

# **The State of Local Democracy in the Arab World:**

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## **A Regional Report**

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An Approach Based on National Reports from  
Egypt, Jordan, Morocco and Yemen

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# The State of Local Democracy in the Arab World: A Regional Report

An Approach Based on National Reports from  
Egypt, Jordan, Morocco and Yemen

Compiled and edited by  
Ayman Ayoub  
International IDEA

## Participating organizations

Al Urdun Al Jadid Research Centre (UJRC), Jordan

The Parliamentary Think Tank (PTT), Egypt

The Moroccan Association for Solidarity and Development (AMSED)

The Human Rights Information and Training Centre (HRITC), Yemen

*This report was prepared as part of a project on the state of local democracy in the Arab world, which was funded by the Spanish Agency for International Development Cooperation (AECID).*





International IDEA resources on Political Participation  
and Representation

## **The State of Local Democracy in the Arab World: *A Regional Report***

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International Institute for Democracy and Electoral Assistance (International IDEA)

Strömsborg

SE -103 34 Stockholm

Sweden

Tel: +46-8-698 37 00

Fax: +46-8-20 24 22

Email: [info@idea.int](mailto:info@idea.int)

Website: [www.idea.int](http://www.idea.int)

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### تنويه

لا يعبر هذا التقرير، بما في ذلك جميع الآراء والاستنتاجات والتوصيات الواردة فيه، عن وجهة النظر الرسمية لأي من المؤسسات المنفذة أو الممولة له، بما فيها المؤسسة الدولية للديمقراطية والانتخابات (International IDEA)، وكل من الحكومة الإسبانية والحكومة الإيطالية.

## EXENCIÓN DE RESPONSABILIDADES

Este informe, incluidas todas las opiniones, conclusiones y/o recomendaciones contenidas en el mismo, no refleja la opinión oficial de ninguna de las organizaciones que lo implementan o financian, incluidas IDEA Internacional y los Gobiernos de España y de Italia.



# Preface

International IDEA's mission is to support sustainable democracy worldwide, based on the principle that the success and sustainability of democracies emerge from within their respective communities. Any democratic arrangements and frameworks should build on the visions, concepts and values that exist within each society. This should be done within the parameters of respect for, and through the implementation of, the agreed basic principles that have made it possible today to talk about the establishment of a democratic system.

The assessment of democracy at various levels is a key focus area that International IDEA strives to develop and provide the necessary tools to implement. Pre-assessment is the way to ensure that the requirement of democracy to derive its roots from within communities is able to move from theory to practice. International IDEA has developed a democracy assessment tool that moves away from traditional evaluation methods towards a process of in-depth self-assessment. The tool has been used with remarkable success, and a number of assessments drawing on its methodology have been carried out in many countries around the world, including new and old democracies.

The Arab world has been a geographic focus area for International IDEA since its inception. In recent years, several initiatives and programmes for the region have been implemented and others are in the course of being developed by International IDEA, always in collaboration with local and regional partners that work in the areas of supporting democratic trends and building democracy in the Arab region.

Among these initiatives is a project to assess the state of democracy at one of the most basic levels of government: the local level. The importance of this level derives from its proximity to the daily lives of people. Funded by the Spanish government, this project was carried out in Egypt, Jordan, Morocco and Yemen. Assessment activities were conducted by specialist local organizations, each of which compiled a national report on its respective country. This regional report is based on the content of the four national reports.

The aims of this report are to contribute to nurturing democratic reform programmes and initiatives across the Arab world, and to present a set of findings and recommendations that reflect local visions in a serious attempt to develop an insightful and methodological approach to local democracy.



Mustaq Moorad

Regional Director for Africa and the Middle East  
International IDEA

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# Acronyms and abbreviations

AECID	Agencia Española de Cooperación Internacional para el Desarrollo (Agency for International Development Cooperation, Spain)
AHU	Al Hussein Bin Talal University (Jordan)
AMSED	Association Marocaine de Solidarité et de Développement (Moroccan Association for Solidarity and Development)
BV	Block Vote
CBO	Community-based organization
CSO	Civil society organization
EMB	Electoral management body
EGP	Egyptian pound
EUR	Euro
FPTP	First Past The Post
HASHD	Jordanian Democratic People's Party
HRITC	Human Rights Information and Training Centre (Yemen)
IAF	Islamic Action Front (Jordan)
ICNRD	International Conference of New or Restored Democracies
ICP	Islamic Centre Party (Jordan)
ICT	Information and communications technology
JOD	Jordanian Dinar
MAD	Moroccan dirham
NCHR	National Council for Human Rights (Egypt)
NCHR	National Centre for Human Rights (Jordan)
NDP	National Democratic Party (Egypt)
NGO	Single Non-Transferable Vote
PTT	Parliamentary Think Tank (Egypt)
SCER	Supreme Commission for Elections and Referendums (Yemen)
SNTV	Single Non-Transferable Vote
SoLD	State of Local Democracy (project)
USAID	United States Agency for International Development
USD	US dollar
UJRC	Al Urdun Al Jadid Research Center (Jordan)
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNIFEM	United Nations Development Fund for Women
UNDP	United Nations Development Programme
VAT	Value-added tax
WFP	World Food Programme
YER	Yemeni rial

The background is a solid, muted orange color. In the top-left corner, there are two overlapping squares: a larger, lighter orange square and a smaller, darker orange square. In the bottom-right corner, there are also two overlapping squares: a larger, lighter orange square and a smaller, darker orange square.

