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The Role of Consultative Bodies within the Institutional Framework of Algeria

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Abstract :

This study delves into the impact of constitutional reforms on Algeria's consultative bodies, tracing their evolution through significant constitutional milestones from the 1963 Constitution to its subsequent iterations in 1976, 1989, 1996, the 2016 Constitution, and the 2020 amendment. It critically assesses the constitutionalization of consultative bodies and its influence on their efficacy and role within the Algerian state's institutional framework.

Keywords: Constitutional Reforms; Consultative Bodies; Algeria; 2016 Constitution; 2020 Amendment; Efficacy.

Introduction :

Constitutional reforms are instrumental in rationalizing the political landscape and adapting legal frameworks to align with evolving domestic and global challenges and international treaties. These reforms, whether substantive or procedural, aim to recalibrate the legal and institutional edifice in response to strategic state objectives and the international milieu. Algeria's journey of constitutional reform, from independence through to the 2020 amendment, reflects a nuanced trajectory of legal and political evolution, each reform with its unique imperatives and outcomes.

This study highlights the pivotal role of consultative bodies within Algeria's institutional structure. These bodies are crucial for enhancing the rationalization of politics, promoting legal governance, enhancing procedural transparency, and enabling participatory and consultative mechanisms in the policymaking and decision-making arenas. The primary question this study addresses is: How have constitutional reforms, notably the amendments in the 2016 and 2020 Algerian Constitutions, enhanced the functionality of consultative organs in Algeria?

Methodology:

Employing an analytical approach, this paper meticulously examines the progression of consultative bodies within the Algerian constitutional milieu. The analysis is organized into four main sections:

1. The development of consultative bodies in Algerian constitutions from 1963 to 1996.
2. Consultative bodies in the 2016 Constitution.
3. Consultative bodies in the 2020 Constitution.
4. Operationalization of consultative bodies in the state's institutional apparatus.

THE FIRST TOPOC: The development of consultative bodies in Algerian constitutions from 1963 to 1996

Firstly: Constitution of 1963:

The 1963 Constitution, marking the inception of Algeria's sovereign legal framework, initiated the establishment of consultative bodies, termed as supreme councils. Specifically, Article 65 heralded the creation of the "Supreme Judicial Council," and Articles 67 and 68 introduced the "High Defense Council," a consultative entity for military affairs. Furthermore, Articles 69 and 70 set the stage for the "Economic and Social Council," tasked with providing consultative insights on legislative initiatives of economic and social nature, and facilitating governmental dialogue.

The pivot to the regime of June 19, 1965, signified a transformative period, dissolving the initial consultative frameworks. In their absence, the regime inaugurated new consultative entities reflective of local elected representatives and segments of economic and social dynamism. This strategic reconfiguration aimed to bridge the gap left by the dissolved entities, driven by an imperative to gauge societal pulse and encourage civic discourse. Notable among these reconstituted bodies were :

1. **The National Economic and Social Council:** Instituted by a decree on November 6, 1968, this council was envisioned as a national-level consultative assembly, amalgamating expertise from political, economic, and financial governance with leading production entities. Its mission was to amplify participation in the articulation and execution of state economic and social policies, within a strategic planning context.
2. **The Supreme Judicial Council:** Reaffirmed under the 1963 Constitution and further elaborated by the Organic Law of June 5, 1964, this council's activity was rejuvenated through a May 9, 1969, legislation that reconstituted it with functions analogous to its precursor, albeit with a revised composition. It was vested with the consultative prerogative on matters pertaining to the judiciary, particularly in the domains of appointments, confirmations, and transfers of judicial personnel¹.

Secondly: The 1976 Constitution:

The Algerian Constitution of 1976 laid the groundwork for a socialist governance model, with specific provisions for the inclusion and, notably, the exclusion of certain consultative bodies. Article 125 introduced the High Security Council, presided over by the President, with a mandate to offer counsel on

national security concerns. Concurrently, Article 182 delineated the responsibilities of the Supreme Judicial Council, emphasizing its advisory role prior to the presidential exercise of pardon. However, the omission of the National Economic and Social Council and the High Defense Council effectively annulled their existence, signaling a selective approach to institutional conservation and abolition within this socialist framework.

Thirdly: The 1989 Constitution:

On February 23, 1989, Algeria underwent a pivotal constitutional reform, ratified through a national referendum. This reform was precipitated by a confluence of factors, notably the tumultuous events of October 1988, which marked a significant political awakening akin to an Algerian Spring, compounded by acute shortages of essential foodstuffs and the failure of public economic institution restructuring initiatives since 1984. The exigencies of a profound economic crisis, exacerbated by substantial national debt and the stringent stipulations of international financial entities such as the International Monetary Fund and the World Bank², further necessitated this constitutional overhaul.

