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OPEMAM Analysis

ELECTION REPORT:

ALGERIA / Legislative elections

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Background:

The "Arab Springs" which commenced in Tunisia in late 2010 and extended to Egypt and Libya through the early months of 2011 also resonated in Algeria. Throughout January 2011 and to a lesser degree the whole first quarter of the year, there was significant turmoil in cities across the country. Teenagers shrouded *intifadah*-style in scarves, hurled stones at riot police and attacked public property whilst demanding sugar and other basic food products whose prices had rocketed supposedly due to bottlenecks in supply and distribution.

The Algerian authorities responded to the protests by reinforcing the subsidies on food products and by announcing in March - to much surprise - the lifting of the State of Emergency, in place since 1992. This measure, which had been sought for years, considerably restricted public liberties. Its lifting however, was not complete since the law was kept in place for the capital, purportedly for security motives so as to avoid possible terrorist attacks such as those that took place there in 2007.

In a speech on April 15th 2011, which simultaneously revealed the president's exhaustion from a long illness, President Abdelaziz Bouteflika announced a process of reform and gradual political changes. The first step was a process of national dialogue between the government and political parties, associations, unions and notable personalities, leading onto the drawing up of four draft laws regarding political parties, media, associations and elections. The climax of this sequence of controlled changes is to be a reform of the country's constitution, to be enacted by the new parliament.

During the second half of 2011 four major new laws were passed, but these generally failed to live up to expectations. Although the new media law did away with the much feared and repressive prison sentences for press offenses, it maintained substantial fines for those offenses. The associations law and party law did not bring an end to the multifarious restrictions affecting each of these both separately and in their relations with each other. In the opinion of many associations, the new law increased their level of submission to administrative control. The party law however, did allow for the legalisation of some twenty new political parties by making the requirements to do so more flexible. Finally, the new electoral code introduced some promising new measures: electoral supervision by magistrates (although the impartiality of these is not proven), strengthened international observation of elections, through an EU mission; a variable quota of reserved seats so that women can increase their presence in a newly expanded lower house of parliament, which has gone from 389 to 462 seats.

This desire for reform, modest though it may seem, served to convince several traditionally abstention-prone parties to take part, especially the FFS (Front of Socialist Forces), the historic socialist party led by the independence leader and Kabyle, Hocine Ait Ahmed. Other leftist parties, such as Louisa Hanoune's Workers' Party (PT), called for a high turnout claiming somewhat dubiously that the new Legislative Assembly would be granted constituent powers. The Islamist opposition figure Abdellah Djaballah was allowed to take part in the election this time round, with his new party the Front for Justice & Development (FJD-el Adala). These steps created some degree of expectation that these elections for the seventh Popular National Assembly (2012-2017) would bring about political change and a substantial rise in voter turnout, which last time round in 2007 had not surpassed 35%.

Quantitative indices of democracy:

Algeria was classified in the following democratic performance rankings just before these elections:

Measurement	Name and year of report or database	Institution	Index	Points, ranking and classification
Political rights and freedom	Freedom House Report 2012	Freedom House (FH)	PR: political rights CL: civil liberties	PR: 6, CL: 5 (Scale of 1, free to 7, not free) Classification: Not free
Degree of democracy in earlier elections	Polyarchy 2.0 2003 (referring to the 2002 elections)	Peace Research Institute of Oslo (PRIO) and Tatu Vanhanen	ID: Synthetic Democracy index, Part: Participation, Comp: competition	ID: 10.41, max. 49 Part: 27.75, max. 70 Comp: 37.5, max. 70 (Democracy minimum: ID: 5, Part: 10, Comp: 30) Classification: Democratic
Consolidation of authoritarian and democratic institutions	Polity IV 2010	Center for International Development and Conflict Management, Univ. of Maryland	Democracy: consolidation of democratic institutions Autocracy: authoritarian consolidation Polity: synthesis of both	Democracy: 3 Autocracy: 1 Polity: +2 (Scale of +10, very democratic to -10, very authoritarian) Classification: Weakly democratic
Perception of corruption	Transparency International Corruption Perception Index 2011	Transparency International	TICPI: Perception of corruption index	TICPI: 2.9 points out of 10, (Scale of 1 very corrupt to 10 not at all corrupt) Ranking: 112 out of 182 countries Not transparent
Management of political and economic change	Bertelsmann Transformation Index (BTI) 2012	Bertelsmann Foundation	MI: Management Index, quality of transformation management	MI: 4.01 points out of 10, Rank: 97 out of 128 countries. Weak management
Democracy, including press status and corruption	World Democracy Audit Dec. 2011	World Audit	World Democracy Rank: political freedom (FH) + press and corruption (TI)	World Democracy Ranking: 99 out of 150 countries, division 4 out of 4