# Chapter 1

## Local Democracy



## Chapter 1

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# Local Democracy

## I. Introduction

It is generally agreed that democratic regimes are the best suited to protecting human rights and achieving optimal levels of human development and its associated socio-economic components. The establishment of a democratic administration concerned with all that falls under the rubric of public affairs requires that the ruling establishment be constantly and directly accountable to its citizens. Only in this way can it design policies aimed at growth and development with the full support of the public, and modify the resulting policies and practices whenever the public deems this necessary. In order for this to be possible, democracy must be adopted and practised in its most comprehensive and practical sense—not a democracy of theories and slogans. Democracy in its fullest sense is based on complete harmony between its procedural, institutional and operational components, all of which shall rest on accepted democratic norms.

With the development and spread of democratic systems in their various forms through the ages, the issue of the inherent ability of democratic systems to meet people's aspirations and needs, reflect their priorities and provide them with opportunities for real and sustainable development emerged as one of the most important challenges facing democratic processes around the world. Many governments and administrations are working, at various levels and with the assistance of competent institutions, to reassess the efficacy of their democratic experience, including their institutions, policies and practices, in order to identify their successes and address their failures.

Based on its belief in the principle that enduring and sustainable democracies must emerge from within their respective communities and be consistent with their values, cultures and priorities, the International Institute for Democracy and Electoral Assistance (International IDEA) has developed scientific tools for the enhancement of international, national and local efforts to carry out meaningful, purposeful and systematic assessments that can be adapted at any time to the needs and realities of the community concerned. The ultimate goal, through the development of democratic processes, is to establish and affirm the linkage between democracy and development. Thus, the ongoing process of assessing and bolstering democracy is, first and foremost, a developmental need. Since the prevailing concept of development is based on enabling the majority of people in a society to improve their standards of living, which naturally includes all the various aspects of political, economic, legal and social life, democracy is viewed as a need and a value that should be strengthened and reinforced not only because of its absolute importance, but also because it constitutes a system of governance that has consistently proved capable of providing opportunities for citizens to achieve higher and better standards of living.

These fundamental concepts make initiatives for assessing democratic processes of the utmost importance, especially those involving self-assessment at the local level. It is these that are dealt with in this report. Self-assessments of democracy are a means by which to reach the desired goal of achieving the best possible level of sustainable development. However, such assessments should be implemented in specific situations, whether at the national or local level, in which it is possible to make findings that affect other levels. Assessing the state of democracy at the local level assists the overall assessment of the situation at the national level. This in turn provides a basis for formulating approaches applicable to the regional level, particularly in the Arab world where countries and societies share important common denominators.

Based on national reports on four Arab countries—the Hashemite Kingdom of Jordan, the Arab Republic of Egypt, the Kingdom of Morocco and the Republic of Yemen—which were originally based on local reports concerning a number of selected local authorities and agencies, this regional report aspires to be no more than a general and initial approach to the reality of local democracy in the Arab region. Our aim is to introduce the largest possible number of Arab governments and authorities to the assessment process, which has been applied and systematized, its outcomes and how to make use of it. Given the clear benefits offered by this pioneering experience, especially in the Arab world, we hope in the near future to consolidate and expand it to include more local authorities and administrations in a larger number of countries in the region.



## II. Assessing the state of local democracy

### 1. The concept and principles of local democracy

For over two decades, since the start of the so-called second wave of democratization which began with the first signs of the collapse of the Soviet Union and was poignantly symbolized by the fall of the Berlin Wall in 1989, many voices in the Arab world have been calling for the implementation of radical reforms to the systems, institutions, frameworks and practices of all levels of governance in the region. These demands have come from inside local communities and their fledgling civil institutions, and at times from government agencies, as well as from many international powers and organizations outside the region. Yet these demands for change have been met by fierce resistance, and the underlying justifications often ignored—resulting in a lack of progress. Despite numerous and repeated attempts and initiatives, as well as various forms of internal and external pressure, we find that even after many years, true reform processes, wherever they are found, remain modest at best and have failed to achieve the intended results and meet expectations. Arguments against democratization, which are supported by real examples of the severe setbacks that have nearly scuttled all reform initiatives, hinge on the fact that the particular culture and conditions of Arab countries make it difficult for them to simply import and apply the so-called Western model of democracy. This is a major problem that many believe has not been addressed through practical, constructive ideas and steps which do justice to the issue while at the same time meeting the widely recognized need for democratic reform. The only consensus that seems to exist is that democracy, as a system for managing public affairs, is not exclusive to a particular culture, belief or society but, rather, is achievable in all societies and circumstances.

