

# MOTIVES FOR ADOPTING BICAMERALISM IN THE ALGERIAN CONSTITUTIONAL SYSTEM AND COMPARATIVE SYSTEMS

DR. MUSTAPHA SAHRAOUI

Faculty of Law and Political Sciences, University of Oran2, Algeria.

[sahraoui.mustapha@univ-oran2.dz](mailto:sahraoui.mustapha@univ-oran2.dz)

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## **Abstract:**

*The adoption of the dual parliamentary system by creating a second chamber in Parliament called the Council of the Nation after amending the 1996 Constitution constituted a radical shift in the Algerian parliamentary experience, as the country knew for the first time the two-chamber or bicameral system, and Parliament became composed of two chambers: the National People's Assembly and the Council of the Nation. This shift was accompanied by a clear change in legislative performance, which the study addressed initially by taking a general look at the two-chamber system through the most important international experiences, as well as the justifications for establishing the second chamber and comparing it with the comparative systems that adopted this system, especially after the successive constitutional amendments, the latest of which was the constitutional amendment of 2020.*

**Key words:** *Parliamentary dualism, bicameral system, unicameral, parliament, bicameralism, constitutional amendment.*

## **INTRODUCTION:**

From the outset of the November 28, 1996 Constitution and the subsequent numerous amendments, the latest being the constitutional amendment of 2020, the constitutional framers have aimed at making several profound legal and institutional changes in order to strengthen pluralistic democracy and create a new legal and institutional system that responds to the various challenges and aspirations that accompanied the development of the state and society. This process began with the February 1989 Constitution, which was a response to the political situation and the serious security lapses that Algeria experienced during the 1990s. Perhaps one of the most significant changes was related to the legislative authority, both in terms of its structure, composition, and competencies, after adopting a bicameral system for the first time in Algerian parliamentary history by establishing a second chamber alongside the first chamber, the National People's Assembly, named the Council of the Nation.

In light of this, the question arises: what are the justifications for adopting this system in Algeria compared to other international experiences? And what are its impacts on the performance of the Algerian Parliament?

To address these questions, we first provide an overview of the bicameral system or the system of two chambers, as described by comparative constitutional systems, in the first section. We then move on to the justifications for applying this system in Algeria in the second section.

### **Axis One: An Overview of the Bicameral System**

The bicameral system requires the existence of two chambers, each with a name different from the other. It is customary in political thought to name the first chamber as the "upper house" and the second as the "lower house." This will be discussed by providing an overview of the bicameral system, defining this system, the justifications for adopting it, and presenting some well-known international examples that apply this system.

## **Chapter One: Defining the Bicameral System (The System of Two Chambers)**

Bicameralism is the modern form of legislative power or parliament, which will be explored by examining the concept of this system, the reasons for adopting it, and presenting the most important comparative systems that have followed this approach.

### **First Branch: The Concept of the Bicameral System**

The bicameral system, or the system of two chambers, or "bicameralism," is derived from the Latin word *Bicamérisme*, which appeared in the 19th century. It is composed of two parts: "Bi," meaning two, and "Camera," meaning chamber.<sup>1</sup>

In technical terms, the bicameral system refers to the division of legislative power between two chambers: a lower house (the House of Representatives) and an upper house (Senate). Both<sup>2</sup> chambers share the legislative function. Countries that have adopted this system for their parliaments include France, where the parliament consists of two chambers: the National Assembly and the Senate<sup>3</sup>. Similarly, the Constitution of the Hashemite Kingdom of Jordan, in Article 25, defines the Parliament as consisting of the House of Senators and the House of Representatives. In Egypt, under the 2012 Constitution, the legislative authority consists of two chambers: the House of Representatives and the Shura Council<sup>4</sup>. Likewise, the current Constitution of Iraq (2005) establishes a bicameral system with the House of Representatives and the Federation Council.<sup>5</sup>