Definition of the electoral and party systems:

There were several innovations to the electoral and party systems this time. On the whole, the proportional system using the Hare formula for seat allocation and a 5% electoral threshold at district level was retained. That said, given that the number of seats in the Assembly was raised, purportedly due to a population increase (from 34 million in 2007 to 37.1 million in 2012), the average district magnitude also rose. The median rose from 7 to 8.5 and the mode from 4 to 5. Accordingly, the majority of districts are henceforth medium magnitude (between 5 and 10 seats), with no small districts (2-4 seats) left and an expanded number, from 8 to 15, of large magnitude districts (i.e. more than

ten seats). These changes aside, the traditional bias in favor of the relatively unpopulated districts of central Algeria, and more generally, of rural districts over urban districts, was left unaltered.

The introduction of a quota for women MP's generated a lengthy debate. In the end the government opted for variable and progressive quotas according to the population of each district, with the quota ranging between 30% and 50%. The maximum percentage, i.e. parity, was only installed in those districts reserved for Algerians abroad. Nevertheless, a 'zipper system' with male and female candidates alternating consecutively, was not adopted, leaving parties the freedom to choose the order of candidates on their lists. The number of female MP's assigned by the quota system was based subsequently on the population of each constituency.¹

Another important innovation was the use for the first time of transparent ballot boxes. Up until now cardboard boxes have always been used, making it impossible to know at a glance if the boxes were empty before voting began or if they were full or half-full at the end of voting.

The Algerian party system could have been affected by the burgeoning of some twenty newly-legalized parties, but in fact underwent few changes. The three major blocks (nationalists, leftists and Islamists) remained practically intact and the new parties simply inserted themselves into these. The nationalist forces were represented both by the FLN and RND as well by a range of smaller parties which barely have any political platform (FNA, Ahd 54, ANR, PARA, MPA, FNL, PNA). The leftist camp lost the RCD this time which boycotted the elections, but did pick up the FFS which decided to run after more than ten years of boycott. Finally, the Islamists seemed mostly to unite in a new alliance, the Alliance for a Green Algeria (AAV). That said, several key Islamist figures distanced themselves from this coalition, notably Abdellah Djaballah and Abdelmadjid Menasra an MSP dissident.

Impact of the electoral formula and constituency size on the elections:

The increase in both district magnitude and the number of seats in parliament would seem to favour, at least in principle, a greater degree of proportionality in the results as well as more parties entering parliament. The 5% threshold however, is meant to prevent excessive fragmentation. The essential hallmark of previous parliaments remained the same in these elections, that is to say excessive representation of sparsely-populated and central districts, at the expense of the more densely-populated coast. As an illustration, the number of smaller districts (with 5-6 seats) made up one third of the total.

On the other hand, questions were raised about the introduction of a variable female quota, specifically about its practical application and the ultimate number of women who would be elected to the assembly. Given how it was applied in the end, there was a real possibility that the female 'quota' could remain empty (or unoccupied), no matter the magnitude of the district, if all the parties that made it past the electoral threshold only obtained one seat and did not have any women as number one candidates on their lists.

¹ The practical application of the female MP quota system is detailed in a document published by the Algerian Interior Ministry titled "Affectation des sièges aux femmes", available on the Ministry's website (available 11 June 2012):

<http://www.interieur.gov.dz/Dynamics/frmltem.aspx?html=65&s=23>

Results:

Official turnout: 43.14%

Nationally: 45% approx.

Abroad: 14% approx.

