

# THE LEGAL SYSTEM FOR THE PROFESSION OF RESEARCH PROFESSOR IN ALGERIA

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## Abstract:

*This research deals with the legal system governing the profession of research professor in Algeria, an academic role that plays a central role in both the educational and research systems. It discusses the general laws relating to the organization of higher education and scientific research, as well as specific regulatory texts and basic laws applicable to research professors. The paper aims to clarify the processes of recruitment and promotion, to define ranks and levels, and to outline the conditions and duties associated with the profession, highlighting the rights and obligations of research professors.*

**Keywords:** *Professorship, legal framework, legal system, research professor in Algeria, basic law for researchers, Algerian research professor.*

## INTRODUCTION

While the importance of higher education in the overall development of the community is undisputed, it can only be achieved through the development of human resources, which are the basis of all progress. For this reason, the Algerian legislator has sought to improve higher education by promoting and valuing scientific research through the promotion of academic freedoms, focusing on the elevation of the profession of university professor, which is fundamental in the university as one of the main pillars in the construction of knowledge and the advancement of scientific research.

In addition, the research professor has the task of conducting specialised scientific research to develop knowledge and contribute to solving social, economic and cultural problems, as well as providing higher education to train the state's cadres.

In order to ensure that these tasks are carried out at the highest level of quality and professionalism, the Algerian legislator has established a legal framework that includes, in addition to general laws relating to the organisation of higher education and the management of scientific research, specific regulatory texts and basic laws for research professors. This framework clarifies the processes of recruitment and promotion, defines the categories, ranks, conditions and tasks associated with the profession, and highlights the rights and obligations of research professors.

In this context, the reader may question the profession of research professor, the meaning of the term (what is meant by "research professor" and the legal system governing the profession), and their professional life (tasks, conditions of employment and promotion; rights and duties).

We have therefore decided to divide the study entitled "The legal framework for the profession of research professor in Algeria" into two sections. The first section will discuss the concept of the research professor, addressing the legal framework of their profession in the first subsection and the meaning of the research professor in the second subsection. Meanwhile, the second section will focus on their professional life, with the first subsection entitled "Employment, Promotion and Tasks" and the second entitled "Rights and Duties".

### Chapter One: The concept of the research professor

It is obvious that we should start by defining the research professor; however, before doing so, we will clarify the laws and regulations specific to the research professor in Algeria<sup>1</sup>.

#### Section One: The legal system governing the profession of research professor

Given that the research professor is a cornerstone of the university, which cannot perform its functions or achieve its objectives without him, countries try to define his role and responsibilities by enacting laws and regulations specific to him, as well as general legal texts concerning university professors as public servants.

Therefore, after discussing the legislative texts and general laws relating to the research professor as a state employee, we will turn to the laws and regulations relating to the research professor.

### **Subsection One: Legislative texts and general laws**

The legislative texts and general laws concerning the organisation of higher education and research include the following directives:

1. Decree No. 06-03 of 15 July 2006 on the General Organic Law of the Civil Service.
2. Law no. 84-05 of 7 January 1984 on the planning of studies on the education system.
3. Law no. 99-05 of 4 April 1999, concerning the basic law on higher education.
4. Law No. 05-08 of 22 February 2008, amending and supplementing Law No. 11-98 of 22 August 1998, on the model law and five-year programme for scientific research and technological development (1998-2000).
5. Decree no. 03-279 of 23 August 2003 defining the missions of universities and the rules governing their organisation and operation.

#### **First: Decree No. 06-03 of 15 July 2006 on the General Civil Service Code.**

This law was enacted to define the basic legal rules applicable to civil servants, as well as the fundamental guarantees granted to them in the performance of their duties in the service of the State.

This law provides for the creation of high-level positions of a structural or functional nature to ensure the proper management of administrative and technical activities<sup>2</sup> in public institutions and administrations<sup>3</sup>. This is done through the basic laws governing certain categories of employees with regard to high-level positions of a functional nature, as well as through regulatory texts that establish and organise public institutions and administrations with regard to high-level structural positions<sup>4</sup>.

It is worth noting that the promulgation of this law on this date is merely an amendment to the first Algerian civil service legislation, which was enacted by decree no. 66-133 of 2 June 1966<sup>5</sup> and which, after only ten years of implementation, had shown its shortcomings<sup>6</sup>.

#### **Second: Law No. 84-05 Dated 4 Rabi' al-Thani 1404 (January 7, 1984), Concerning the Planning of Student Groups in the Educational System.**

This law aims to define the general principles for planning student groups within the educational system<sup>7</sup>. Article 30 specifies how appointments in various branches of post-basic education, particularly university education, are to be determined.

#### **Third: Law No. 99-05 of 18 Dhu al-Hijjah 1419 (4 April 1999) on the Higher Education Guidelines.**

This law aims to establish the basic regulations for the public higher education sector, which was under the Ministry of Education after independence. It has undergone numerous developments, especially with the issuance of the Model Law on Universities of 24 September 1983 and the Guiding Law on Higher Education of 4 April 1999, which included provisions on university professors, particularly those that indicated that the regulations on university professors<sup>8</sup> should be defined in specific laws<sup>9</sup>.

#### **Fourth: Law No. 05-08 of 22 February 2008, amending and supplementing Law No. 11-98 of 22 August 1998, on the Guiding Law and Five-Year Programme for Scientific Research and Technological Development, 1998-2000.**

This law completed the reference to the five-year period 1998-2000 and definitively linked the objectives of scientific research and technological development to the achievement of economic, social, cultural, scientific and technological development. It also aimed to involve the research professor in the national research initiative<sup>10</sup>.

#### **Fifth: Executive Decree No. 03-279 of 24 Jumada al-Thani 1424 (23 August 2003), which defines the tasks of the university and the specific rules for its organisation and operation.**

This decree outlines the organisation of the university's structures (Administrative Council, Scientific Council, Faculties and Institutes) and defines the tasks assigned to professors in the management of the university and their participation in these structures<sup>11</sup>.