### **Second Branch: The Differences Between the Unicameral System and the Bicameral System**

The unicameral system, or the single-chamber system, refers to legislative authority being vested in a single chamber responsible for legislation and oversight<sup>6</sup>. Scholars have put forward several justifications for adopting the unicameral system, which can be summarized as follows:

1. The unicameral system allows for faster legislative work compared to the bicameral system. The unicameral system is characterized by the simplicity of the legislative process, whereas the bicameral system requires procedures that may hinder legislation and cause delays.
2. The unicameral system is more in line with the principle of national sovereignty. The principle of national sovereignty requires that sovereignty be represented by a single body, which can only be achieved in a unicameral system. In contrast, the bicameral system may contradict the unity of national sovereignty, as it is illogical for two chambers to represent the same national will, as differences could arise between them.

Proponents of the unicameral system argue that the will of the nation is indivisible and should be expressed by a single chamber representing the nation as a whole.<sup>7</sup>

However, it is noteworthy that the principle of national sovereignty does not necessarily contradict the bicameral system. In countries that adopt a bicameral system, the representation in the legislative body is for the nation through general elections. Thus, the formation of the legislative body is in line with the principle of sovereignty. The second chamber allows for the inclusion of qualified individuals who may have refrained from participating in elections or were unable to succeed, thus raising the level of the legislative body.<sup>8</sup>

3- The unicameral system ensures unity and prevents division between the two legislative bodies, thus avoiding the conflicts that may arise in a bicameral system, which could weaken the legislative authority in relation to other powers. However, this argument in favor of adopting the unicameral system is not definitive, as division can also occur within a single chamber due to differing opinions and viewpoints when a particular issue is raised or when discussing a bill for the approval of a law.<sup>9</sup>

### **Third Branch: The Spread of the Bicameral System and Its Distinction from the Unicameral System (Historical Context):**

In order for the bicameral system to achieve its advantages, it is essential that the two chambers differ in terms of composition, jurisdiction, and the way in which the chambers are formed, as well as the number and conditions of membership and the duration of membership in each chamber..<sup>10</sup>

1. **Difference between the two chambers in terms of composition:**

Most constitutions tend to make election the sole method for forming the lower house, as it is the true representative of the people's will, and the representation of the nation's will can only be achieved through elections.<sup>11</sup>

The 1958 Constitution of France followed this approach in forming the National Assembly, as did the British House of Commons, where members are directly and secretly elected for a five-year term. Similarly, Egypt's 1923 Constitution stated that the House of Representatives is composed of members elected through direct, secret elections. The 1952 Constitution of the Hashemite Kingdom of Jordan also establishes that the House of Representatives is formed through direct elections<sup>12</sup>.

As for the upper house, its composition varies depending on the constitution. It may be hereditary, as in the case of the British House of Lords<sup>13</sup>, or appointed, as in the case of Iraq's 1925 Constitution for forming the Council of Notables<sup>14</sup>. The Jordanian Constitution also establishes an appointed upper house (the Senate). Some constitutions combine election and appointment,<sup>15</sup> where some members of the upper house are elected by the people, and others are appointed by the head of state or the executive authority<sup>16</sup>. This approach was followed in Egypt's 1923 Constitution, where the king had the right to appoint five members of the Senate, with the remaining three-fifths elected by general suffrage.

## **2. Difference between the two chambers in terms of the number of members:**

The two chambers also differ in terms of the number of members. For example, the British House of Commons consists of 650 members, while the House of Lords is composed of 1,065 members.<sup>17</sup>

Some countries have a larger lower house than the upper house, as the lower house represents the people. For example, in France, the National Assembly has 577 members, while the Senate has 321 members<sup>18</sup>. Similarly, the 1952 Jordanian Constitution (Article 63) stipulates that "the House of Notables, including the president, shall consist of no more than half the number of members of the House of Representatives."