While recognizing the need to take account of the particularities of each culture and society, we must remember when approaching the issues of democracy and democratic reform that in its absolute sense, democracy is based on certain general principles and minimum conditions without which it cannot be said to truly exist. If the basic meaning of democracy is a people's ability to govern themselves, it must be based on a set of principles that include justice, equity, equal opportunity, freedom of opinion and expression and participation in public affairs, as well as the set of civil rights and liberties set out in international conventions and adopted by all signatories to such conventions, including Arab countries. Accordingly, elements related to particularity should be confined to various forms of arrangements, frameworks, practices and remedies that do not prejudice key fundamental principles. Recognition of this principle makes it become not only possible but necessary to find approaches that can bring specific situations into line with general principles, and to find bases for applying general principles to specific situations, without prejudicing a society's cultural foundations or the ruling concepts engrained within it.

Although there is no single model that can be described as the 'best' form of democracy, application of the following general concepts makes it possible to talk about the existence of a democratic system:

- Genuine periodic or regular elections
- The rotation of power through elections rather than by force
- Enabling opposition and minority groups to affect the policymaking process without limiting their role to that of seeking representation
- Exercising opposition through legal and peaceful means within formal regulatory frameworks and without resorting to violence
- Respecting and protecting civil and political rights
- Respecting and protecting developmental, economic and environmental rights, such as the right to clean water, housing and employment
- Exercising democracy at a variety of levels while taking cultural influences and factors into account

On this basis, many have sought common ground on which to discuss and find ways to achieve true democratic reform in Arab societies. These endeavours are essential, since all attempts made so far in this direction have failed to yield the desired result. Clearly, it is not yet possible to talk about establishing a complete, integral democracy that fully realizes the concept of self-rule.

In its practical sense, democracy is one of the main pillars of sustainable development which corresponds with people's aspirations, needs and rights. Whatever regulatory frameworks and operational forms it takes, true democracy also requires the existence of informed societies, all sectors of which are capable of accessing knowledge for themselves. In this way democracy moves from the realm of theory to that of practice, and from slogans to reality. This has been highlighted by a number of in-depth studies, such as the United Nations Development Programme (UNDP) Human Development Reports, especially those which focus on the Arab world. These reports, whether national or regional, have highlighted the existence of a knowledge gap in the Arab world which constitutes one of the most important reasons for the slowdown, or even regression, in achieving much-needed reforms and democratic development. The Human Development Reports also stress the fact that, compared to other regions of the world, most countries in the Arab region have been slow to achieve acceptable levels of development.

If the democratic process and its institutions are to play a role in development at all levels, then the associated frameworks, foundations, concepts, programmes and remedies should be based on a thorough, constructive and objective assessment of

the ways in which local communities perceive their own priorities and needs and the way in which they ought to be managed.

Democracy and democratic reform are not limited to a specific level of governance or governmental administration. Practical experience has shown that government administration based on democratic principles and frameworks can only be achieved by addressing all related issues at all levels of governance, both individually and collectively. This starts from the local level (that of villages or cities or their equivalents), through intermediate levels if they exist (such as governorates, provinces, prefectures, districts or sub-districts), to the central or national level, in addition to other intermediary levels sometimes found in countries that have adopted a federal structure. The process of organizing administrative frameworks for governance has specific requirements and foundations at all these levels. However, the essential thing is to adhere to the general principles of democracy and to determine how to organize relationships among the different levels so that each is given the powers and responsibilities it needs in order to contribute to the management of public affairs in an integrated and democratic manner.

Given its direct impact on the everyday lives of individuals, the local level plays a key role and has a particular degree of importance in the context of democratic reform processes. Governance at the local level is the ‘school’ in which citizens first learn to practise democracy in its various forms. It is critical to address and assess the issues of democracy at the local level, as experience has shown that this level contributes significantly to achieving further progress towards the consolidation and promotion of democracy at the other levels of governance. Consequently, discussion of democratic reform almost always touches on the issue of decentralization and its importance for completing and sustaining the process of the construction of democracy. After all, how can people govern themselves if they lack the tools and frameworks that enable them to exercise direct and genuine control over matters that have a direct impact on their lives, needs and aspirations?

However, in order for our discussion of democracy at the local level to be complete, we need to ascertain the extent to which this local form of democracy approaches the meaning of democracy in its representative and participatory (cooperative or direct) aspects. In this regard there are two different schools of thought on local democracy. According to the first, ideal democracy entails involving citizens directly in all matters related to their society and country. According to the second, modern units of local administration are too large for direct participation in them to be feasible. Thus, the best, and only practical, form of democracy that we can aspire to is representative democracy, through which citizens choose their representatives who in turn adopt policies and decisions which are binding on all citizens.

Some basic concepts are outlined below to help clarify the comprehensive sense of local democracy in both its representative and its participatory aspects.