Votes cast: 9,339,026

Enrolled voters: 21,645,841 (990,471 enrolled abroad)

Valid ballots: 7,734,979

Spoiled ballots: 1,704,047 (18.24% of whole)

ALGERIAN LEGISLATIVE ELECTIONS, 10 MAY 2012

Name of list	N° votes approx. ²	% votes approx.	N° seats	Seats 2007	Women's seats
FLN	1,324,363	17.3%	208	136	68
RND	524,057	6.9%	68	62	23
AAV	475,049	6.2%	49	59 ³	15
FFS	188,275	2.5%	27	Boycott	7
Independents	671,190	8.8%	18	33	5
PT	283,585	3.7%	24	26	10
22 other parties with representation	2,861,804	37.5%	68	73	15
Resto (sin representación)	1,306,656	17.1%	0	0	0
TOTAL	7,634,979	100%	462	389	143 ⁴

Table produced by author based on final results proclaimed by Constitutional Council (24/05/2012) following resolution of complaints.

Qualitative analysis of the elections

Participation:

While the official turnout was put at 43.14%, thus higher than that registered in 2007 (35%), an OPEMAM estimate based on the Algerian population census⁵ modifies this turnout to a somewhat lower 38%. Given that the official turnout is computed according to the number of enrolled voters and not the number of potential voters (those entitled to vote), OPEMAM calculates that some 2.7 million citizens - mostly youths and women - were not enrolled to vote in these elections. If these potential voters are included, the real turnout rate drops by approximately 5 percent, signifying only a very slight improvement on the turnout in 2007.

Turnout was lowest, as is customary, in the wilaya of Algiers (30.9%), in Kabylia (26% on average in its three provinces), as well as abroad (14%). OPEMAM's estimated turnout for the wilaya of Algiers was roughly consistent with the official data (28% vs. 30.9%). As was to be expected, turnout was highest in

² The figures given here for approximate number and percentages of votes are those published before the electoral complaints procedure had been finished and may differ somewhat from the final definitive results.

³ In 2007 the three parties which make up the Alliance for a Green Algeria ran separately. For the purposes of this table their votes and scores have been summed (ie. MSP 51 seats, Nahda 5 and El-Islah 3).

⁴ The number of seats distributed to women was lowered by the Constitutional Court from 145 to 143. However, disaggregated data still gives 145 seats, for which reason this table may contain some minor errors.

⁵ Data from the Algerian National Statistics Office (ONS) www.ons.dz

the interior and south of the country and in rural areas (Adrar, Illizi, El Tarf, Laghouat, Naama, etc.). It is important to mention that one third of polling stations were kept open for one extra hour (from 7pm to 8pm) and that voting lasted 6 days in polling stations abroad - with the exception of France due to the presidential elections on there. As on other occasions, itinerant voting took place over four days in nomadic regions. There were some 1.9 million fewer women on the electoral roll than men and the number of female candidates was 7,647, just a third of the 25,800 male candidates⁶.

Proponents of an electoral boycott this time included the RCD party, the former leaders of the FIS (Madani and Belhadj), several French-language newspapers – especially El Watan – and an unusual grass-roots movement made up of associations, a retired soldier and a former FIS official, Abdelkader Boukhamkham. The impact of this movement is difficult to judge, given that apart from via the French-language press, the boycott camp had difficulty in relaying their message, as the Algerian League for the Defence of Human Rights showed in their report on media coverage.

Competition:

Between February and April 2012 some 20 political parties were legalised, raising the total number to 44 parties, 1 alliance (the AAV), plus lists of independent candidates. The RCD, whose long-serving leader Said Sadi, surprised the never-changing Algerina political class by standing down a few months back, boycotted the elections. The FFS however, which had boycotted every one of the legislative elections since 1997 did decide to take part. All in all 26 parties and 1 alliance managed to make it past the electoral threshold and enter the new and larger (20% more seats) parliament. It is foreseeable that many of the new parties that did not make it into parliament will disappear in the next few years.

Many parties and businessmen who took part in these elections were attracted by the increase in the number of seats. The announcement that public funding for the campaign would only be paid after the elections, led many parties to pursue wealthy individuals to form part of their lists. This gave rise to more than a few scandals. One small party it was revealed, offered positions on its lists for different amounts of money. Meanwhile, the large number of similar abbreviations (FNA, PNA, FLN, FNL, RPR, PRP, etc.) contributed to the confusion and disinterest on display for the greater part of the election campaign.