This revised constitution inaugurated a political framework endorsing a multiparty system, signifying a departure from previous monolithic governance models. Moreover, this reevaluation materialized in the form of a dedicated chapter within the 1989 Constitution, titled "Consultative Institutions," signaling a deliberate institutionalization of consultative bodies within the governance architecture. This chapter encapsulated the establishment and operationalization of three principal bodies:

1. **The High Islamic Council (Article 161):** This body was introduced as an innovation within the 1989 constitutional framework, although its conceptual genesis can be traced back to the immediate post-independence era. Initially delineated by Decree 66-45 on February 18, 1966. This decree, while delineating the council's competencies, eschewed a precise definition. It was subsequently amended and supplemented by Decree 20-12 on April 12, 1980, which formally positioned the Council as a paramount entity within the Ministry of Religious Affairs. The organizational and functional scope of the Council was further delineated by Decree 91-179 on May 28, 1991³.
2. **The High Security Council (Article 162):** Chaired by the President of the Republic, this council was tasked with furnishing advice on national security matters. Operationalized through Decree 89-196 of October 24, 1989, its composition included the President, Prime Minister, and key cabinet ministers, underscoring its central role in the nation's security apparatus.

3. **The Supreme Judicial Council:** Reinforced by the 1989 Constitution, this council was situated within the framework of judicial authority organization, tasked with providing consultative opinions prior to the President's exercise of pardon rights⁴ as outlined in Article 147.

-Fourthly: The 1996 Constitution:

The 1996 constitutional reform, ratified via referendum on November 28, emerged as a direct response to the challenges posed by the experiment in political pluralism⁵. This experiment's failure precipitated a decline in both the security and social fabric of the nation, culminating in a profound constitutional and institutional vacuum. Within the restructured constitution, consultative bodies were systematically incorporated into the second chapter, titled "Consultative Institutions," located within the third part dedicated to "Oversight and Consultative Bodies."

This revision upheld the High Islamic Council, delineated by Article 171. The Council was tasked with fostering and advancing Ijtihad (independent Islamic legal reasoning), issuing Sharia-based legal opinions, and compiling periodic activity reports for the President of the Republic. Equally, the High Security Council was maintained under Article 173, envisioned as a paramount council chaired by the President of the Republic. Its chief function was to furnish the President with advisory opinions on all matters pertaining to national security⁶. Additionally, the Supreme Judicial Council was preserved within Article 156, positioned in the third chapter of the second part, focusing on the judiciary's organizational framework⁷.

THE SECOND TOPIC: Consultative bodies in the 2016 Constitution:

The 2016 constitutional amendment in Algeria was enacted against the backdrop of significant regional turmoil, marked by the Arab Spring uprisings that began in 2011. These movements, which unfolded in Tunisia, Morocco, Libya, Egypt, Syria, and Bahrain, voiced a strong opposition to the concentration of power and wealth, advocating for expanded political participation⁸. Within this context, and as part of a broader agenda of political reform, President Abdelaziz Bouteflika initiated a series of measures in 2011 aimed at addressing these demands for greater inclusivity and democratic governance.

A pivotal element of these reforms was the establishment of a political consultation body, chaired by Abdelkader Bensalah, then President of the Council of the Nation. This entity was tasked with facilitating discussions and dialogue

among a diverse range of stakeholders, including political parties, civil society organizations and representatives from various sectors including the judiciary, legal profession, media, economy, youth, and students.

However, in June 2014, as consultations commenced regarding the constitutional amendment document, the process was met with skepticism and ultimately boycotted by opposition parties. The drafting of the constitution was entrusted to a committee formed on May 2, 2013, which embarked on its mandate informed by contributions from political and civil society actors. Prime Minister Abdelmalek Sellal oversaw the formation of a legal expert committee charged with drafting the constitutional amendments, a task that was deliberately postponed until after the presidential elections in April 2014. This maneuver was seen as an attempt to address opposition concerns and ensure a broader consensus on the proposed reforms.

Following the president's approval of the preliminary draft for constitutional revision, the Constitutional Council was consulted to evaluate the draft and determine its adherence to the procedural and substantive requirements for constitutional amendments. This step was crucial, given that the council's approval would allow for parliamentary ratification instead of a referendum, a process reserved for amendments perceived to significantly alter the country's foundational structures and balances⁹. The legislative proposal for the amendment of the Constitution in 2016 was subject to a formal vote.