- Local governance is one of the foundations of citizenship, and community participation is the cornerstone of the idea of modern citizenship. Community-based institutions and their decision-making processes open up for for the increased practice of direct or participatory democracy (as opposed to representative democracy), allowing people's voices to be more easily heard at this level.
- The concept of democracy is not only about elections. It also involves an ongoing and sustainable process of dialogue and consultation. Meaningful dialogue and constructive deliberation are means to address and resolve the problems faced by the community. In his book *Democracy and Deliberation* (1991), James Fishkin argues that 'democratic choices cannot be fully exercised without public consultation'. The concept of public consultation should not be limited to listening to citizens' complaints. True participatory democracy is based on continuous and mutual dialogue among various groups and interests in society on the key decisions and important operational steps they encounter together.
- Local democracy helps to establish a 'political culture'. In line with the writings on this subject by John Stuart Mill, many see representative government at the local level as 'a tremendous educational power that teaches people to look beyond their current personal interests and recognize the legitimate interests and needs of others'. This means that the involvement of citizens gives them an opportunity to learn about the local affairs of their communities. Were it not for this involvement, these affairs would remain privy to no one but elected representatives and those responsible for local administration. It can be said that educated and informed citizens are able to achieve democracy and make it more efficient and effective by adopting the principle of public involvement in decision-making. Thus, the concept of participation is about bridging the gap between political elites and the general public.
- Many advocates of local participatory democracy believe that unleashing the collective wisdom and intelligence of the populace contributes to creating good and effective governance and promoting social welfare. Democracy tends to enhance good relations among citizens and build a self-managed society that displays a community spirit.

## 2. Representative democracy versus participatory democracy

Representative democracy determines what is best for society on the basis of competition. Those who wish to win the right to represent others are required to stand before the people and compete for their votes. They focus on important issues in society, making every possible effort as political leaders to clarify and communicate their message. Advocates of representative democracy believe that such competition introduces vitality and accountability into political life. However, many others are sceptical, especially those who advocate consensus-based decision-making. They prefer decision-making structures and procedures that depend primarily on building consensus rather than competing for elective office. This group holds that simple majority rule produces what is known as ‘the tyranny of the majority’<sup>1</sup>, reducing the ability of society to adopt policies and plans on the basis of consensus.

The balance has obviously tilted towards representative rather than participatory democracy, and towards competitive rather than collaborative decision-making. The focus on elections and on the differences between various proposals and political programmes has widened the gap between citizens and their elected representatives and created rifts and divisions among various social groups, further distancing the average citizen from political life. Researchers on local governance in today’s world believe that the levels of legitimacy of local government institutions have dropped drastically, and that there is a growing sense that local political parties are incapable of representing and coordinating the community’s conflicting interests and needs.

Therefore, regardless of the intellectual stances we adopt and the organizational choices we make, it is imperative that we address the issue of democracy and democratic reform on the basis of this comprehensive concept, which consists of two basic and equally important components: the representative and the participatory. It is clear that for any operational formula to be efficient and effective in today’s world, it needs to find a balance between these two components lest governance become an impossible and chaotic process or democracy be confined to elections and representative processes which lead to a tyranny of the majority, the marginalization of society, and widespread abstention from political participation.

Based on the above-mentioned concepts and principles, and given the immediacy of its impact on people’s daily lives, there is a clear need to assess the state of local democracy. It also needs to be assessed in order for the process of democratic construction to proceed in a precise and professional manner that ensures its success

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<sup>1</sup> The phrase "tyranny of the majority" originates with Alexis de Tocqueville in his *Democracy in America* (1835, 1840) and was further popularized by John Stuart Mill.

and sustainability from beginning to end and from bottom to top, and in a bid to reinforce the construction process and enable it to play its crucial role in overall development.

### 3. The principle of self-assessment

Democracy can only be consolidated and sustained if it stems from within communities, basing its systems, frameworks and modes of operation on the specific values, concepts and culture of a community, and adjusting them in proportion to the community's realities and developmental conditions. The ultimate objective of International IDEA is to support local actors in building and consolidating their democracies through, among others, offering knowledge resources that can be contextualized to different realities.

International IDEA's global action to support democracy stems from its firm belief that democratic processes, systems, institutions, practices and frameworks can only grow and flourish if rooted in the local contexts. When this happens, citizens feel that they own the democratic processes. It is then no longer possible to expropriate the benefits and advantages experienced by individuals and groups in the various aspects of the daily life of a democratic society. Where the democratic process belongs to each and every individual in society, it will be staunchly defended against anything that might obstruct its course. This ensures its sustainability.

The process of building sustainable democracy should begin with identifying local and national needs, priorities and visions. In an effort to apply this principle on the ground, International IDEA has developed a methodology for assessing the state of democracy at local levels. This methodology is based on a self-assessment by those who experience democracy or the lack of it in their communities. International IDEA's perspective, is that the launch pad for building and strengthening democracy should be self-assessments aimed at developing and exploiting strengths, and identifying weaknesses and proposing effective remedies. This process is based on what local citizens see as possible, realistic and achievable solutions that meet people's aspirations and fit their priorities.

Thus, it can be said that the principle of self-assessment is a fundamental component of assessing the various levels of democracy, including the local level which is the subject of this report. All stages of the self-assessment process are to be carried out by local assessors from within the community. Given their knowledge of the local context, assessors have a unique ability to understand local values, the culture that produced those values and the various ways in which members of their community relate to the management of local affairs. However, this does not mean a lack of controls and frameworks. Nor does it mean that assessment is carried out through

separate and uncoordinated events. Instead, assessment is based on a specific, agreed methodology that covers critical aspects which are regarded as pivotal to a meaningful evaluation and articulation of the state of local democracy. The fact that the process is based on the fundamental principle of self-assessment gives assessors a considerable amount of freedom of movement, interpretation and formulation, which enables, or even requires, them to identify those areas and topics which require the greatest focus depending on each community's conditions and the degree to which its democratic performance in local governance has developed at various levels.