### **Section Two: Regulatory Texts and the Special Basic Law for the Research Professor.**

There are a number of laws and regulations relating to the research professor, in particular concerning:

1. Research activities and participating and invited professors:



Executive Decree No. 08-130 of 3 May 2008 includes the Special Basic Law for Research Professors.

## 2. Doctorate, qualification, postgraduate training and academic theft:

Executive Decree No. 98-254 of 17 August 1998 concerns specialised postgraduate training and academic qualification.

Decree No. 05-15 of 11 January 2005 establishes a grant to encourage the supervision of doctoral theses.

Decision no. 933 of 28 July 2016 establishes the rules for preventing and combating academic theft.

## 3. Teaching hours and additional hours:

Decision No. 929, dated 20 July 2016, establishes the weekly teaching hours for research professors.

Decision No. 931, dated 28 July 2016, specifies the procedure for changing the weekly teaching hours for senior research professors.

Decision No. 932, dated 28 July 2016, specifies the procedures for organising pedagogical support for newly appointed research professors.

Fourthly, short and long term placements abroad, sabbaticals and academic stays:

Presidential Decree No. 03-309 of 11 September 2003 includes the organisation and management of training and qualification abroad.

Joint ministerial decree of 25 December 2011 amends the joint ministerial decree of 17 May 2004 on training and improving qualifications abroad for a period of up to six months.

Decree No. 12-280 of 9 July 2012, specifying the procedures for benefiting from scientific leave.

The joint ministerial decision of 8 December 2004 establishes the amount of the allowance paid to the beneficiaries of scientific leave abroad and the conditions for granting it.

## **Fifth: research activities of participating and invited professors:**

Decree No. 01-295 of 1 October 2001 amends Decree No. 86-53 of 18 March 1986 on the remuneration of visiting professors.

Executive Decree No. 01-294 of 1 October 2001, which defines the conditions for the employment of participating and invited professors and their work in higher education and training establishments.

Executive Decree No. 24-103 of 26 Sha'ban 1445 (7 March 2024) amends and supplements Executive Decree No. 24-03 of 27 Rabi' al-Thani 1429 (3 May 2008), which contains the basic law for research professors.

However, the most important regulatory texts concerning research professors are found in the Basic Law for Researchers, issued by Executive Decree No. 08-130 of 3 May 2008, and Executive Decree No. 24-103 of 2024, which aims to supplement and amend Decree No. 08-130.

A detailed discussion of the content of these key pieces of legislation, which include:

- Executive Decree No. 08-130 dated Rabi' al-Thani 27, 1429 (3 May 2008), which contains the basic law for research professors.

- Executive Decree No. 24-103 of Sha'ban 26, 1445 (7 March 2024), which amends and supplements Executive Decree No. 24-03 of Rabi' al-Thani 27, 1429 (3 May 2008), which contains the basic law for research professors.

## **Section 2: Definition of the Research Professor**

Before discussing the ranks and positions of the research professor, we will define the term “research professor.” It is important to clarify its meaning before exploring the various ranks and positions associated with it.

### **Subsection 1: Definition of the Research Professor**

The Algerian legislator focused on defining the duties of the research professor but did not provide a specific definition<sup>12</sup>. Generally, a research professor is defined as “an individual who engages in teaching at the university level across various specializations and qualifications.”<sup>13</sup>

In addition to their teaching role, the research professor, as a “scientific researcher,” conducts specific scientific research or investigates particular problems by collecting, analyzing, and interpreting data using scientific methods<sup>14</sup>.

The term “research professor” first appeared in France in official texts within Law 84-52, issued on January 26, 1984<sup>15</sup>, related to higher education, specifically in Articles 55, 56, and 57, and Decree 84-431<sup>16</sup>. Prior to that, legislative texts (including Law No. 978-68, dated November 12, 1968,

concerning higher education)<sup>17</sup> simply referred to “professor,” “university professor,” or “senior professor” to designate university professors or assistant professors

Since the 1960s, however, this compound term has been used in texts addressed to university teachers. A research professor is a civil servant attached to the Ministry of Higher Education and Scientific Research who works in one of the higher education institutions<sup>18</sup>.

After obtaining a doctorate, this person takes up the position of professor at the university and thus becomes a research professor.

The term “research professor”<sup>19</sup> refers to a university professor and consists of two words: “professor” and “researcher”.

The word “professor”, which is a singular noun with plural forms including أستاذون, أستاذة and أساتيد, and its feminine form أستاذة and plural أستاذات, according to the Al-Maany dictionary, means a teacher who practices the teaching of a science or art. For example, a law professor is a university teacher with different ranks (assistant professor, lecturer, associate professor, chair professor, distinguished professor). An assistant professor is a university teacher who is lower in rank than a professor but higher than an instructor.

The title is generally given to someone who is knowledgeable in a particular field and passes on knowledge to others.

A “visiting professor” is a professor who is invited to teach at another college or university for a period of time.

The term is also used respectfully for intellectuals in general, such as writers, poets and lawyers. For example, some might say: “Professor Al-Aqqad was a man of letters, a poet and a critic”.

The term “researcher” is a singular noun derived from the verb بحث (to search) with plural forms including باحثون and بُحَّاث. It refers to someone who investigates and explores questions of thought and knowledge (an investigator), thus spending most of his time between books and experiments. The phrase “a researcher seeking his shadow” is used to describe someone who wastes his time searching for something impossible or in an inappropriate context.

Their primary task, as their title implies, is to transmit and produce knowledge. As a ‘professor’ they transmit knowledge and science to students through teaching, while as a ‘researcher’ they produce knowledge through research.

In summary, the role of the “research professor” involves two main responsibilities: teaching and scientific research. On the one hand, as a professor, they transfer knowledge to students, guide their education and supervise their work. On the other hand, as a researcher, they investigate topics, write articles, organise conferences and supervise doctoral students.

