convinced his daughter to marry him. Prior to meeting her husband, she had made it known that she was in love with another man, but her father did not approve of him. So instead, much to her regret, she married this man and moved to Biskra, a town approximately five hundred kilometers away from home.

She found herself isolated with no support system. When she arrived in Biskra, she discovered her husband was an alcoholic, and was a part of a group of men in the town who were known as ‘the mafia.’ She recognized that her marriage had problems from the beginning, but recalls that she always thought that she could learn to love him and change his ways, which convinced her to stay. She remained in the marriage for ten years, and in that time has had three children.

Her children were the main reason that she stayed in the marriage, because she feared losing them if she pursued a divorce. The abuse began early in the marriage, and most of the incidents occurred when her husband returned home from a night of drinking. “Every night was different and unpredictable,” she stated. Some nights he would abuse her
and lock her in the house, while other nights he would get angry and through her and the children out of the house until the morning. On some occasions, she managed to leave the house before he physically abused her (he never hit the children). She frequently sent her oldest son to his grandmother's house, so he could be away from the violence. Her other two children remained with her all of the time, as they were attached to her and below the age of six. She recalled an upsetting incident after her husband abused her one night. Her youngest son, who was three years old at the time, ran over to his mother after she was hit in the face. She held on to him, and the blood from her nose gushed on to him as he screamed at his father "I want to hit you! I want to throw you off of the balcony!" She said, "In that moment, I felt that my son was thirty years old, not three years old."

Although she had no family of her own or friends to confide in, there were others who were aware of her ongoing abuse. Her husband's brothers had witnessed the aftermath of her husband’s abusive outbursts, and they talked to him on multiple occasions to get him to stop. Unfortunately, after years of scolding him and telling him to stop his abuse, they gave up, and cut off communication with him altogether. The woman was not on good terms with her mother-in-law or her sister-in-law, and they were the only other people that knew the intimate details of her life. After the woman was abused, her husband would often manipulate the story to convince his mother and sister that the woman provoked him, and therefore ‘deserved’ her ‘punishment’. The mother-in-law and sister-in-law then sided with the husband, even though they were aware of his alcohol addiction and violent tendencies. The only other people that were aware of the abuse that she endured were her neighbors, as they often heard him yelling and hitting her. Many of them did not directly intervene, however, because they feared the husband and his reputation.
The woman did attempt to leave her husband once before, in 2016. She left filed for divorce and went to her parents’ house in Algiers. She soon pulled the case, however, when her husband came to her parent’s house and apologized profusely. He claimed that he would enter a rehabilitation center for his alcohol abuse, and make adjustments to their marriage to satisfy her. Her parents, who had just become aware of the abuse she was enduring, were adamantly against her returning to him, and told her that if she goes back to him then they will never forgive her or speak to her again. Against the advice of her parents, she decided to return to him, and her husband resumed his abusive ways. Not too long afterwards, she called her parents for help after he abused her again, but they told her that she was at fault for returning to him and because of that she must figure out a way to get out of that situation on her own.

Her most recent attempt to bring him to court for divorce was the summer of 2017, during the Holy month of Ramadan. The woman came to the realization that she must leave her husband, and so she began working part time to save money to rent an apartment in Algiers. Her husband soon found out, told her to stop working immediately, and took all of the money that she had saved. When she tried to protest, he hit her and broke her nose and collarbone. The woman was bleeding heavily and in excruciating pain. In order to prevent her from going to the hospital, her husband locked her in the house from the outside and left for most of the night. Early the next morning, she found the door unlocked and left for the hospital while her husband was still sleeping. One neighbor, offered to drive her to the hospital after noticing that the women’s eyes were bloodshot and swollen. After they arrived, the woman discovered that the court doctor was not available, and instead she filed a descriptive report to take to the police. At the police
station, she was told that they could not accept the report, as it did not come from the court doctor.