Transparency:

One new feature of these elections was the supervision of the process by magistrates (both judges and their assistants), which led to the creation of the National Commission for the Supervision of Legislative Elections (CNSEL). Its task was to take part in the key phases of the electoral process and to relay complaints between the parties or candidates and the courts. However, the efficacy of this measure is restricted by the judiciary's lack of independence. The Constitutional Court, led since April by Tayeb Belaiz⁷, was in charge once again of resolving complaints and proclaiming the results. At the same time, an Independent National Commission for Surveillance of the Legislative Elections

⁶ This according to data from the Algerian Interior Ministry, "Répartition du Corps Electoral", available online at: <http://www.interieur.gov.dz/Dynamics/frmlItem.aspx?html=60&s=23>

⁷ Until April 2012 Belaiz was Minister of Justice, appointed to the head the Constitutional Council in April 2012, replacing Boualem Bessaïh.

(CNISEL) was established, featuring representatives of political parties and the independent lists. Unsurprisingly, tensions soon emerged between the two similarly-named commissions over competences and duties. The CNISEL made some of these problems public in a report sent to President Bouteflika and the Interior Ministry⁸.

International electoral observation of these elections was nothing new, but it was this time strengthened by the signing of a memorandum of understanding between Algeria and the EU. For the first time, a technical and not a diplomatic mission was dispatched by Brussels. The EU sent 150 observers, both short and long-term, to cover the country, under the leadership of the Spanish MEP Juan Ignacio Salafranca. Alongside the EU, but with a more diplomatic style-mission, were teams from the African Union, the League of Arab States, the Organization of the Islamic Conference and the United Nations, making a total of some 500 international observers. Algeria did not, however, except for two notable exceptions⁹, allow observation by civil-society groups.

Representation and debate:

A large proportion of the some twenty new political parties lack any type of platform, with the exception of several Islamist parties which already counted with a solid electorate. As previously mentioned, a cacophony erupted over the names of the different parties, with great confusion over their abbreviations. This would naturally have consequences come voting day. Voters in effect, had to choose one ballot-paper out of the 44 available (this number in fact varies according to each district), with a real possibility of making mistakes due to the similarity of the names and abbreviations, even if each list did feature an identification number. For this reason, the CNISEL specifically requested the use of a single ballot-paper, but this request went unanswered.

The campaign itself was dull and boring. On public television the candidates from every list around the country would appear at regular intervals, reading vapid texts against a fixed background. In the written press and in the streets of central Algiers it was difficult to find any information about rallies or campaign events. Only the 'official' newspaper el-Moudjahid actually supplied this information; the rest of the papers limited their coverage to information about the previous day's campaigning. On the final day of the campaign, as is customary, the bigger parties held their closing acts in the capital. Attendance at these was varied: the only events with a big turnout were those of the Islamist parties and the FLN.

In the middle of the three-day period of reflection (normally just two days), President Bouteflika made use of a speech inaugurating part of a university campus in Sétif, on the anniversary of May 8th (date of the massacre of nationalist militants in 1945) to call for a massive turnout. He also surprised many using a phrase in Algerian dialect to say "my generation has passed", which raised hopes for political change.

Openness:

Unfortunately the results were not on a par with expectations, and indeed, were condemned by many parties. It is true that before the elections, the

⁸ This report, not sent until June 2nd, was not signed by the representatives of the FLN or RND on account of the severity of its content. It was however, publicly signed by 31 of the 44 political party representatives who made up the Commission, as well as by one independent member.

⁹ Namely the NDI and the Carter Center.

Islamists of the Green Alliance readily saw themselves winners of some 200 seats. The FLN, by way of its secretary general, had recognised that it would be an equal race between the FLN and the Alliance. Nonetheless, on the day it was the two officialist parties (the FLN and RND) which increased their presence in the APN to an absolute majority, allowing them to do without their former third coalition member, the MSP. In sum, although the reforms created expectations of an open election, the results – without any proof of fraud being produced – cast a pall over the prospects of a democratic opening.

Significance:

With the region immersed in the torrents of the Arab spring, the Algerian authorities hoped to portray the renewal of their parliament as proof of the country's stability and its resistance to regional vicissitudes. Algeria is the exception in North Africa: without either uprisings or Muslim Brotherhood victories. However, many questions have been raised about the new Assembly's credibility and its role in any future constitutional changes, especially by the low turnout, the large number of spoiled ballots, complaints from several parties and the political system's reliance on impetus from the President.