Abdel Fattah Ahmed Jalal defines university professors as “a group of individuals who are responsible for the effective functioning of the educational process at the university, and who are entrusted with various functions and duties, such as teaching, providing scientific guidance to students, conducting scientific research, and supervising it”<sup>20</sup>.

Brown defines the “research professor” as a specialist who responds to a societal need and possesses a certain mastery of knowledge and scientific understanding<sup>21</sup>. He also describes them as members responsible for teaching and supervising higher education, holding a doctorate or master’s degree, with ranks such as professor, associate professor, assistant professor or lecturer<sup>22</sup>.

In addition, it is defined as anyone working in a teaching role, whether as a lecturer, assistant professor or professor in recognised universities or equivalent titles in institutions with different nomenclature<sup>23</sup>.

In operational terms, a research professor is a specialised individual who is distinguished in a particular field and who teaches and trains according to his or her qualifications.

An enseignant-chercheur is a person who works both as a scientific researcher and as a teacher in a higher education institution<sup>24</sup>.

Thus, a research professor is someone who works as a scientific researcher and teacher in higher education<sup>25</sup>.

They are a university teacher (lecturer or professor) who is also responsible for research. Thus, through teaching and research, they fulfil a public service role in higher education.

However, the research professor must have certain skills and qualities, such as:

- Scientific expertise: They should be knowledgeable in their field and keep abreast of developments in their discipline.
- Teaching skills: An ability to communicate their knowledge clearly.
- Critical and analytical thinking
- Intellectual curiosity.
- Interpersonal skills and public speaking ability.

In addition, the research professor should be able to supervise doctoral students and possess essential attributes for the performance of his/her duties, such as ease of communication and a passion for teaching, as well as other qualities necessary for interacting with students.

## **Section Two: Ranks of the Research Professor**

Research professors progress through ranks within categories defined by statute.

In general, a research professor begins his or her career after tenure at the rank of assistant professor, progresses to the rank of lecturer, and culminates in the rank of professor (university professor). This progression does not include the lower ranks of assistant professor, awarded to outstanding students during their undergraduate studies, and distinguished professor. Each rank is described as follows:

### **First: The level of assistant professors**

Executive Decree No. 08-130 of 27 Rabi' al-Thani 1429 (3 May 2008), which includes the basic law for research professors, defines the levels of research professors into four categories: assistant professors, lecturer professors and full professors<sup>26</sup>. The level of assistant professor has been designated as a descending category<sup>27</sup>. An assistant professor is a university teacher for top students in their undergraduate studies and is also responsible for the preparation of a master's thesis<sup>28</sup>.

### **Second: The assistant professor level**

The Assistant Professors category consists of one rank: Assistant Professor, according to Decree No. 24-103 of 26 Sha'ban 1445 (7 March 2024), which amends and supplements Decree No. 24-03 of 27 Rabi' al-Thani 1429 (3 May 2008). It replaces the two ranks of Assistant Professor "B" and Assistant Professor "A" established by Decree No. 08-130. This means that the ranks of Assistant Professor "B" and Assistant Professor "A" are in the process of being phased out, as clarified by Executive Decree No. 24-03<sup>29</sup>.

### **Third: The Lecturer-Professor level**

This level has two ranks: Lecturer Professor "B" and Lecturer Professor "A". Executive Decree No. 24-103 was issued to amend certain provisions concerning the duties and promotion conditions for each rank of Lecturer, previously organised under Executive Decree No. 08-130.

### **Fourth: the professorial level**

This level includes the rank of professor, organised by Decree No. 08-130. Executive Decree No. 24-103 amends certain provisions relating to the duties and conditions for promotion of professors.

### **Fifth: the rank of associate professor**

Executive Decree No. 08-130 created the rank of "distinguished professor"<sup>30</sup> and set up a national committee to evaluate the scientific and teaching activities and publications of candidates appointed to this rank, which is responsible for defining the evaluation criteria and their scoring system<sup>31</sup>.

## **Chapter Two: The professional life of the research professor**

In this section, we will discuss the conditions for employment and promotion, before moving on to the duties of a research professor.

### **Section One: Hiring, Promotion and Duties**

We will deal with each point separately.

#### **Subsection One: Conditions of employment and promotion**

Executive Decree No. 08-130 dated 27 Rabi' al-Thani 1429 (3 May 2008) defines the duties of assistant professors and clarifies their employment conditions. An assistant professor "B" is hired on the basis of a doctoral degree or through a competition for those with a master's degree (obtained in accordance with Executive Decree No. 98-254)<sup>32</sup>. Each level has its own promotion conditions, which we will discuss as follows:





### 1. First: Assistant Professor “B”

- An Assistant Professor “B” may be promoted to the rank of Assistant Professor “B” after obtaining a Master’s degree<sup>33</sup>.

### 2. Second: Assistant Professor “A”

- Assistant professors “B” who have been enrolled for a doctorate three times may be promoted to the rank of assistant professor “A”<sup>34</sup>.

### 3. Third: Lecturer Professor “B”

- Assistant Professors “B” who are enrolled and hold a Ph.D. or equivalent degree may be promoted to the rank of Lecturer “B”.

- Assistant professors “A” who hold a doctorate in science or its equivalent are also eligible for this promotion<sup>35</sup>.

- With the promulgation of Decree No. 24-103, promotion to the rank of “B” lecturer has become possible for registered assistant professors<sup>36</sup>.

### 4. Fourth : Lecturer Professor “A”.

- Assistant Professors “B” who hold a Ph.D. or equivalent degree may be promoted to Lecturer Professor “A”.

- Assistant professors “A” who hold a doctorate in science or its equivalent are also eligible.

- Assistant professors “B” holding a university degree or its equivalent may also be promoted<sup>37</sup>.

### Fifth: The rank of Professor

Professors are promoted to the rank of Professor from among the Associate Professors who have completed five years of service and who are on the list of qualifications drawn up by the Minister of Higher Education through the National University Committee<sup>38</sup>.