The final goal of the State of Local Democracy (SoLD) in the Arab World project is to take a further step towards consolidating initiatives aimed at establishing and promoting sustainable democratic systems as fundamental pillars for a sustainable development that is consistent with people's aspirations and needs, and their right to higher standards of living, and is rooted in local conditions as they pertain to the process of governance.

## 4. The assessment methodology

### 4.1. The International IDEA guide

The State of Local Democracy (SoLD) project was implemented in a number of selected local authorities and entities in four Arab countries. All its stages and aspects were based on the specific methodology developed, approved and tested by International IDEA. As is stated above, the methodology relies on self-assessment, rather than external monitoring and observations that depend on pre-existing methods and themes that can be applied to different situations.

The self-assessment methodology is based on the work of teams of local experts with multiple disciplines and areas of concern and expertise, and is validated through discussions spread over a considerable period of time. This leads to up-to-date assessments in each local community without excluding any of its various components and groups or any of the topics which the members of that community see as important for gaining a clear and in-depth diagnosis of the state of local democracy.

The International IDEA *Local Democracy Assessment Guide* was used to conduct the assessments (see Appendix 1). It was designed to provide practitioners and those working in relevant fields with a means to assess the level and quality of local democracy by focusing on two areas that are considered critical to the success of local democracy in today's world: representative democracy (elections, political parties and elected officials) and participatory democracy (popular participation, civil society and non-governmental organizations, and consensus-based policymaking). The guide is based on a qualitative assessment approach, or quality assessment, which

assesses institutions of representative and participatory democracy and the processes and practices involved in the implementation of local democracy on the ground. The guide concludes with some advice and guidance on how to draw conclusions and turn these into practical recommendations in order to develop and improve the quality of local democracy.

#### 4.1.1. The need for IDEA's Local Democracy Assessment Guide

Most studies analysing the vitality of democracy around the world rely on assessments conducted at the national level, as was the case in the majority of studies carried out during the so-called third wave of democratization. This can also be seen in the annual rankings produced by specialist international organizations such as Freedom House, and in several other studies and assessments of issues such as human rights, levels of human development, corruption, environmental conditions, and poverty indicators, among others. Despite the importance of assessing democracy at the national level, the time has come to shed light on the state of local democracy.

The guide is designed to complement national-level assessment instruments, such as the International IDEA book entitled, *Assessing the Quality of Democracy: A Practical Guide*. The purpose of the guide is to further promote the pursuit of high-quality democracy, whereby public institutions provide a greater degree of responsibility for and responsiveness to social problems and offer citizens a more effective voice in the decisions that affect their daily lives.

In its work on assessing local democracy, International IDEA draws on its deep understanding of the importance of enhanced levels of representation and interaction (participation) and of conflict management at the local level. To this end, International IDEA published *Democracy at the Local Level: The International IDEA Handbook on Participation, Representation, Conflict Management and Governance* (International IDEA, 2001). The Handbook addresses key concepts of contemporary local democracy and the opportunities for designing its institutions and practices. It also provides some important examples through a number of studies on effective democratic practices in a variety of cities around the world.

Based on International IDEA's experience in this area, as well as the experiences of many other international organizations, CSOs, local government associations and donor states, an urgent need was recognized for an effective tool to assess the state of local democracy. There was a particular need for a means by which the quality and effectiveness of local democracy institutions and practices could be assessed by a variety of local political actors and others. For this reason, the guide contains a questionnaire based on a series of questions and working papers that are categorized by topic. The questionnaire encourages users to engage in systematic



analyses of positions of power in local democratic institutions and practices, to focus on the most significant problems in each area and to make recommendations for improvements. This includes contributing to the decision-making process. This serves the ultimate purpose of making local government more responsive to the ever-changing requirements and needs of local communities.

## 4.2. Applying the methodology to the Arab world: challenges and achievements

The initiative by International IDEA to conduct a range of local democracy assessments in the Arab world is a pioneering enterprise. It directly explores the core of self-assessment at a level that is critical to the process of democratic construction: the local level. This level is often mentioned when addressing the issue of decentralization, but in the end almost entirely neglected—either intentionally or unintentionally—because of the preoccupation with the national level. However, any national reform efforts must take account of the local level in order for the construction process to start from the bottom up. The construction of democracy would not be possible in the absence of the important aspects of decentralization and local governance.

It is evident from the local and national assessment reports concluded under this initiative that problems and obstacles were encountered by local teams working on the ground. These challenges made the assessment process even more important and necessary. More detail on these problems can be found in the national and local reports, but it is useful to mention some here, with the aim of helping those carrying out future assessments to learn lessons and overcome obstacles.