A week later, she borrowed money from her neighbor\(^{20}\) and again left the house at around six in the morning with her youngest children, while her husband was sleeping, to wait for the specialty doctor at his office. Because she arrived a few hours before opening, she had to wait outside for him. In this time, her husband had realized that she was gone and went looking for her. Once he found her he tried to force her to leave, at one point physically grabbing her, but because she made a scene he decided to give up and go home. Shortly afterwards, the specialty doctor came and she was able to get the 14 day certificate that she needed to start a divorce case. When she returned to the police station, she encountered her husband’s friend who tried to talk her out of bringing that charges forward. When asked about her encounter with the police officers, specifically when they tried to dissuade her, the woman said, “it was as if I hit him, not as if he hit me. It was in those moments that I felt that I wasn’t in my country, that I wasn’t among my people, and that I was a stranger among them.” When she got home, her husband told her that if she does not drop the charges, he would destroy her reputation by bringing her to court for prostitution. This charge would invalidate her own charges, and she would certainly lose custody over her children. Out of fear for losing her children, she decided that she would drop the charges. The woman had exhausted her legal options of leaving an abusive relationship, so out of necessity she took her children and left Biskra.

The woman found a good opportunity to leave when she discovered her aunt was deathly ill. She was able to convince her uncle to come get her, and he in turn was able to

\(^{20}\) Even though Algeria has free healthcare, some specialty doctors have fees. The court doctor is considered a specialty doctor.
talk to the husband and convince him to let her go alone. She took the children, and they all drove to Algiers to visit the aunt. After she saw her, she left to find a job and rent an apartment. A relative notified her that her husband was calling to inquire where she was, so she got rid of her old number and registered her new number under a different name. She was able to find a small studio to live in, but found it quite difficult to find employment. She soon ran out of money to keep paying rent, and her uncle, who had heard of the SOS Women in Distress shelter, brought her there while she tried to find other housing and employment opportunities (2B).

When she arrived in Algiers and made it known that she was intent on leaving her husband, her family started talking to her again. Unfortunately, they were unable to house her or contribute to her living expenses, because of their low socio-economic background. The effects of socio-economic status are apparent in the two stories that were discussed. The woman from Ain Sefra was able to receive more help in court, through hiring her own attorney, and her parents covered her living expenses during and after the divorce. The woman from Biskra did not have that privilege, and without access to money she was unable to hire professional help or even leave the house. Even after she left, she noted that it was very difficult to live because she could not find a job or reasonably priced apartment in Algiers. She stated that a large reason why women do not always leave abusive relationships is because many of them feel insecure about their future living situations.

These stories were provided to offer more insight into some of the paths that women who have endured domestic abuse have taken. Differences in socio-economic class, resource availability, and emotional support all contributed to the different paths and outcomes that the women had. There are some common threads however. All the women
interviewed recounted an abusive incident that made them realize that they had to leave the relationship they were in. They all mention neighbors or family members that supported them and assisted them in seeking legal protection or leaving. For those that successful went through trial, they all mention the ways in which their ex-husbands were able to default on their payments without consequences. These common experiences highlight flaws in the system and give accurate insight on domestic victims’ reality, which is ignored by the mainstream media. Leaving these stories out of the media also helps to perpetuate misconceptions on what a victim should look like. The women interviewed stemmed from various socioeconomic and educational backgrounds, and they were also from a variety of ages and locations.

3.4 Women’s Views on the Media

Given the disparity between the reality of domestic violence and media discourse surrounding it, it was unexpected to discover that the many of the women reacted indifferently to the discourse. All of the women except for one had seen segments on television that discussed domestic violence. During the interviews, the women were asked to recount their stories after they provided some basic information on their upbringing and family. They detailed their entire relationship with their abusive partners up until the present day. While they did touch upon interactions with neighbors, friends, family, and authority, they did not directly mention discourse surrounding domestic violence on the media. Sometimes, they would allude to society’s attitude towards domestic violence victims or divorced women—by trying to discourage them from coming forward with cases or by recalling the disapproving attitude from community members towards a
woman's divorce. It wasn't until the women were probed about media's role that they began to discuss their opinions.

The indifference towards the media discourse manifested itself in different ways. The woman from Biskra, who had seen media segments, said that the discourse didn’t concern her when she was in the abusive relationship. She did not have the privilege to care, and instead was fixated on finding ways to safely leave her husband with her children. She instead opted to shift the conversation to discuss legal measures and resources that could be put in place that would support and benefit all victims who left abusive relationships (2B). The woman from Ghilisane, who had also seen some television segments on domestic violence, also did not care for what people had to say. After quoting some of the opinions towards victims, I asked her if the negative or positive opinions that she had heard on television mattered to her, especially when she was still in the abusive relationship. The woman’s response disregarded the question, and instead rhetorically asked, “but why would anyone ever hit someone?” (2E).