### Section Two: Responsibilities

We will discuss the responsibilities of the research professor in general, but according to each rank.

#### First: The assistant professor

The responsibilities of the Assistant Professor include participating in the work of their teaching department or committee, serving on examination boards and marking<sup>39</sup>, and completing 288 hours of directed work or 384 hours of practical work<sup>40</sup>.

#### Second: The Assistant Professor (Category B)

The responsibilities of the assistant professor (category B) include meeting with students for three hours a week to guide and advise them, in addition to the responsibilities assigned to the assistant<sup>41</sup>. Executive Decree No. 24-103 added new responsibilities to those listed in Executive Decree No. 08-130, including evaluating and monitoring students’ knowledge, supervising examinations, grading assigned examination papers, participating in examination committee discussions, contributing to the work of their educational department or committee, supervising final projects and fieldwork, promoting the entrepreneurial spirit within the university, guiding and mentoring students with innovative and entrepreneurial projects, and assisting their institution in the creation of economically oriented subsidiaries (such as consulting offices, start-ups, and small and medium-sized enterprises).

#### Third: The assistant professor (category A)

The tasks of the assistant professor (category A) include the provision of 192 hours<sup>42</sup> of teaching<sup>43</sup>, in addition to the tasks assigned to the assistant professor (category B) by Decree No. 08-130. However, Executive Decree No. 24-103 introduced new responsibilities, which include the preparation and updating of their teaching, in addition to the responsibilities set out in Article 33 bis<sup>44</sup>.

#### Fourthly: the assistant professor

Since the ranks of research assistant professor (category B) and research assistant professor (category A) are being phased out, Decree No. 24-103 added a third section to Chapter 2, entitled “The assistant professor”, which contains three paragraphs:

1. Definition of responsibilities: This decree added new responsibilities to those set out in Article 37 in relation to the duties of the Assistant Professor (Category A), which include ensuring the preparation of publications, books and other educational materials<sup>45</sup>.

2. Conditions of employment and promotion: This decree specified two methods for the employment of the assistant professor: either on the basis of qualifications for the best graduates with a doctoral degree, or through a competition for those with a doctoral degree<sup>46</sup>.

3. Transitional provisions: It states that from 1 January 2024, Assistant Professors (Category B) who are trainees and hold a doctorate or its equivalent will be integrated into the rank of Assistant Professor<sup>47</sup>.

#### **Fifth: The Associate Professor (Category B)**

The Associate Professor (Category B) is responsible for ensuring teaching with a total of 192 hours<sup>48</sup> in the form of lectures, preparing and updating lessons, ensuring the preparation of publications, books, and other educational materials, overseeing the proper conduct of examinations assigned to them, participating in examination committee discussions, preparing exam topics, grading examination papers, contributing to the work of their department and/or educational committee, supervising external training activities for students, and meeting with students for three (3) hours a week for guidance and advice<sup>49</sup>.

Executive Decree No. 24-103 added new responsibilities, including supervising final projects and fieldwork, contributing to the improvement of educational curricula, promoting research and innovation and evaluating their results, fostering an entrepreneurial spirit within the university, guiding and mentoring students with innovative and entrepreneurial projects, and assisting their institution in the creation of economically oriented subsidiaries (such as consulting offices, start-ups and small and medium-sized enterprises)<sup>50</sup>.

#### **Sixth: The Associate Professor (Category A)**

The Associate Professor (Category A) has similar responsibilities to those of the Associate Professor (Category B) as outlined in Executive Decree No. 08-130, in addition to participating in pedagogical design and expertise activities in areas such as curriculum development, designing new training formats and evaluating programmes and studies. They also supervise the preparation and updating of directed work and practical assignments by assistant professors<sup>51</sup>.

Executive Decree No. 24-103 introduced new responsibilities for Associate Professors (Category A). In addition to the tasks set out in Article 44 of Decree No. 08-130, they are responsible for giving lectures, seminars and workshops at the doctoral level, evaluating and monitoring students' knowledge, supervising examinations, supervising final projects and fieldwork, contributing to the improvement of educational curricula, promoting research and innovation and evaluating their results, fostering an entrepreneurial spirit within the university, guiding and mentoring students with innovative and entrepreneurial projects, and assisting their institution in the creation of economically oriented subsidiaries (such as consultancy offices, start-ups and small and medium-sized enterprises)<sup>52</sup>.

#### **Seventh: Professors**

Professors have all the responsibilities of associate professors (category A), with the exception of supervising external training activities for students<sup>53</sup>.

Executive Decree No. 24-103 has added other responsibilities for professors, including giving lectures, seminars and workshops at the doctoral level, evaluating and monitoring students' knowledge, supervising examinations, supervising final projects and fieldwork, contributing to the improvement of educational curricula, promoting research and innovation and evaluating their results, fostering an entrepreneurial spirit within the university, guiding and mentoring students with innovative and entrepreneurial projects, and assisting their institution in the creation of economically oriented subsidiaries (such as consulting offices, business start-ups and small and medium-sized enterprises)<sup>54</sup>.

#### **Eighth: Distinguished Professor**

In addition to the duties assigned to professors, the Distinguished Professor will be responsible for giving lectures, seminars and workshops at the doctoral level, meeting with doctoral students for guidance and advice, participating in the identification of priority research areas in their field, and ensuring responsibilities related to studies, consultancy and scientific and/or pedagogical coordination. This professor may also be invited to represent the institution in national or international bodies<sup>55</sup>.

## Section Two: Rights and Duties of the Research Professor

The research professor is considered the cornerstone in the education of society's elites and leaders. They are the essential nucleus for the establishment and development of scientific research in various fields, which contribute significantly to the progress and prosperity of nations. Therefore, all countries have assigned specific rights and duties to university professors that are appropriate to their profession. This paper discusses the rights and duties guaranteed to this category by Algerian legislation.