## **3. Difference between the two chambers in terms of membership requirements and duration:**

The membership requirements differ for the two chambers. For example, in the British House of Lords, membership is restricted to the aristocratic class, including landowners, religious leaders, and prominent politicians who have made significant contributions to the country. In contrast, membership in the House of Commons is open to all segments of society.<sup>19</sup>

Additionally, the duration of membership in the two chambers varies. The term of membership in the upper house is usually longer than in the lower house. The rationale for this difference is to allow the people to monitor the performance of their elected representatives in the lower house, while the longer term in the upper house is meant to benefit from the experience of its members.

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For example, in the British House of Lords, membership lasts for life, while the term in the House of Commons is five years.<sup>21</sup>

In Egypt's 1923 Constitution, members of the House of Representatives served five years, while members of the Senate served for ten years<sup>22</sup>. Similarly, in Iraq's 1925 Constitution, the term of membership in the House of Notables was eight years, while the House of Representatives had a four-year term<sup>23</sup>. In France, the National Assembly has a five-year term, while the Senate's term lasts nine years<sup>24</sup>.

## **4. Difference between the two chambers in terms of jurisdiction:**

Adopting a bicameral system generally requires both chambers to have equal legislative authority. To pass a law, both chambers must agree on it to complete the legislative process. However, democratic development often leads to the dominance of the lower chamber, with the elected body having broader legislative power than the upper house, which may be formed by

appointment, either entirely or partially. For example, the British House of Commons gained the right to make financial and legislative decisions after it successfully fought to have authority over these matters, which were previously controlled by the hereditary and appointed House of Lords<sup>25</sup>

Some constitutions distinguish the lower chamber in terms of legislative power, with the lower chamber often having special privileges, such as the right to initiate and approve the national budget. In parliamentary systems, the government is politically accountable to the parliament, and the lower chamber is responsible for triggering this accountability. The lower chamber also holds the power to bring charges and withdraw confidence from the government.

From the above, we see that each system has its advantages, which, at the same time, represent disadvantages for the other system. Supporters of the unicameral system argue that it ensures faster legislation, while supporters of the bicameral system warn that such speed could result in poorly drafted laws, leading to implementation problems.

Supporters of the unicameral system argue that the advantages of a bicameral legislature are actually disadvantages for the unicameral system. One such argument is that the division of legislative power between two chambers prevents the concentration of power and creates a balance between the public authorities of the state. However, supporters of the unicameral system contend that splitting the legislative power weakens it compared to other state authorities due to the conflicts that arise between the two chambers, especially when there are disagreements over the enactment of laws.

## **Chapter Two: Justifications for Adopting the Bicameral System**

Many countries have strived to adopt the bicameral system and prefer it over the unicameral system. Advocates of the bicameral system have provided several justifications to support the existence of a second chamber, which will be explored below:

### **First Branch: Contemporary Justifications for Adopting the Bicameral System**

Scholars have presented several reasons for adopting the bicameral system and preferring it over the unicameral system. These justifications include:

#### **1. The Bicameral System Promotes Balance in Federal States:**

The bicameral system is seen as suitable for establishing balance in countries that adopt a federal structure. One chamber represents the individual states of the federation equally, with each state having the same number of representatives in the federal chamber.<sup>26</sup>

In contrast, the other chamber represents the entire population of the country. As a result, the lower house (the House of Representatives) is elected by the population, with the number of representatives proportional to the population of each state<sup>27</sup>.

In contrast, the upper house typically ensures that each state, regardless of its size, is equally represented. This system is followed in the United States, where the legislature consists of two chambers: the House of Representatives, whose members are chosen from the population, and the Senate, which consists of two senators from each state<sup>28</sup>.

Iraq also adopted a bicameral system after transitioning from a simple state to a federal one, as stipulated in Article 48 of its Constitution. According to this article, the legislative authority consists of two chambers: the House of Representatives, which includes representatives of all the people's components<sup>29</sup>, and the Federation Council, which includes representatives from the regions and non-organized provinces<sup>30</sup>. Thus, Iraq followed the approach taken by most federal states regarding the structure of legislative power.