The woman from Algiers first expressed hope at the new laws, but said that her experiences soon altered her attitude. She stated, “When I first heard of the changes that took place in the Family Code, that’s when I thought that the Algerian woman could start to breathe. Shortly after the emergence of the law, however, she was proved wrong and relied solely on her own experiences in an abusive relationship and during the court process to inform her opinions on domestic violence (2C). Her own experiences trumped those in the media, and led her to become dismissive of the media discourse. Similarly, the woman from Mascara, who was the only one that did not see the segments, said that she did not care for
the portrayal of domestic violence victims on the media, because she does not believe anything that the media puts out (2D).

The only direct affect the media had was on the woman from Ain Sefra. She explained how an advertisement for a women’s organization that aired during a popular television news segment gave her hope. This organization, based out of Tlemcen, Algeria, was comprised of women who were fighting for custody of their children. The women came from a variety of backgrounds, some of them relating to domestic violence. A few of the members also included female lawyers, who offered their assistance for free on these cases. After seeing this organization, the woman reached out for help. She said that while she did not get a reply from the organization, she also did not adamantly pursue that option because she was able to hire an attorney and rely mostly on her. When asked about the debates on the media segments, the woman from Ain Sefra expressed the same indifference as the aforementioned women. “You see people on TV talking. Even before the law came out, people talked about this on television, but I’m telling you that in practice it is not the same as it is portrayed. It’s all talk in the media, but in reality, there [legal protection] is nothing” (2A).

Yet the women’s indifference to media discourse on domestic violence is very informative, and indicative of a much larger issue. It reveals that the women have lost trust in the media, and cannot rely on it or the guarantee of legal protection in their lives. According to these women, neither the condemning or supportive statements towards victims lead to any change in the outcome of the victim’s life. They hold the most knowledge on the complexities of living with domestic violence, and ultimately do not turn to the uninformed and unsympathetic people for help. When it comes down to it, the
women are not focused on what society thinks of them, they are focused on trying to evade abuse. Even those that help the victims hold different relationships to them and come from varying backgrounds. They do not think of the national discourse on the issue, but rather the moral implications of not helping a woman that they know is being subjected to cruel forms of physical and mental abuse. In the cases discussed above, those who have helped the abuser have intimate connections with him, and enable the abuse because of their loyalty to this person. Due to the strong influences in their social circles, the women do not always have the luxury to engage with the discourse on television. When they do think about it, their overall discouraged attitude towards society and authority cause them to have an indifferent reaction to the opinions that are said.
CONCLUSION

This thesis explored the gap between legal reform and informal practice with respect to women's protection, through women's interviews and media discourse. The majority of the research was gathered in the capital, Algiers, which is also known for having a myriad of resources relative to the other parts of the country. This, however, does not mean that the interviewees all hailed from the capital. Many of the women interviewed went or remained in Algiers after their abusive relationships because they anticipated that the resources available to them would be greater than any other city in the country. This proved true, as Algiers is the only place to have well-known women’s shelters and human rights organizations that help abused women. The interviews were gathered in two of the largest shelters, Dar el Hassana and SOS Women in Distress, which collectively tend to hundreds of women. The interviews that took place outside of Algiers also serve as a reminder that there are women in more rural populations or outside of the capital that face abuse, and in this case the women were also different because they had the socio-economic means to support themselves and remain in their hometowns. The media discourse that was gathered came from newspapers television media. The newspapers appeal to a smaller educated audience, which mainly reaches people of middle and upper class backgrounds. Almost all citizens, regardless of location, class, or affiliation, consume television media, making it the best way to gather mainstream attitudes towards domestic violence. The segments looked at are from the main national news networks, which have the highest ratings in the country.
The findings of this thesis deviated from my hypothesis. I speculated that the media prevented women from coming forward with cases, because of the victim blaming and support for abuse that some people expressed in the media. The women, however, were not discouraged from the comments, but were discouraged by their own experiences, and the media did nothing to change their perspectives. The majority of newspapers supported the advancement of women’s rights through the new laws, but were also critical of its flaws and its implementation. Television media was different, because it had almost an equal share of mixed reactions to the new laws. Some denounced the new laws, stating that women will take advantage of it, while others supported the law, stating that it is one step closer to achieving equality. Even with such active media discourse occurring, the women interviewed were indifferent towards it. While surprising at first, I became more convinced as the women elaborated on the reasons why they felt indifferent. The indifference stems from hopelessness, as the women have come to realize that they face the same obstacles regardless of the messages on the media. Opinions on television have not brought them increased resources in real life or emotional and financial support from friends and family. Their reality has remained the same, and until it improves, many of them do not want and/or do not have the privilege of engaging with this content.