The 2016 Algerian Constitution delineates the framework for consultative institutions within its governance structure, specifically outlined in Chapter Three, "Oversight and Consultative Bodies." This chapter divides into sections focusing on oversight and consultative bodies, with Articles 195 through 207 detailing the latter as follows:

1-The High Security Council: The Constitution preserved the High Security Council, chaired by the President of the Republic, as a consultative body on national security matters. Its mandate, as defined, revolves around offering advisory opinions on security policy to the President, who also determines the Council's organizational and operational frameworks.

2-The High Islamic Council: The 2016 amendment reaffirmed the existence of the High Islamic Council under Article 195 as a Presidential consultative body, granted financial and operational autonomy. This is further elaborated in Presidential Decree No. 17-141, highlighting its independence and consultative capacity to the President. A notable evolution in its function includes leveraging digital platforms for engaging with contemporary religious and societal issues¹⁰.

This strategic pivot towards digital engagement reflects an acknowledgment of the importance of adapting religious guidance to the modern digital era, aiming to facilitate a better understanding and practice of religious rituals among the populace.

3-The National Economic and Social Council (NESC): Initially established in 1968 under Order No. 68-610 and subsequently dissolved in 1976 was then reconstituted in 1993 through Presidential Decree No. 93-225. This Council brings together experts across various sectors, including representatives from public institutions, the private sector, artisanal and commercial entities, investors, agricultural cooperatives, as well as social and cultural associations. Workers and professionals from diverse fields also contribute to the Council's composition, ensuring a broad spectrum of expertise and perspectives¹¹. Regulatory provisions have since detailed the operational framework of the Council and the processes for member appointments, aiming for inclusivity and comprehensive representation¹².

The 2016 Constitution elevated the Council to a constitutional consultative body. Article 204 emphasizes its role as a forum for dialogue, consultation, and proposal in economic and social domains. Moreover, Article 205 delineates the Council's responsibilities, emphasizing its role in facilitating civil society's engagement in national economic and social policy discussions, promoting sustained dialogue among various economic and social stakeholders, and conducting evaluations and studies on issues of national significance in the economic, social, educational, and higher education sectors. The Council is tasked with offering well-considered proposals and recommendations to the government, thereby playing an instrumental role in shaping national policies and strategies.

The National Economic and Social Council (NESC), as reconstituted under Presidential Decree No. 16-309, underwent significant enhancements in its composition and operational framework, reflecting a nuanced evolution in its statutory mandate. This decree not only reaffirmed the Council's responsibilities as previously delineated in Article 2 of the Constitution but also expanded its remit to encompass the assessment and scrutiny of national interest issues across a broad spectrum, including economic, social, educational, vocational, higher educational, cultural, and environmental domains¹³. The Council's reconstitution brought about a diversified assembly of 200 members from varied sectors, appointed for a three-year term, with the provision for a single renewal.

Operationally, the Council's activities are initiated either upon notification by the President or the Prime Minister concerning matters within its jurisdiction or through its autonomous generation of recommendations, proposals, or the

undertaking of studies and reports on pertinent issues, which are then conveyed to the government. The procedural guidelines stipulate a specific timeline for the Council's deliverables, mandated by the notifying authority. Should such a timeline not be explicitly stated, the Council is required to submit its findings within a maximum of two months following notification.

From a legal and institutional perspective, these reforms signify a profound shift in the Council's functional and structural dynamics, marking a distinct improvement over its previous iteration.

5-The National Council for Human Rights: The 2016 Algerian Constitution transitioned the National Consultative Commission for the Promotion and Protection of Human Rights from an independent administrative body with supervisory and consultative roles to a constitutional advisory institution. This transformation into a Council marks a significant enhancement in the legal foundation and institutional structure of the body. The International Council for Human Rights Policy has emphasized the critical importance of embedding national human rights institutions within the constitutional framework. Such a constitutional mandate ensures their enduring presence, safeguarding their independence and legal authority to address any emerging challenges effectively¹⁴.

Moreover, the Constitution guarantees the administrative and financial independence of the National Council for Human Rights, a notable advancement. This provision ensures the Council's operational autonomy, free from influence or control by any individual, organization, government department, or authority. Financially, it maintains independence, not being beholden to the financial resources controlled by any ministry or other entity. Noteworthy is that the responsibilities assigned to the National Council for Human Rights mirror those previously held by the National Consultative Commission for the Promotion of Human Rights, as per Order 09-04, with an added mandate for conducting investigative duties¹⁵.