### **Second Branch: Advantages of the Bicameral System for Parliamentary Performance**

Adopting the bicameral system makes the parliament more representative of public opinion. The lower house, which is formed through general elections, represents the entire population, provided they meet the criteria for representation. The upper house, on the other hand, allows for the representation of competent individuals who may not be able to reach the lower house through elections. Thus, the bicameral system helps achieve the Following :

### 1. **Accurate Representation of the Nation’s Different Groups:**<sup>31</sup>

The bicameral system ensures a more accurate representation of all the different groups within the population. The elected chamber (the lower house) is directly accountable to the people, while the upper house can represent professionals, experts, or individuals with specific competencies who might not otherwise be elected.

### 2. **Improved Parliamentary Efficiency**

In the lower house, membership is based on elections, which might not always allow for the election of the most qualified individuals. The upper house, however, can impose additional requirements for membership, such as specific educational qualifications or experience in certain positions. These conditions would raise the efficiency of the parliament by bringing competent individuals into the upper house. The bicameral system balances general suffrage with the selection of qualified individuals, leading to a more effective legislative body<sup>32</sup>.

### 3. **Prevention of the Concentration of Legislative Power and Balance Between Authorities:**

The division of legislative power between two chambers prevents the concentration of power in one chamber and ensures a balance between the different state authorities. It is well known that parliament holds the power to legislate laws that bind both individuals and the state, making it the highest authority in the country. The bicameral system ensures that each chamber acts as a check on the other<sup>33</sup>. A single chamber with unchecked legislative power could lead to abuses of authority, while the second chamber acts as a safeguard. Moreover, a unicameral system could lead to conflicts between the legislature and the government, resulting in political crises and instability. A bicameral system mitigates this by enabling one chamber to act as an intermediary between the executive and legislative powers.<sup>34</sup>

### 4. **Legislation with Precision and Proper Drafting:**

The existence of a second chamber helps prevent mistakes made by the first chamber. In most systems, legislative proposals are introduced by the lower house, which represents the public, and the upper house’s role is to review and scrutinize these proposals carefully before they are voted on. This process helps ensure that laws are well-drafted and precise, leading to legal stability and reducing the need for frequent amendments after the law has been passed<sup>35</sup>.

Thus, the bicameral system reflects a broader range of public opinions, from general public representation through the elected lower house to the representation of experts and professionals in the upper house. For the bicameral system to function effectively, the two chambers must differ in their composition and roles, otherwise, the purpose of having two chambers would be lost<sup>36</sup>.

## **Axix Two: Justifications for Adopting the Bicameral System in Algeria**

There are several justifications for adopting the bicameral parliamentary system, aimed at developing legislative work and ensuring balance between the executive and legislative powers. This is what Algeria experienced, as each country has its own specific justifications and real motivations for adopting this system. Algeria did not adopt the bicameral system until the accumulation of challenges on various fronts, particularly in the security and institutional domains.<sup>37</sup>

As for the political justifications, we addressed them in the first section. In this section, we will focus on the legal justifications<sup>38</sup>.

### **Section One: Political Justifications**

Following the serious setbacks Algeria faced in the early 1990s, which had very negative impacts on various aspects of public life—political, security, social, and economic—Algeria sought to reorganize its power structure through a constitutional amendment on November 28, 1996. This was aimed at establishing rules that would ensure the continuity of the state.

#### **Subsection One: Emergence of Political Opposition Movements**

The events of October 5, 1988, marked the beginning of a movement rejecting the accumulated problems and the dire situation across all economic, social, and political spheres, which led to a



loss of popularity and credibility for the National Liberation Front (FLN). This created a popular opposition to the system, particularly angry at the social and economic conditions, including a decline in economic growth and rising debt, along with a loss of public trust. The idea of one-party rule, prioritizing the party over the state, and rejecting political dissent, led to internal rifts within the FLN. These issues contributed to the emergence of political opposition movements, both domestically and internationally, with the events of October 1988 serving as a turning point, marking the loss of confidence in the ruling authority.