The research professor plays a leading role in the training of public servants and participates in the social and economic development of the country through research. Consequently, the State works to protect them by enabling them to carry out their duties and by protecting them against hardship, thus guaranteeing their job security in public higher education institutions. They are therefore subject to the rights and obligations set out in the Civil Service Law, which went through several stages before being stabilised by Decree 06/03<sup>56</sup>, in addition to the provisions relating to the specific nature of the position of research professor<sup>57</sup>.

### The first section: the rights of research professors

In order to fulfil the tasks assigned to them, research professors have been granted rights in exchange for the obligations they must respect.

These rights have been guaranteed by Algerian legislation in the specific law for research professors (Executive Decree No. 08-130 of 27 Rabi' al-Thani 1429, corresponding to 3 May 2008, which includes the specific law for research professors) and also in Executive Decree No. 24-103 of 26 Sha'ban 1445, corresponding to 7 March 2024, which amends and supplements it<sup>58</sup>.

The main rights guaranteed to research professors can be divided into two types: personal rights related to the individual as a researcher, which contribute to his or her dignity, and functional rights related to the nature of his or her work.

### First: Personal rights

These rights concern the professor as an individual striving for a decent life and contribute to the improvement of his/her pedagogical performance. These rights include

- The right to a monthly salary and various allowances and compensations.
- The right to leave and holidays.
- To be assigned administrative tasks in addition to their primary duties.
- To be seconded and loaned to administrative and political positions outside the university.
- To receive bonuses and financial incentives for research activities<sup>59</sup>.
- To benefit from all the privileges established by the University Social Welfare Committee.
- Promotion in grades and ranks, subject to compliance with the legal requirements.
- Hold high structural or functional positions in public institutions and administrations<sup>60</sup>.
- To engage in teaching and training activities on a secondary basis.
- To enjoy all the conditions necessary for the performance of their duties and academic advancement<sup>61</sup>.
- To enjoy conditions of cleanliness and security appropriate to the nature of their activities<sup>62</sup>.

### Second: Functional rights

Functional rights relate to the role of the professor rather than to his or her personal identity. These rights are essential for improving teaching and scientific research. They include

- The right to one year's sabbatical leave during their professional career, which allows the professor to renew their knowledge and thus contribute to the improvement of the educational system and the national scientific development<sup>63</sup>.
- The benefit of leave without loss of salary to attend conferences and meetings related to their professional activities, whether national or international<sup>64</sup>.
- Access to short-term internships aimed at preparing a doctoral thesis or improving and developing their skills.
- Participation in scientific research activities within teams or research laboratories<sup>65</sup>.
- Benefit from the adaptation of teaching hours for the preparation of a doctoral thesis<sup>66</sup>.



- Participation in the preparation of knowledge and the development of competences and skills necessary to fulfil the role of professor<sup>67</sup>.

### **Section Two: Responsibilities of the research professor**

In return for the rights they enjoy, research professors also have duties and obligations that must be respected and fulfilled.

Since the public service role of the research professor involves the preparation and transmission of knowledge, he/she is obliged not only to teach but also to conduct scientific research. Consequently, these obligations are multiple and require the professor to balance his or her teaching and research responsibilities. They are essential for achieving success and excellence in the academic field<sup>68</sup>.

These obligations can be divided into pedagogical and academic obligations and personal professional obligations. Below are some of the basic obligations of the research professor:

First: Teaching and academic duties

- To provide teaching services (preparation and delivery of lectures and classes) for a total of thirteen (13) weeks per semester<sup>69</sup>, with an annual teaching load of 192 hours, which corresponds to 288 hours of directed work or 384 hours of practical work<sup>70</sup>, according to the equation that one hour of lectures equals one and a half hours of directed or practical work. However, the new amendment has made the hours of directed work equal to the hours of practical work.

- Academic supervision of students, especially during higher education and doctoral training<sup>71</sup>.
- Providing academic and professional advice and support to students:
  - In personal tasks related to organising and managing their schedules and mastering university working methods.
  - In documentation tasks to enable them to master bibliographic tools and use libraries.
  - In the acquisition of self-evaluation and training techniques<sup>72</sup>.
  - Training in the use of digital libraries, with the addition of Decree No. 24-103, which includes mentoring students during their internships in a professional environment<sup>73</sup>.
- Evaluating students through tests, assignments and other assessments.
- Producing knowledge and contributing to its development by carrying out scientific research.
- Publication of articles in scientific journals.
- Participating in scientific conferences and contributing to the development of ideas.
- Participating in and leading scientific research activities within research teams or laboratories<sup>74</sup>.

In addition, the obligation now includes the possibility of inviting professors to carry out scientific research on a part-time basis within research teams or laboratories, as set out in Decree No. 24-103, which amends and supplements Decree No. 08-130.

### **Second: Professional and personal commitments**

The personal and professional obligations of research professors encompass the responsibilities they must uphold in their professional duties and in their personal and social conduct. These obligations cover various aspects of their professional and private lives and contribute to the enhancement of their personal and professional integrity. Some key personal commitments are set out below:

These obligations reflect the core values that the research professor should embody and have a significant impact on their professional reputation and on their relationships within their academic and social environment. Some of these include:

- Developing their skills and knowledge by attending workshops and training programmes.
- Keeping abreast of the latest developments and advances in their field of scholarship.
- Commitment to standards of academic integrity and respect for intellectual property rights, as well as professional ethics, moral values and positive behaviour.
- Participate in academic and university committees and in collaborative university/academic activities.
- Provide scientific and professional advice and contribute to community development.
- Contribute to curriculum development.
- Treat the University community (colleagues, students, staff and administrators) with respect.
- Behave appropriately and respectfully both on and off campus and uphold ethical and professional standards by complying with university and national laws and policies.

- Maintain a good balance between personal and professional life and take care to maintain good physical and mental health.

### **Conclusion:**

We conclude this paper by summarising the main findings before making some recommendations that we believe are necessary.