- There were difficulties in accessing and documenting data sources. Some research teams found it extremely difficult to obtain documented data, either because they were unavailable or because they had not been compiled by the competent local authorities. There was a total lack of important socio-economic data in certain cases. Some teams addressed these issues by using informal data, obtaining data through the personal contacts of a team member, or contacting certain central bodies to clarify incomplete data. Other sources were also used, such as UNDP Human Development Reports.
- Some teams were unable to collect much information on financial and administrative corruption. This was due to the lack of transparency as well as the weaknesses of information systems in some of the local authorities and institutions, or to the pressure applied by some responsible authorities or an unwillingness to address the matter transparently and openly.
- Some fieldwork teams overcame certain administrative and security restrictions

or obstacles by holding field events and conducting citizen outreach using public opinion polls. The local teams sometimes resorted to informal means to collect data and conduct field research. There was often a heavy reliance on estimates given by the local municipality research team.

- There were delays in receiving responses from some local councils and authorities to the issues raised by the assessment, although none openly objected to the implementation of the assessment itself.
- There were vague responses or a lack of consensus in some communities on the essential development priorities, that is, an inability to answer the simple question: ‘What do we want?’. Time was wasted discussing what was described as ‘the dilemma of choice’ between democracy and development, as if they were not directly connected to one another. Many were also confused about whether reform should be advanced from the bottom up or the top down, as if the process worked in one direction only.
- The very newness of the democratic experience and its poor performance at the local level, coupled with poor documentation systems, as well as the very nature and comprehensiveness of the assessment, made covering all the stages and themes a major challenge. However, the expertise of local team members and their knowledge of the reality of their community helped to overcome these challenges and produced reports which in most cases exceeded all expectations.

The principle of self-assessment, on which this methodology is based, is an emerging concept and still sensitive. Thus, the very nature of the assessment methodology was among the most remarkable challenges faced. Although unable to understand the particulars of the reality on the ground, international institutions have traditionally assessed different aspects of national governance, judging them and sometimes classifying them according to criteria that local nationals took no part in developing. It is often easier for some to accept outside views, voluntarily or involuntarily, for different reasons, than to accept local views and assessments from members of the local community. It is a major challenge to achieve an acceptance of the views expressed by community members and deal with them with complete honesty, courage and openness—and with the conviction that they aim only to improve conditions and develop a creative and genuine national democracy that serves the interests of all people without exception. This was a challenge throughout the implementation of the assessment, one that went on to affect the assessment findings and how the resulting reports were dealt with, as well as the reform recommendations that emerged from those reports.

Despite all the difficulties and challenges, including the relatively poor levels of funding that were provided, which left no option but to select only four Arab countries in which to carry out the assessment, it can be said that the efforts of many institutions

and individuals, usually supported by the local and national authorities concerned, have not been in vain. This report represents the output of a considerable period of hard work—in its preparation, and the documentation and fieldwork.

Now that the assessment process has been completed as a first step, we hope it will be followed by similar steps in other countries in the region. The success of the assessments, throughout their implementation and during the subsequent national conferences, which were held in each of the four countries and brought together a wide range of formal and informal stakeholders and decision-makers, who frequently expressed the need to use the findings of the assessment reports for the benefit of democratic reform programmes, provides an incentive to conduct more self-assessment exercises at the local and national levels in more Arab countries.

## 5. Conclusion: Key findings of the State of Local Democracy assessment in the Arab world

Based on a leading methodology with proven effectiveness, International IDEA, in partnership with four CSOs,<sup>2</sup> has implemented the first phase of the SoLD assessment project in four Arab countries. The findings outlined in this volume represent an initial approach to the reality of local democracy in the Arab region and a summary review of the outcomes of the self-assessment activities carried out by local and specialist work teams in Egypt, Jordan, Morocco and Yemen. The project is based on qualitative self-assessments carried out by local community members in each case. The various aspects of democratic life in the community were assessed according to a comprehensive concept of democracy with both representative and participatory components, each of which examines frameworks and institutions as well as practices and processes on the ground.

As is highlighted above, we deliberately attempted to keep as far away as possible from analysing and comparing the findings of the assessments carried out in the four countries, or re-examining the findings and recommendations, in keeping with the principle that self-assessment must be conducted within communities. The aim is to convey a clear and complete picture of what emerged from the assessments and what was found by local teams, without either intentionally or unintentionally affecting the reader's attitudes and reactions to the content of the assessment reports.

Nonetheless, it is useful to highlight the facts that did not become clear to the team until after the various local and national reports had been developed and reviewed. A

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<sup>2</sup> These were Al Urdun Al Jadid Research Center (UJRC) in Jordan, the Parliamentary Think Tank in Egypt, the Moroccan Association for Solidarity and Development (AMSED) in Morocco and the Human Rights Information and Training Centre (HRITC) in Yemen.

significant finding is that the processes by which the local authorities and entities were selected for assessment in each country on the whole worked well and achieved their aims. They helped to realize one of the most important objectives of the project, which was to develop clear insights into the reality of local democracy in each of the four countries by working on a representative sample of the totality of local authorities and entities in each country. In examining the local reports, we have found that the authorities that were selected successfully represented the entire country, as they provided a picture of the reality of urban and rural areas and of areas that vary significantly in their levels of growth and development.