A further positive development from the Council's constitutionalization is the broadening of the recipients of the Council's reports to include not only the President of the Republic but also the Parliament, in its legislative capacity, and the Prime Minister, thereby enhancing the reports' dissemination and impact. Additionally, the constitutional amendment mandates the publication of the Council's annual report, promoting transparency and public engagement with its findings.

In line with the constitutional amendment, Law No. 16-13 was enacted, detailing the Council's composition, the appointment process for its members, and the regulations governing its organization and procedural operations¹⁶.

6-The National Body for Prevention and Control against Corruption:

Established through Law 06-01, following Algeria's adherence to the United Nations Convention Against Corruption on October 31, 2003, and ratified by Algeria on April 19, 2004, under Presidential Decree No. 04-128. This law mandated the creation of a dedicated entity for the prevention and control of corruption, tasked with leading the national strategy against corruption¹⁷. This entity is an independent administrative authority with legal personality, positioned under the direct supervision of the President.

The 2016 constitutional amendment elevated the National Body for Prevention and Control Against Corruption to a constitutional institution. Article 202 specifies, "A national body for the prevention and control against corruption is hereby established as an independent administrative authority under the President of the Republic." Article 203 further specifies its duties to "propose a comprehensive policy for corruption prevention that embodies the principles of the rule of law, ensuring integrity, transparency, and accountability in public finance management, and to oversee its implementation."

Additionally, the constitutional reform introduced two consultative bodies: The High Council for Youth (CSJ) and the National Council for Scientific Research and Technology (CNRST), as stipulated in Articles 200-201 and 206-207, respectively. These bodies are designed as advisory organs to the President, significantly contributing to the Algerian constitutional law and institutional architecture.

7-The High Council for Youth (CSJ)

The High Council for Youth (CSJ) was re-established in the wake of the 2016 constitutional amendment, 16 years after its dissolution by President Abdelaziz Bouteflika in 2000. Previously active during the 1990s, its revival as a constitutional consultative body aligns with the broader agenda of political and constitutional reforms set in motion following the "Arab Spring." This decision was influenced by the recommendations from civil society actors during the constitutional amendment consultations.

Outlined in Presidential Decree No. 17-142, the CSJ is designated under Article 2 as a consultative body under the presidency, enjoying legal personality and financial independence. Its responsibilities encompass offering insights and

recommendations on youth-related needs and their well-being across economic, social, cultural, and sports sectors, fostering national values, consciousness, civic responsibility, and social solidarity among the youth, as detailed in Article 3 of the decree¹⁸.

The CSJ comprises 172 members from diverse youth representations: 96 youth members, with equal representation of men and women from each province; 24 from national youth associations, with 30% being women, appointed by the Youth Minister in collaboration with the Interior Minister; 16 representing the diaspora youth, with 30% women, appointed by the Foreign Affairs Ministry; 10 appointed by the President for their expertise in youth fields; 21 government representatives from various sectors appointed by their respective ministers; and 5 from institutions focused on youth, highlighting a comprehensive cross-section of stakeholders. The President of the Republic appoints the council's president through a presidential decree.

The CSJ operates through a notification mechanism from the President or Prime Minister and can independently initiate discussions within its purview. Its annual reports, along with opinions and recommendations, are directed to the President and the Prime Minister and are published in the council's official bulletin, except for dissenting views against the President's stance. Additionally, the council has the autonomy to establish its internal regulations, ratified by the General Assembly and formalized through a presidential decree.

The decree establishing the membership of the High Council for Youth in Algeria reveals that membership is determined through government appointments, a stark contrast to the previous youth council that was disbanded due to its political entanglement and frequent conflicts between representatives of pro-government parties such as the National Liberation Front, the National Rally for Democracy, and the Movement of Society for Peace. These parties sought to dominate the council, similarly to their maneuvers within the parliament¹⁹, with members more focused on securing privileges and assignments abroad rather than serving the youth's needs.

However, the future success of the High Council for Youth hinges on the careful selection of young leaders based on their competence, distancing from the criterion of loyalty or affiliation. This approach is crucial to address the pressing issues faced by the youth, including political disengagement, unemployment, brain drain, and illegal migration, among others. The council must possess the capability to activate the youth's role in development and involve them in creating policies that truly reflect their hopes and serve their ambitions, moving beyond

the pitfalls of the past towards a more inclusive and effective engagement with the youth of Algeria.