Laws do not always guarantee justice to its full extent. While Algeria has taken a major step by criminalizing domestic violence, the work on protecting victims is far from done. Women continue to face obstacles before and after seeking legal protection. They lack resources, support, and confidence in greater Algerian society. The misconception in the media carried by many citizens who were interviewed, is that with these laws woman have now attained equality or even more privilege than men. The disparity that exists
between the reality of women’s experiences and media’s perceptions of victims remains quite large. Through the above interviews with women, it is clear that many of them have not experienced equality, and in some cases continue to be denied their legal rights. There are many changes that could be made, both legal and social, that would support women and strengthen the legitimacy of the domestic violence laws in Algeria.

There are extensive legal upgrades that could be made which would promote the well being of domestic violence victims. The 14-day certificate that is required for court needs to be either altered to include evidence of abuse beyond that timeframe or abolished altogether. As some of the women stated, the certificate does not accurately capture the full extent of their abuse, especially if they have been enduring it for years. Furthermore, requiring a special doctor to issue these certificates has, in some cases, disadvantaged women. In rural settings, it is not always guaranteed that a court doctor is available, therefore prolonging the process and forcing the women to remain in their abusive relationships until they can consult with the court doctor. This issue is expected to be more prevalent in more rural settings, as their facilities are not as extensive as the ones found in the big cities. The woman from Biskra encountered this issue. She said, “For an abused woman to leave her house and find no help once she does is horrible. I was alone, didn’t have any money, and when I got to the hospital I couldn’t find anyone to help me. I should be able to find a physiologist and other resources to help me. It shouldn’t be on me to leave the hospital and go to the police and try to do this on my own” (2B). She offered changes that could prevent other women from experiencing what she went through. “If I were to rewrite the law, I would put a court doctor in all 48 wilayas [states]. I would have a psychologist at every hospital that would specifically help battered women, and I would
make it required—required—that hospital officials go to the police if they suspect a woman is being abused" (2B). Her encounters with the police officers also highlight the corruption that could hurt victims, especially in small towns. A stricter system should be implemented where victims can either file their complaints through or with a specialist, or report the incident to multiple people in order to ensure that it is received and will not be thrown away by an abuser’s friend in the police force. These officials should also be trained in dealing with victims, and additional measures should be put in place when victims attempt to drop charges against their abusers.

Lastly, a change in the text of the law is necessary. The current law allows sentences to be dropped if the victim ‘forgives’ their abuser (Algerian Family Code 2005). This almost encourages coercion. Many of the women interviewed have had threats made against them by their abuser, some of them dropped the charges immediately, like the woman in Biskra who faced false prostitution accusations and the loss of custody over her children, while others faced charges and were able to continue the legal process with the right financial and emotional support, like the woman from Ain Sefra whose daughter was kidnapped. Allowing ‘forgiveness’ in a relationship that is deeply fragmented and has a large power imbalance is counter-productive, as that clause can be used to further deny women their rights and keep them within these toxic relationships. These legal changes are necessary if any large impact is to be made on Algerian society.