Despite these challenges, the government-initiated reforms, including<sup>39</sup>:

- Establishing the position of Prime Minister to share power with the President and strengthening parliament's role relative to the government.
- Clearly defining the boundaries between the legislative and executive branches, despite the latter's predominance.
- Emphasizing the constitutional review of laws through the Constitutional Council.

#### **Subsection Two: Cancellation of Legislative Elections**

The rapid escalation of events, which spiraled out of control due to the newness and immaturity of the democratic experience, led Algeria into a severe political and security crisis, particularly after the suspension of the electoral process.

A nationwide political strike was organized by the Islamic Salvation Front (FIS) on May 20, 1991, which involved occupying public squares through marches and rallies rejecting the situation, especially the election law and electoral districts law.

On June 5, 1991, the President declared a state of siege and postponed the presidential elections. Despite the tense situation, the results of the first round of elections were announced, showing the FIS winning 188 seats. However, due to the refusal to accept the FIS's victory, a march was organized to stop the electoral process, while the FIS insisted on its legitimate right to participate<sup>40</sup>.

#### **Subsection Three: Vacancy in the National People's Assembly and the Presidency (Constitutional Vacancy)**

On January 4, 1991, the President dissolved the National People's Assembly, and on January 19, 1991, President Chadli Bendjedid resigned. This was followed by the decision to dissolve the FIS and imprison its leaders and many of its supporters, even those sympathetic to its cause. These dangerous decisions were made by an authority that lacked political legitimacy. Political tensions reached their peak, further exacerbated by the assassination of President Mohamed Boudiaf on June 20, 1992, an event that shocked the nation and deeply affected the image of the regime both internally and externally. Algeria then faced an uncertain future, marked by political manipulation of religion to fuel violence<sup>41</sup>.

The constitutional crisis, represented by the vacancy in the presidency and the National People's Assembly, was aggravated by the refusal of the President of the Constitutional Council to assume the presidency, as the 1989 Constitution failed to provide a solution for such a vacancy, followed up by the resignation of the president of the republic<sup>42</sup>.

#### **Section Two: Legal Justifications**

The reasons for adopting the bicameral system are influenced by various historical and objective considerations specific to each country, and are not tied to any particular political model. It is present in countries such as the United Kingdom, France, the United States, Germany, and even some developing countries, albeit exceptionally<sup>43</sup>.

#### **Subsection One: Raising the Competence of Parliament Members**

Given that the National People's Assembly is fully elected through direct and secret general elections, it is possible for some elected members to have considerable popular support but lack the necessary competence to perform their duties effectively. The Senate, on the other hand, is formed using a different method, which allows for the selection of competent national figures in fields such as law, science, culture, and social or professional sectors, who may not necessarily be

skilled in political or partisan work. This would raise the overall technical level of parliament<sup>44</sup> by preventing the marginalization of certain competencies and offering opportunities for personalities from various fields to enter parliament and make valuable contributions to the country.

#### **Subsection Two: Achieving Balance Among Constitutional Institutions to Ensure Stability**

The existence of the Senate as a second chamber in parliament provides a key guarantee for stabilizing the relationship between the legislative and executive powers. The government can rely on the National People's Assembly to pass its programs if they align with the majority in that chamber. However, if the majority opposes the government's direction, the bicameral system allows the government to seek support from the Senate, which is closer to the executive due to the fact that two-thirds of its members are chosen from local governments and one-third by the President.

The broad constitutional powers of the legislative branch can lead to abuses if it consists of a single chamber. A bicameral system allows each chamber to act as a check on the other, preventing the legislative branch from becoming a potential threat to individual rights and freedoms.

Thus, the two chambers serve as a safeguard against the potential for one chamber to abuse its powers<sup>45</sup>, creating a balance that reduces the likelihood of standoffs between the government and parliament<sup>46</sup>.