8-The National Council for Scientific Research and Technology (CNRST)

The National Council for Scientific Research and Technologies represents a new entity with a mandate to specifically promote national research in the fields of technological and scientific innovation. Its responsibilities include proposing measures to enhance national capabilities in research and development, evaluating the effectiveness of national entities in applying research results to benefit the national economy within a sustainable development framework. The council is led by a nationally recognized expert, appointed by the President of the Republic²⁰. The law also defines the council's additional duties, its organization, and composition, ensuring a structured approach to achieving its goals.

THE THIRD TOPIC: Consultative bodies under the 2020 Constitutional Reform

The 2020 constitutional reform in Algeria, catalyzed by the February 22, 2019 Harak and the resignation of Abdelaziz Bouteflika, set the stage for a significant overhaul of the country's governance framework. With President Abdelmadjid Tebboune's commitment to addressing the demands of the Harak, a specialized committee, led by constitutional expert Ahmed Laraba, was tasked with drafting a constitution that resonated with the aspirations of civil society and the broader public.

This reform culminated in the fifth chapter of the 2020 Constitution, dedicated entirely to "Consultative Institutions," ranging from Articles 206 to 219. This section reaffirmed the roles of established bodies such as the High Islamic Council, the High Security Council, and introduced an expanded mandate for the National Economic and Social Environment Council (NESEC). This latter, now with an environmental dimension, as per Article 209, positioning it as a platform for dialogue, consultation, suggestion, and analysis in economic, social, and environmental fields under the presidency and as an advisor to the government. It specifically aims to provide a framework for civil society's participation in national consultations on development policies within the context of sustainable development and ensure ongoing dialogue and consultation among national economic and social partners.

The National Human Rights Council was also retained, under Article 211, preserving its advisory capacity with guaranteed administrative and financial

independence. Tasked with monitoring, early warning, and evaluating human rights practices, the Council investigates violations and interacts with both administrative and judicial authorities to uphold human rights standards. Furthermore, it undertakes initiatives to raise awareness, promote human rights education, and provide recommendations for enhancing human rights protections²¹, culminating in an annual report presented to the presidency.

The High Council for Youth continues to serve as a presidential consultative body, reflecting a diverse composition that includes youth representatives, government officials, and public institutions focused on youth affairs. This Council plays a crucial role in voicing the needs and aspirations of the youth across various sectors, thereby fostering national values and civic engagement among the younger generation.

Moreover, the National Council for Scientific Research and Technologies remains pivotal in promoting national research and innovation, offering strategies to boost research capabilities and evaluating the contribution of research to the national economy within the context of sustainable development²².

The 2020 Constitution also introduced two novel consultative bodies: the National Observatory for Civil Society and the Algerian Academy of Sciences and Technology (AAST).

1-The National Observatory for Civil Society:

The 2020 constitutional amendment introduced the National Observatory for Civil Society as a consultative entity reporting directly to the Presidency. Article 2013 delineates its mandate to deliver insights and recommendations on civil society concerns, thereby fostering national values, democratic engagement, and active citizenship²³.

2-The Algerian Academy of Sciences and Technology:

Article 216 of the reform establishes the Algerian Academy of Sciences and Technology as a consultative body, tasked with the promotion of national research in scientific and technological innovation. Its responsibilities include proposing strategies to enhance research and development capacity, as well as evaluating the efficacy of national agencies in applying research findings to bolster the national economy, with a particular emphasis on sustainable development²⁴.

THE FOURTH TOPIC: Operationalization of consultative bodies in the state's institutional apparatus.

Sustainable and substantive political reform hinges on constitutional amendments that foster the development of stable, democratic states. These reforms must transcend mere institutional design, striving for a delicate equilibrium between the immediate interests of political stakeholders and the enduring common good²⁵.

This backdrop prompts a critical examination of the utility and legal foundation of consultative bodies in Algeria, which remain dormant and financially burdensome. These entities drain state resources without yielding tangible outcomes, reflecting a glaring absence of fiscal prudence. Furthermore, from a governance perspective, the lack of integrity and transparency in government decision-making processes erodes efficiency in administration and decision-making.