Although individual local reports produced results and recommendations that can be described as specific to the local context, overall the local reports presented largely similar findings and conclusions on the reality of local democracy, focusing on recommendations and priorities for reform more at the national level than at the various local levels. This enabled the team to merge each country's local reports into a single national report, which summed up and accurately presented the content of those reports. The main reason for this is that the various local entities and communities have largely similar problems. Most of these are rooted in the central government's lack of genuine systems, frameworks, procedures and practices for laying the foundation for a method of decentralized governance and performance that would serve as a general and fundamental standard of governance in their countries.

In reviewing all the national reports, it became clear that a considerable number of similar concerns, priorities and problems had been observed in the different countries. This led to some similarity in the recommendations, which, despite having different formulas and themes, recognized the need and called for active democratic reform programmes to shift from a purely administrative concept of local authority to the concept of participation in governance. An in-depth review of the national reports found that they all reflect the clear will of local communities to move ahead with decentralization policies and practices. This would give these communities greater and more effective control over events in their daily lives and their livelihoods, as well as enhancing their status and role in the country. These communities have the best knowledge of their own problems and are more able to search for solutions that are consistent with their needs and their understanding of their priorities and values, ensuring the greatest benefit to the largest possible electoral district on the widest possible scale, and providing the means for sustainable and continuous development.

The said conclusions apply equally to the two components of democracy that formed the core of the assessment: representative and participatory democracy. Thus, there is a need for the former to further develop electoral processes, systems and frameworks and to open up areas of public action that embody citizenship and participation rights. This would bring about representative institutions in every sense

of the word that reflect the structure of the communities they represent and the genuine attitudes of the general public. As for participatory democracy, there is an urgent need to develop ways in which popular participation can create visions and manage community affairs in such a way that the democratic process is not confined to only one of its aspects, however important—that of elections.

There was a notable absence of clear, sound and powerful frameworks for empowering community members to effectively partner the local and national elected elite in the management of public affairs, starting from the reality of their everyday lives. Such a partnership is needed at various levels: the individual level, partnerships with and between CSOs and partnerships with the appropriate authorities, as well as between the latter and the private sector and educational institutions, among others. Particularly striking was the complete absence, in all the assessment cases, of any framework for facilitating and organizing popular initiatives to address and manage community affairs. Also absent was the concept of popular referendums at the local and even national level, with the exception of major political referendums concerning heads of state or constitutional affairs.

In addition to the above, a range of issues recurred, in one form or another, in the different local and national reports. These included:

- Determining the identity of the system of local government, its position in relation to the central authorities and its true role in development. The need to move decentralization from theory to practice was among the most important general conclusions drawn by the majority of studies and reports in one form or another. Some reports, for example, stress the fact that there are intermediary authorities between the local and the central, such as governors and their equivalents. These undermine, if not totally destroy, the role of local government in many cases, especially with regard to exercising real authority that would make a true impact on the development process. Some reports emphasize the vagueness of local and national views, whether official or popular, on the role of local government in future development. Many examples make this point, such as: the dual structure of local councils in Egypt, with an appointed Executive Board which has the real authority and an elected People's Assembly that plays a merely advisory role; the fact that local authority does not extend further than the district level in Yemen, rather than down to the level of each locality; and that an appointed, rather than elected, chairman heads the elected District Council, where he is the highest authority; the merging of multiple local authorities in Jordan, and the resulting negative impact on the development and role of local government; and the multiplicity and succession of intermediary authorities that exist in Morocco and work between the central authority and the local authority, the latter having been practically stripped of its true purpose and role.

- In connection with the above, we noticed that most of the assessment reports highlighted a pressing need to institutionalize work on local governance and to limit the dominant roles of many intermediate authorities, including those of the heads of local authorities who were appointed, or elected either indirectly or by electoral systems the results of which do not truly reflect the will of the electorate. There is a strong emphasis on the need to empower elected local authorities and councils with legal instruments and frameworks as well as financial resources. This would eventually enable them to exercise real and effective oversight of the various local administrative bodies and their conduct of local governance, as well as their implementation of the development policies adopted by central authorities.
- The topic of elections and established electoral systems, along with the various aspects of the electoral process, received special attention from all the assessment teams. On the one hand, many believe that the electoral systems in place need to be reconsidered, with a general inclination towards adopting systems of proportional representation in order to move local elections away from tribal, family and individual representation towards a system in which the results reflect the composition of the local community and its various groups. This would allow a more active role for political parties at the local level. On the other hand, there are plenty of demands relating to the management of local electoral processes. In most cases these are subject to the executive branch of government, with the exception of Yemen, where this type of election is managed by the Supreme Commission for Elections and Referendums (SCER), the structure and independence of which have been criticized and come under scrutiny. It is worth mentioning in this respect that the problems related to electoral systems and processes in general, which are addressed in the assessment reports, often caused citizens to refrain from participating in local elections, resulting in low rates of voter participation compared to national elections. Established electoral systems have in many cases marginalized the role, and limited the presence, of key groups in local communities, in particular the disadvantaged, women and youth.
- An issue addressed by all the assessment reports, without exception, was women's participation and their presence in local government. The overall picture is not much different from that of women's presence and representation at other levels in the Arab region. The levels are low and do not reflect the importance of women, their needs or the need to include them in governance and decision-making processes. The majority of the reports highlight the dearth of real opportunities for women to access proper representation at the local level for multiple and complex reasons, such as socio-economic conditions, customs and traditions, and the inadequacy of the electoral system in ensuring sufficient representation of women. However, it is striking that women's quotas at this level