### **First: Findings**

The profession of research professor in Algeria is one of the fundamental pillars in the construction of knowledge and the development of scientific research. As such, they are the cornerstone of the university and their mission has two main elements: teaching and scientific research. On the one hand, they are teachers who impart knowledge to students, guide them through their education and supervise their work. On the other hand, they carry out research on specific topics, write articles, organise conferences and supervise doctoral students, acting as “researchers”.

In order to ensure that they perform their duties at the highest level of quality and professionalism, countries, including Algeria, enact legislation to facilitate their functions and clearly define their roles, responsibilities, rights and obligations.

The most important laws concerning university professors include:

- Decree No. 06-03 of 19 Jumada al-Thani 1427, corresponding to 15 July 2006, which contains the general basic law of the civil service.
- Executive Decree No. 08-130 of 3 May 2008, which includes the specific basic law for research professors.
- Executive Decree No. 24-103 dated 26 Sha’ban 1445, corresponding to 7 March 2024, which amends and supplements Executive Decree No. 08-130.

The main provisions of the latter decree include:

- Pedagogical obligations: It establishes a teaching period of thirteen (13) weeks per semester and adjusts the amount of practical work, changing it from 384 hours to match the 288 hours of directed work, which equates to 192 hours of lectures per week. The number of hours of practical work is now equal to the number of hours of directed work, both of which are 288 hours per week.
- Responsibilities assigned to research professors: They are now required to contribute to the promotion of entrepreneurship and the creation of start-ups and economic units within the university.
- Conditions of employment: These now require a doctorate.

However, an important observation regarding what Executive Decree No. 24-103 did not address is the following:

- The lack of provision for the challenges faced by research professors that affect their professional performance and career, including financial, administrative, professional, social and psychological issues.
- The lack of discussion of challenges related to academic freedom and legal protection in the event of professional disputes.

### **Second: Recommendations**

Based on the above, we can only make the following recommendations:

1. Foster a connection: Efforts should be made to establish a relationship between scientific research and researchers in order to increase professors’ interest in research and encourage them to become deeply involved in it.
2. Addressing challenges: To alleviate the difficulties faced by research professors in their research activities.
3. Establish support mechanisms: Mechanisms and means should be established to motivate research professors and ensure their stability so that they can devote themselves fully to their responsibilities.
4. Incentives for social stability: Incentives should be provided to ensure the social stability of university professors.
5. Study of the legal framework: Legal experts should study the legal framework surrounding research professors.

6. Address professors' problems: The relevant authorities should address the problems faced by research professors, in particular housing issues, transition between universities, and the establishment of independent bodies or committees to address professors' grievances and protect their rights, especially in cases of professional disputes.

7. Improving Internet access: The state should find solutions to the problem of poor Internet access and ensure that university professors are provided with the necessary resources for research and teaching. In addition, legal protection mechanisms should be defined for research professors in the performance of their duties, particularly with regard to academic freedom and professional disputes.

#### Footnotes:

- <sup>1</sup>- Article 75 of the Constitutional Amendment 2020.
- <sup>2</sup>- Nourredine Zebda, "The Activities of the Research Professor in Algerian Universities" - A Study of the Basic Law for Research Professors - Journal of Legal and Political Studies, Mohammed Boudiaf University, Volume 08, Issue 01, January 2022, p. 465.
- <sup>3</sup>- Article 10 of Ordinance 06-03 dated Jumada II 19, 1427, corresponding to July 15, 2006, on the General Statute of the Civil Service.
- <sup>4</sup>- Article 11 of Ordinance 06-03 on the General Statute of the Civil Service.
- <sup>5</sup>- Abdel Ali Tahar, "Stages of Development of the Legal System for Civil Service in Algeria," Eliza Journal of Research and Studies, Volume 07, Issue 01, (2022), p. 581.
- <sup>6</sup>- Ahmed Bouloudnine, "The Legal Statute of the Civil Service," Continuous Training University, Academic Year 2020/2021, p. 2.
- <sup>7</sup>- Article 1 of Law No. 84-05 dated Rabie II 4, 1404, corresponding to January 7, 1984, concerning the Planning of the Educational System.
- <sup>8</sup>- Abdul Halim Jalal, "A Study of Legislative and Regulatory Texts for Higher Education and Scientific Research in Algeria," Journal of Arts and Social Sciences, Setif 2 University, Issue 20, June 2015, p. 14.
- <sup>9</sup>- Article 55 of the Guiding Law for Higher Education dated 04/04/1999.
- <sup>10</sup>- Abdul Halim Jalal, op. cit., p. 14.
- <sup>11</sup>- For example, Article 20 of this decree.
- <sup>12</sup>- Nourredine Zebda, January 2022, "The Activities of the Research Professor in Algerian Universities," Journal of Legal and Political Studies, Issue 01, Mohammed Boudiaf University, p. 460.
- <sup>13</sup>- Rida Youab, December 2015, "The Functional and Social Performance of University Professors in the LMD System," Journal of Humanities and Social Sciences, Issue 21, Mohammed Sidik Ben Yahya University, Jijel, p. 72.
- <sup>14</sup>- Ismail Shahbani, October 2023, "Characteristics and Ethics of Distinguished Scientific Researchers," Semiotic Research Journal, Volume 10, Issue 18, Abou Bakr Belkaid University, Tlemcen, p. 38.
- <sup>15</sup>- Law no. 84-52 of 26 January 1984 on higher education.
- <sup>16</sup>- Decree no. 84-431 of 6 June 1984 laying down the common legal provisions applicable to teachers and researchers and the special status of university professors and lecturers.
- <sup>17</sup>- Law no. 68-978 of 12 November 1968 on the orientation of higher education.
- <sup>18</sup>- Article 2 of Decree No. 08-130 of 27 Rabie II 1429, corresponding to 3 May 2008, on the special status of research professors.
- <sup>19</sup>- [Almaany dictionary entry on "professor"](<https://www.almaany.com/ar/dict/ar-ar/%D8%A3%D8%B3%D8%AA%D8%A7%D8%B2/>)
- <sup>20</sup>- Rida Youab, "The Functional and Social Performance of University Professors in the LMD System", Journal of Humanities and Social Sciences, Issue 21, December 2015, Mohammed Sidik Ben Yahya University, Jijel, Algeria, p. 72.
- <sup>21</sup>- Hashim bin Saeed Al-Sheikhi, "The Role of University Professors in Improving Student Assessment Methods and Techniques," Journal of the Arab Universities Union for Education and Psychology, Vol. 13, No. 1, 2015, p. 61.
- <sup>22</sup>- Mohammed Bashir Haddad, "Professional Development for University Faculty Members," Al Alam Al-Kitab, Cairo, 2004, p. 239.
- <sup>23</sup>- Al-Tamimi, Laith Hamoudi Ibrahim, "The Extent of University Professors Practicing Their Educational, Research, and Community Service Roles Comprehensively," Journal of Educational and Psychological Research, Vol. 2011, No. 30, pp. 193-220.
- <sup>24</sup>- [Wiktionary link](<https://fr.wiktionary.org/wiki/enseignant-chercheur>)
- <sup>25</sup>- [Larousse link](<https://www.larousse.fr/dictionnaires/francais/enseignant-chercheur/29800>)