#### **Subsection Three: Improving Parliamentary Performance**

This is evident in addressing the issue of National People's Assembly deputies who are not specialized in legal matters. Since they are not required to have any legal expertise when running for election, the deputies may overlook certain issues due to their lack of knowledge. On the other hand, the Senate includes national experts from various fields, which helps to improve the legislative performance and make it more effective<sup>47</sup>. This, in turn, leads to a higher level of governance in the state, based on a republican system of representation, serving as a political tool for managing local community issues, ensuring national unity, and building the Algerian state<sup>48</sup>.

#### **Subsection Four: Expanding and Improving National Representation**

To strengthen and institutionalize democratic practices, every province in the country, regardless of its population size, is represented by two members in the Senate. This expands the scope of national representation by ensuring the representation of local communities. The adoption of this method was crucial in addressing the shortcomings of the representation system caused by the general voting system used to elect members of the first chamber. This system often overlooked certain areas<sup>49</sup>. It also sought to address the deficiencies in direct legislative elections that failed to represent minorities or specific social groups, such as scientific experts in various fields. Additionally, the underrepresentation of regional dimensions of the state was tackled through the way the Senate was formed, which is a significant guarantee to achieve comprehensive national representation.

The existence of the second chamber, recognized in democratic systems, aims to broaden the scope of national representation in our country by including local elected officials, experts, and national personalities<sup>50</sup>. This is reflected in Article 121, paragraph 03, of the constitutional 24587 amendment of November 2020.

#### **Conclusion:**

The adoption of the bicameral parliamentary system has achieved several objectives, the most notable being the enhancement of legislative work and the balance between the executive and legislative branches. This is evident in Algeria, where each country has its own specific justifications and real motivations for adopting a bicameral system. Algeria did not adopt this system until the accumulation of challenges on various fronts, particularly in the security and institutional domains.

However, despite the adoption of this system being consistent with contemporary justifications provided by comparative constitutional systems worldwide, its implementation and the impact it

had on parliamentary performance strengthened the dominance of the executive over the legislative branch. This was evident in the executive's control over the legislative agenda, whether through determining its composition, administrative and financial organization, or planning its activities and discussions. The second chamber thus operated in a limited legislative and oversight capacity, with only the power to approve or oppose legislative texts that were already approved by the first chamber of parliament, the strongest authority.

This situation leads to the conclusion that the bicameral system, as an institutional pillar, was introduced to curb the dominance of the majority in the first chamber if it ever attempted to oppose the executive's will. It thus serves as an ideal mechanism to support the sovereignty of the legislative authority, improve parliamentary performance, and expand national political representation, in line with the principle of the separation of powers

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Footnotes

<sup>1</sup> Jacques Picotte, *Juridictionnaire: A Collection of Difficulties and Resources in Legal French*, Canada, Université de Moncton, 2010, p. 553.

Article (24) of the French Constitution of 1958<sup>2</sup>

Article (25) of the Constitution of the Hashemite Kingdom of Jordan, 1952

<sup>3</sup>

<sup>4</sup> Article (82) of the Constitution of the Arab Republic of Egypt, 2012: "The legislative authority consists of the People's Assembly and the Shura Council."

<sup>5</sup> Article (48) of the Constitution of the Republic of Iraq, 2005.

Abdul Ghani Basyuni Abdullah, *Political Systems and Constitutional Law*, no place of publication, <sup>6</sup> 1997, p. 247.

<sup>7</sup> Abdul Hamid Metwally, *Concise Theories and Political Systems and Their Constitutional Principles*, 1st ed., Dar Al-Ma'arif, Egypt, 1958, p. 223 and onwards.

<sup>8</sup> Hani Ali Al-Tahrawi, *Political Systems and Constitutional Law*, 1st ed., Dar Al-Thaqafa for Publishing and Distribution, p. 218.