Consequences and impact on the political system

Logically the Islamists vehemently denounced these results. The AAV declared the results “illogical” and “in contradiction with political reality”, maintaining that in spite of the elections they are the country's dominant political force. The AAV went even further by threatening to not take possession of their seats in parliament. For their part, Abdelmayid Menasra (FC) evoked the Egyptian case, while Djaballah referred to the Tunisian revolution as the only alternative.

Left-wing party leaders also protested, as did many of the smaller parties. Lousia Hanoune (PT) affirmed that the results had been “modified” in the FLN's favour and that they constitute “an enormous provocation against the majority of the people”. It goes without saying that the handful of newspapers, parties, trade unions and grass-roots movements who called for a boycott of the elections feel vindicated by the results.

The winning parties offered the exact opposite response to the elections. According to Interior Minister Daho Ould Kablia, Algerians had sought to cast “refuge” and “useful” votes in order to safeguard the country's stability. The RND, runner up in the election, remained silent for several days before finally extolling these “transparent elections preserving the stability of Algeria”.

On 26 May the seventh session of the Popular National Assembly was officially inaugurated for a five-year period (2012-2017) under the presidency of 74-year-old Mohamed-Larbi Ould Khelifa (FLN). Along with the Senate, the Assembly will have the task of revising the Constitution as the final step in the reform process initiated by President Bouteflika in April 2011. Its task will however, be complicated by the boycott of several parties and the general crisis affecting most of the political parties, FLN included. It seems clear that the parties of the Green Alliance will make good on their decision not to support the government.

International political reaction

The response of foreign governments and official electoral observation missions was generally one of approval. Official declarations from the Foreign Offices' of different nations congratulated the Algerian authorities. The US and EU positively noted the election of 143 female MP's (31% of the house) as a consequence of the quota system. For its part, France expressed its approval of Algeria's new legislature.

Diplomats all hailed the peaceful and orderly way in which the elections were carried out. Russia went further affirming that these elections had saved Algeria from the "shock" of the Arab springs. For its part, the EU mission expressed that the elections had been "a step forward along the reform path", while Spain, via a declaration from the Spanish Ministry of Foreign Affairs, promised to support Algeria in its "reformist path to full democracy". Even Qatar and Tunisia, staunch supporters of the Arab revolutions, announced their satisfaction at the results. The only exception came from the Turkish Minister of Foreign Affairs who dared to ask why the Algerian Interior Ministry had not published the full results.

Conclusion

Despite the kudos from abroad, there are several reasons why the results of these elections are far from plausible. Algeria uses a proportional system dominated by medium-size constituencies which can only produce a majority - such as that won by the FLN - with great difficulty. The FLN obtained 47.8% of the total number of seats with just 17.3% of the vote. Secondly, the FLN as a party is thoroughly torn by a serious internal crisis, with the majority of its central committee opposed to its secretary general, Abdelaziz Belkhadem. Thirdly, it is incongruous that the erosion of support caused by long years in government, seems only to have affected the (Islamist) minority partner in government. Fourthly, it does seem odd that the Islamist electorate would punish the formation of an electoral alliance, given that the same parties separately obtained more seats back in 2007. Lastly, the weight of Algeria's left (FFS and PT) is surely much greater than these results show. It is worth recalling that in the first round alone of the 1991 elections, the FFS won 25 seats (more than the FLN) whereas now, in a much larger parliament, it only managed 21.

In conclusion, if these elections attest to a quiet, Islamist-free¹⁰, Algerian-style spring, they also give rise to several reasons for concern, including the low turnout, particularly in Algiers (30.9%), in Kabylia (26%) and abroad (14%); the FLN's lack of representivity (17.3% of the vote); and the extremely high number of spoiled ballots (18.4% of the total) which must be interpreted on the whole as protest votes against the system. Nor should the different shortcomings of the electoral process highlighted by the CNISEL and foreign observation missions be overlooked.

¹⁰ Islamist-free, except notably for the wilaya of Algiers where the AAV won 13 out of the 37 seats available, followed by the FLN 10, the PT 7, the FFS 4 and the RND 3.

Reference to other online analyses of the elections

- Final report of the European Union electoral mission to Algeria, 08 August 2012, available at: <http://www.eueom.eu/algerie2012/home?LANG=fr>

-Analysis of the Arab Center for Research and Policy Studies (Doha Institute), "The May 2012 Legislative Elections in Algeria", published June 10 2012, available at: <http://english.dohainstitute.org/release/26064712-84a2-486c-b74c-efcabe3d6bce>