Algeria's venture into consultative bodies has, to a significant extent, been fraught with challenges. These bodies have lacked stability, evidenced by the frequent establishment and subsequent dissolution of numerous entities, particularly evident since the turn of the millennium. Despite the establishment of a myriad of consultative bodies, especially those focusing on sector-specific counseling and technical expertise, these efforts have fallen short of engendering effective consultation and, consequently, sound governance. This shortfall is primarily attributed to a lack of political will among decision-makers and the presence of numerous impediments that constrain their functionality. Nevertheless, the constitutional recognition of consultative institutions through the 2016 amendment marks a pivotal shift in their trajectory.

The constitutionalization of consultative institutions through recent amendments mark a significant advancement for these bodies within Algeria's legal framework. This constitutional safeguard not only protects these institutions from arbitrary dissolution but also elevates their status to a critical component of the state's institutional architecture. However, translating these legal provisions into effective political action and governance requires a confluence of conditions and factors:

- **Commitment from Leadership:** The effectiveness of these institutions significantly hinges on the political will of decision-makers, notably the President of the Republic. Given that all constitutional advisory bodies report to, and their functions are activated by, the President, his receptiveness to their insights and recommendations is fundamental. This dynamic places the onus

on the President to engage meaningfully with these institutions, determining the extent to which their advice influences policy and governance.

- **Public Accessibility and Transparency:** To enhance their role in governance, the advisory opinions and recommendations of these institutions should be made publicly accessible. In today's digital era, disseminating these insights through official state websites and social media platforms can bridge the information gap between the state and its citizens. Such transparency not only demystifies the role of these institutions but also fosters a participatory dialogue, enhancing the democratic fabric of governance.
- **Stringent Membership Criteria:** The efficacy of consultative institutions is contingent upon the caliber and relevance of their membership. Thus, establishing stringent, merit-based criteria for membership is imperative. Members should possess direct expertise and competencies related to the institutions' mandates, ensuring their contributions are both relevant and impactful.
- **Adequate Information and Timely Deliberation:** For these institutions to deliver informed and meaningful advice, they must be furnished with comprehensive information pertinent to the decisions at hand. Moreover, adequate time for deliberation must be allocated, underscoring the importance of respecting these timeframes to ensure the thoroughness and integrity of the advisory process.
- **Governance and Policy Rationalization:** When afforded the necessary autonomy and resources, consultative institutions have the potential to significantly contribute to the rationalization and enhancement of governance within the Algerian political system. By institutionalizing consultation and participatory decision-making, these bodies can facilitate more transparent, inclusive, and effective governance²⁶.

Conclusion:

The influence of Algeria's consultative bodies is intricately linked to the governance system, legal frameworks, and prevailing political ethos, highlighting a pressing need for enhanced activation and earnestness to realize the goals of constitutional reforms and the establishment of impactful institutions contributing to public policy. An exploration into the evolution of Algeria's consultative bodies since independence demonstrates their susceptibility to the type of governance in place, be it autocratic or pluralistic.

In the immediate post-independence era, marked by a single-party system, Algeria saw the creation of several consultative institutions. Despite their scarcity, these bodies provided valuable insights and recommendations to the government, acting as essential information sources. However, their significance diminished, particularly following the 1976 Constitution, which saw the dissolution of key institutions such as the National Economic and Social Council amid the authoritarian political landscape and the single-party dominance.

The shift in 1989 towards democratic openness and economic liberalization heralded a new era for consultative bodies, with the re-establishment of numerous institutions, including the National Economic and Social Council and the elevation of the High Islamic Council. Nevertheless, the subsequent security crisis significantly hampered the aspirations of these institutions, rendering many inactive during the crisis.

The political reforms initiated by the presidency in 2011 and the constitutional amendments of March 2016 led to the constitutionalization of certain consultative bodies and the establishment of new ones. Despite their storied history and evolution, which has seen periods of dissolution, revival, and legal empowerment as constitutional entities, the role of consultative institutions in public policy and the broader institutional framework of the state remains suboptimal. This deficiency stems not from the institutions' inherent weaknesses but from the decision-makers who, despite establishing these bodies, sporadically neglect their consultations or disregard their recommendations.

The efficacy of consultative institutions thus hinges on the authentic commitment of decision-makers to leverage these entities and the wealth of expertise and competence they encapsulate, tailored to their respective areas of specialization. Engaging these institutions in the policymaking process not only amplifies their strength and efficacy but also elevates their significance within the state's institutional architecture.

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⁵ Mohammed Barkat, Reasons and Objectives of the Constitutional Amendment in Algeria: A Study in Current Arab Transformations, Journal of Law and Political Science, Issue 05, January 2016. P. 102.

⁶ Democratic and Popular Republic of Algeria, Constitution of 1996. P. 92

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