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- 26- See the Executive Decree No. 08-130 dated 27 Rabi' al-Thani 1429 (May 3, 2008) which includes the basic law for the research professor in Chapter Two from Article 28 to Article 57 under the title of the employment code.
- 27- Article 29 of Executive Decree No. 08-130.
- 28- [Wikipedialink]  
([https://ar.wikipedia.org/wiki/%D8%A3%D8%B3%D8%AA%D8%A7%D8%AF\\_%D8%AC%D8%A7%D9%85%D8%B9%D9%8A](https://ar.wikipedia.org/wiki/%D8%A3%D8%B3%D8%AA%D8%A7%D8%AF_%D8%AC%D8%A7%D9%85%D8%B9%D9%8A))
- 29- Article 32 repeated from it.
- 30- Article 52 of Executive Decree No. 08-130.
- 31- Article 53 of Executive Decree No. 08-130.
- 32- Article 34 of it.
- 33- Article 35 of it.
- 34- Article 38 of Executive Decree No. 08-130.
- 35- Article 42 of Executive Decree No. 08-130.
- 36- Article 42 of Executive Decree No. 24-103 dated 26 Sha'ban 1445 (March 7, 2024), amending and supplementing Executive Decree No. 08-130 dated 27 Rabi' al-Thani 1429 (May 3, 2008) which includes the basic law for the research professor.
- 37- Article 45 of Executive Decree No. 08-130.
- 38- Article 50 of Executive Decree No. 08-130.
- 39- Article 30 of Executive Decree No. 08-130.
- 40- Article 6 of Executive Decree No. 08-130.
- 41- Article 33 of it.
- 42- Article 6 of Executive Decree No. 08-130
- 43- Article 37 thereof.
- 44- Article 37 bis of Executive Decree No. 24-103
- 45- Article 37 bis of Executive Decree No. 24-103.
- 46- Article 37.1 bis of Executive Decree No. 24-103.
- 47- Article 37.2 bis of Executive Decree No. 24-103.
- 48- Article 6 of Executive Decree No. 08-130.
- 49- Article 41 of Executive Decree No. 24-103.
- 50- Article 41 of Executive Decree No. 24-103.
- 51- Article 44 of Executive Decree No. 08-130.
- 52- Article 44 of Executive Decree No. 24-103.
- 53- Article 49 of Executive Decree No. 08-130
- 54- Article 49 of Executive Decree No. 24-103
- 55- Article 54 of Executive Decree No. 08-130.
- 56- Abdou Ali Al-Taher, "Stages of the Development of the Legal System for Public Employment," *Eliza Journal of Research and Studies*, Issue 01, Amoud Ben Mukhtar University, Ilizi, p. 1.
- 57- Abdul Halim Jalal, June 2015, "The Research Professor in Algeria (A Study of Legislative and Regulatory Texts for Higher Education and Scientific Research)," *Journal of Social Sciences*, Issue 20, Mohamed Lamine Debaghine University, Setif 2, p. 16.
- 58- Executive Decree No. 08-130 dated 27 Rabi' al-Thani 1429, corresponding to May 3, 2008, concerning the basic law for the research professor, as well as Executive Decree No. 24-103, which complements and amends the first.
- 59- Article 11 of Executive Decree No. 08-130.
- 60- Article 10 of Executive Decree No. 08-130.
- 61- Article 5 of Executive Decree No. 08-130.
- 62- The same reference.
- 63- Article 14 of Executive Decree No. 08-130.
- 64- Article 13 of Executive Decree No. 08-130.
- 65- Article 9 of Executive Decree No. 08-130.
- 66- Article 7 of Executive Decree No. 08-130.
- 67- Article 4 of Executive Decree No. 08-130.
- 68- Article 04 of Executive Decree No. 08-130.
- 69- Article 06 of Executive Decree No. 24-103.
- 70- Article 06 of Executive Decree No. 08-130.
- 71- Article 06 of Executive Decree No. 24-103.
- 72- Article 06 of Executive Decree No. 08-130.
- 73- Article 08 of Executive Decree No. 24-103.

<sup>74</sup>- Article 06 of Executive Decree No. 08-130.