Additionally, many social changes can also take place to assist women who are in or recently out of abusive relationships. Founding more shelters across Algeria is a necessity, as not every woman can be expected to travel to Algiers to find refuge at one of the few organizations that exist. For the organizations that exist, funding and increased visibility
are also essential. It was difficult finding the SOS women in distress shelter, and not even the local population was able to point out the shelter to us. Dar el Hassana, while a better-known shelter that serves women facing a variety of issues, was also initially hard to find. It was only with the help of a taxi-driver who frequented the area that we were able to find the location of the shelter. Visibility is important, for both the victims of abuse as well as the population at large. It is likely that many women are unaware of the presence of these shelters, or how to find them. Increased visibility would also bring more awareness to the public of this issue and dispel some misconceptions that exist.

Education could also play a role in informing the public of the reality of abuse. Bringing awareness to abusive relationships, and promoting healthy balanced ones from a young age could be a preventative measure. As was the case with the women interviewed in this thesis, it takes too long for people to understand that they are in an abusive relationship. Most of the time, people from outside of the relationship identified it first, and helped the victim get out of their situation. But there are cases in which women never leave, and the people that surround them do not see the relationship as abusive. Some of them, unfortunately, end up victims of murder. These are the voices that never get to be heard, but education could help prevent these relationships or stop them before they escalate.

Media, although not a platform that many victims of abuse seem to trust right now, could also be harnessed in positive ways. Social media could serve as an ‘imagined community’ for victims and advocates to come together, provide support, and inform each
other on resources or their experiences. Currently, there are a few Facebook pages\(^2\), each with thousands of likes, which denounce domestic violence. The pages are *SOS Femmes Battues* (“SOS Battered Women”), *Contre l’Algerie Misogyne* (“Against Misogyny in Algeria”), and *Contre l’agression verbale et physique des femmes ds les rues en Algerie* (“Against verbal and physical violence towards women in the streets of Algeria”). Only two of these pages are currently active, while the other one (*SOS Femmes Battues*) has not posted since 2016. The current pages offer messages of support, share other women’s experiences, and encourage vibrant conversations take place in the comments section of posts. Having more online spaces like these would benefit women who have endured abuse, as they sometimes cannot find the support that they need in their surroundings.

Due to the triggering nature of domestic violence, it is often hard for those who have experienced it to discuss the topic. It is therefore the responsibilities of those who have had the luxury of never experiencing it to advocate for victims, or, at even the basic level, inform themselves on the realities of abuse. Not only is it dangerous to be ignorant to the existence of victims, but also it is even more detrimental to society at large to perpetuate stereotypes and falsehoods in regards to domestic abuse. This allows the violent cycle to persist, and abusers to be free from morals and consequences. If Algerian society is to improve women’s rights and therefore society at large, it must acknowledge the struggles that these women have faced, and go about correcting the misinformation that mainstream society has pertaining to these women. It is therefore crucial that more research be produced on domestic violence in Algeria. While the laws are new to the country, domestic violence is not. Raising awareness and bringing these conversations to academia are also

\(^2\) Facebook is the most used form of social media, and it has users with varying ages and locations. As it is popular, it is the most appropriate platform to look for
important in legitimizing the experiences that these women have had, and seeking solutions to help domestic violence victims and prevent this from happening. Research is lacking, but that does not mean an abundance of stories does not exist.

Above all, when a victim of domestic abuse is willing to come forward with their experiences, we must listen. Throughout this research, women have often told me that confidentiality is not an issue to them. Many of them, after months or even years of therapy, have come to terms with their past and wanted to make their stories and voices known to bring attention to this issue and help others overcome abusive relationships. It is with the help of these outspoken victims that the realities of domestic violence can become more widely known. The women encountered during the process of this research, although disheartened by society, saw telling their stories as an opportunity to empower themselves in a system that has suppressed their reality, and in the face of people that have tried to silence them for years.
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Appendix

Interviews

1A: August 7, 2017. Algerian International Lawyer and Women’s Rights Activist in Algiers, Algeria.

1B: August 16, 2015. Mbarka, former liberation fighter in Ain Sefra, Algeria.

2A: December 29, 2017 Woman from Ain Sefra in Ain Sefra, Algeria.

2B: December 21, 2017 Woman from Biskra in Algiers, Algeria

2C: December 24, 2017 Woman from Algiers, in Algiers, Algeria

2D: February 14, 2018 Woman from Mascara, in Mascara, Algeria

2E: December 24, 2017 Woman from Ghilisane, in Algiers, Algeria