<sup>9</sup> Ibrahim Abdel Aziz Sheha, *Political Systems and Constitutional Law*, Al-Dar Al-Jamia, Beirut, no publication year, p. 267.

<sup>10</sup> Mohamed Kamel Leila, *Previous Source*, p. 737.

<sup>11</sup> See Article (24) of the Constitution of the French Republic of 1958.

<sup>12</sup> Issam Suleiman, *Parliamentary Systems Between Theory and Practice*, Publications of Halabi Legal, no place of publication, 2010, p. 93.

<sup>13</sup> Article (31) of the Constitution of Iraq, 1935.

<sup>14</sup> Article (67) of the Constitution of the Hashemite Kingdom of Jordan, 1952.

<sup>15</sup> Ghazi Karam, *Political Systems and Constitutional Law: A Comparative Study of the Constitutional System in the United Arab Emirates*, 1st ed., University Library, Sharjah, Jordan, 2009, p. 185.

<sup>16</sup> Zohair Shaker, *Previous Source*, p. 343.



<sup>17</sup> Issam Suleiman, *Previous Source*, p. 162.

<sup>18</sup> Sami Jamal El-Din, *Political Systems*, Dar Al-Jami'a Al-Jadida, Egypt, 2010, p. 259

<sup>19</sup> Zohair Shaker, *Previous Source*, p. 211.

<sup>20</sup> Mohamed Kamel Leila, *Previous Source*, p. 737.

<sup>21</sup> Article (82) of the Constitution of Egypt, 1932.

<sup>22</sup> Articles (32) (38/1) of the Iraqi Basic Law, 1925.

Sami Jamal El-Din, *Political Systems*, Dar Al-Jami'a Al-Jadida, Egypt, 2010, p. 259<sup>24</sup>

<sup>25</sup> Abdul Hamid Metwally, *Concise Theories and Political Systems and Their Constitutional Principles*, 1st ed., Dar Al-Ma'arif, Egypt, 1958, p. 221.

Munzir Al-Shaawi, *Constitutional Law (Theory of the State)*, Dar Al-Qadisiyah for Printing, <sup>26</sup> Baghdad, 1981, p. 258

Michel Ameller, *Parliaments A Comparative Study on the Structure and Functioning of Representative Institution on Fifty-Five Countries*, Cassell, London, 1966, P.7

<sup>27</sup> Article (1) of the United States Constitution of 1787 (Paragraph 2): "The House of Representatives shall be composed of Members chosen every second Year by the People of the several States..." (Paragraph 3): "The Senate shall be composed of two Senators from each State (chosen by the Legislature thereof) for six Years..."

<sup>28</sup> Article (49/First) of the Constitution of the Republic of Iraq, 2005: "The Council of Representatives consists of a number of members, with one seat for every one hundred thousand people of Iraq, representing the entire Iraqi people, elected by direct, secret, general vote, with consideration for the representation of all components of the population."

<sup>29</sup> Article (65/First) of the Constitution of the Republic of Iraq, 2005: "A legislative body called the Federation Council shall be established, consisting of representatives from the regions and governorates not organized in a region..."

<sup>30</sup> Ibrahim Abdel Aziz Sheha, *Political Systems and Constitutional Law (A Critical Analysis of the Lebanese Constitutional System)*, Al-Dar Al-Jamia, Beirut, no publication year, p. 269.

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<sup>32</sup> Mohamed Kamel Leila, *General Constitutional Principles and Political Systems*, 1st ed., Dar Al-Fikr Al-Arabi, Cairo, 1959, p. 735.

<sup>33</sup> Saad Asfour, *Basic Principles in Constitutional Law and Political Systems*, Manshahat Al-Ma'arif, Egypt, no publication year, p. 194.

<sup>34</sup> Ghazi Karam, *Political Systems and Constitutional Law: A Comparative Study of the Constitutional System in the United Arab Emirates*, 1st ed., University Library, Sharjah, Jordan, 2009, p. 188.

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