## REFERENCES:

- [1] Article 75 of the Constitutional Amendment 2020.
- [2] Nourredine Zebda, "The Activities of the Research Professor in Algerian Universities" - A Study of the Basic Law for Research Professors - Journal of Legal and Political Studies, Mohammed Boudiaf University, Volume 08, Issue 01, January 2022.
- [3] Article 10 of Ordinance 06-03 dated Jumada II 19, 1427, corresponding to July 15, 2006, on the General Statute of the Civil Service.
- [4] Article 11 of Ordinance 06-03 on the General Statute of the Civil Service.
- [5] Abdel Ali Tahar, "Stages of Development of the Legal System for Civil Service in Algeria," Eliza Journal of Research and Studies, Volume 07, Issue 01, (2022).
- [6] Ahmed Bouloudnine, "The Legal Statute of the Civil Service," Continuous Training University, Academic Year 2020/2021.
- [7] Article 1 of Law No. 84-05 dated Rabie II 4, 1404, corresponding to January 7, 1984, concerning the Planning of the Educational System.
- [8] Abdul Halim Jalal, "A Study of Legislative and Regulatory Texts for Higher Education and Scientific Research in Algeria," Journal of Arts and Social Sciences, Setif 2 University, Issue 20, June 2015.
- [9] Article 55 of the Guiding Law for Higher Education dated 04/04/1999.
- [10] Nourredine Zebda, January 2022, "The Activities of the Research Professor in Algerian Universities," Journal of Legal and Political Studies, Issue 01, Mohammed Boudiaf University.
- [11] Rida Youab, December 2015, "The Functional and Social Performance of University Professors in the LMD System," Journal of Humanities and Social Sciences, Issue 21, Mohammed Sidik Ben Yahya University, Jijel.
- [12] Ismail Shahbani, October 2023, "Characteristics and Ethics of Distinguished Scientific Researchers," Semiotic Research Journal, Volume 10, Issue 18, Abou Bakr Belkaid University, Tlemcen.
- [13] Law no. 84-52 of 26 January 1984 on higher education.
- [14] Decree no. 84-431 of 6 June 1984 laying down the common legal provisions applicable to teachers and researchers and the special status of university professors and lecturers.
- [15] Law no. 68-978 of 12 November 1968 on the orientation of higher education.
- [16] Article 2 of Decree No. 08-130 of 27 Rabie II 1429, corresponding to 3 May 2008, on the special status of research professors.
- [17] Rida Youab, "The Functional and Social Performance of University Professors in the LMD System", Journal of Humanities and Social Sciences, Issue 21, December 2015, Mohammed Sidik Ben Yahya University, Jijel, Algeria.
- [18] Hashim bin Saeed Al-Sheikhi, "The Role of University Professors in Improving Student Assessment Methods and Techniques," Journal of the Arab Universities Union for Education and Psychology, Vol. 13, No. 1, 2015.
- [19] Mohammed Bashir Haddad, "Professional Development for University Faculty Members," Al Alam Al-Kitab, Cairo, 2004.
- [20] Al-Tamimi, Laith Hamoudi Ibrahim, "The Extent of University Professors Practicing Their Educational, Research, and Community Service Roles Comprehensively," Journal of Educational and Psychological Research, Vol. 2011, No. 30.
- [21] See the Executive Decree No. 08-130 dated 27 Rabi' al-Thani 1429 (May 3, 2008) which includes the basic law for the research professor in Chapter Two from Article 28 to Article 57 under the title of the employment code.
- [22] Article 29 of Executive Decree No. 08-130.
- [23] Article 52 of Executive Decree No. 08-130.
- [24] Article 53 of Executive Decree No. 08-130.
- [25] Article 38 of Executive Decree No. 08-130.
- [26] Article 42 of Executive Decree No. 08-130.
- [27] Article 42 of Executive Decree No. 24-103 dated 26 Sha'ban 1445 (March 7, 2024), amending and supplementing Executive Decree No. 08-130 dated 27 Rabi' al-Thani 1429 (May 3, 2008) which includes the basic law for the research professor.





- [28] Article 45 of Executive Decree No. 08-130.
- [29] Article 50 of Executive Decree No. 08-130.
- [30] Article 30 of Executive Decree No. 08-130.
- [31] Article 6 of Executive Decree No. 08-130.
- [32] Article 6 of Executive Decree No. 08-130.
- [33] Article 6 of Executive Decree No. 08-130.
- [34] Article 41 of Executive Decree No. 24-103.
- [35] Article 41 of Executive Decree No. 24-103.
- [36] Article 44 of Executive Decree No. 08-130.
- [37] Article 44 of Executive Decree No. 24-103.
- [38] Article 49 of Executive Decree No. 08-130.
- [39] Article 49 of Executive Decree No. 24-103.
- [40] Article 54 of Executive Decree No. 08-130.
- [41] Abdou Ali Al-Taher, "Stages of the Development of the Legal System for Public Employment," *Eliza Journal of Research and Studies*, Issue 01, Amoud Ben Mukhtar University, Ilizi.
- [42] Abdul Halim Jalal, June 2015, "The Research Professor in Algeria (A Study of Legislative and Regulatory Texts for Higher Education and Scientific Research)," *Journal of Social Sciences*, Issue 20, Mohamed Lamine Debaghine University, Setif 2.
- [43] Executive Decree No. 08-130 dated 27 Rabi' al-Thani 1429, corresponding to May 3, 2008, concerning the basic law for the research professor, as well as Executive Decree No. 24-103, which complements and amends the first.
- [44] Article 11 of Executive Decree No. 08-130.
- [45] Article 10 of Executive Decree No. 08-130.
- [46] Article 5 of Executive Decree No. 08-130.
- [47] Article 14 of Executive Decree No. 08-130.
- [48] Article 13 of Executive Decree No. 08-130.
- [49] Article 9 of Executive Decree No. 08-130.
- [50] Article 7 of Executive Decree No. 08-130.
- [51] Article 4 of Executive Decree No. 08-130.
- [52] Article 04 of Executive Decree No. 08-130.
- [53] Article 06 of Executive Decree No. 24-103.
- [54] Article 06 of Executive Decree No. 08-130.
- [55] Article 06 of Executive Decree No. 24-103.
- [56] Article 06 of Executive Decree No. 08-130.
- [57] Article 08 of Executive Decree No. 24-103.
- [58] Article 06 of Executive Decree No. 08-130.