have in some cases achieved positive and encouraging results, which the assessors have built on to advocate for a reinforcement of this positive experience and mainstreaming it in other places and at other levels. This is what happened, for example, in the recent local elections in Morocco, where 12 per cent of local council seats were reserved for women; and in the recent municipal elections in Jordan, where 20 per cent of the seats were reserved for women.

- Another common factor was the weakness of political parties and their generally limited role at the local level, as well as the absence of internal democracy, especially with regard to the local frameworks and structures and the decision-making of parties. Most political forces are strongly centralized in their work, structures and decision-making, with a major focus on everything related to the national level at the expense of the local. This has produced a significant decline in levels of public confidence in political parties at the local level, levels which were already weak. It has also led to the entrenchment and persistence of tribal and traditional frameworks and functions, examples of which are the role of tribal councils in Jordan, *qat* gatherings (*maqail*) in Yemen, and clans and clan subdivisions in Egypt. This is reflected in the processes of both representative and participatory democracy, and in the opportunities for involving various community groups in the management of their own affairs.
- The majority of assessment reports placed particular emphasis on the level of openness of local government towards the local population, and thus its ability to identify and respond to development needs and provide remedies that address such needs. One aspect of this level of openness was the complete absence of open or public meetings of any form in which citizens could take part. Even in cases where regulatory frameworks provide that such meetings should be organized or that citizens have the right to attend local council meetings, there was a total lack of awareness of these rights. At the same time, no effort was made by the competent authorities to raise public awareness of these rights or to provide for their implementation on the ground.
- There was an almost complete lack of transparency in the work of local authorities and institutions, particularly in some of the key aspects which have a significant impact on local development, such as the preparation, approval, implementation and monitoring of local budgets and the ways to manage, finance and develop them. It was notable that relevant decisions and information were monopolized by authorities, whether elected or appointed. There was a notable apathy about, and a lack of community awareness of, the importance of transparency, especially in areas such as budgeting. This can be attributed to inadequate awareness on the part of the local authorities, as well as the CSOs, of their important educational role in this regard.

- In connection with the above discussion on educational roles, perhaps with the exception of charities, the presence of CSOs at the local level remains minimal – in quality if not in quantity. The result is a clear weakness in partnerships between these organizations and local authorities, partnerships which were meant to give them a greater role in matters of local development and democracy. The private sector also has a minimal presence and role in local development partnerships and activities. This situation should not be attributed to a single stakeholder, but to all stakeholders alike. Civic organizations and the private sector lack the initiative and appropriate frameworks for participation, while local authorities lack awareness and in turn the proper policies to provide appropriate frameworks and settings for establishing the broadest possible partnership with the various components of the local community. It is useful to highlight here what most of the local and national reports state about the absence or inadequacy of legal and legislative frameworks to support the role of civil society: that they lack the required space and freedom to function, and that there is a pressing need to either develop these frameworks or radically modify existing ones.
- One of the most important and serious consequences of the weakness of partnerships is the absence of strategic plans and clear future visions. In most cases, local action involves nothing but the conduct of daily affairs and is not directly linked to medium- and long-term development.
- The assessment process presented a golden opportunity to examine several development indicators from a local perspective in order to accurately and clearly identify the reality of the situation. An overall decline in development indicators was noted in almost all cases, owing to the high rates of poverty and illiteracy and the low coverage of basic services such as health care, education, childcare and maternity care. Among the underlying causes of this were the dearth of investment at the local level (e.g. the local government sector's contribution to total investment in Egypt was 2.1 per cent, according to the 2006/2007 budget), inadequate funding for local budgets, and the failure to empower local authorities with adequate legal and financial means to allow them to play their intended role in development, which would significantly improve relevant indicators. One consequence has often been a rise in unemployment rates, especially among young people, and, in turn, a rise in internal migration to the capital or other cities. Many in local communities believe that the attention of central authorities is mainly focused on the capital city, making migration there the only recourse for those searching for employment and a way out of chronic poverty.
- An issue that was frequently reported by the local communities in particular, and that appeared in several reports, was the poor functioning of complaints systems. There is a need to clarify how complaints should be submitted, followed



up and addressed, so that citizens can perceive an interest from local officials in addressing their needs and concerns. Although this issue has been addressed in many systems, the need for it to be organized and dealt with as a priority for daily action programmes and reform policies is still largely neglected.

- Most of the local assessment teams highlighted the difficulty of accessing important economic, social and statistical data, which were supposed to be readily accessible to the public. This lack of information often meant an absence of accountability, and hence a lack of oversight and control over decision-making processes, and involvement in development and reform. There is clearly a tight monopoly on information, or a serious disregard by official bodies at various levels of their responsibilities to regulate and provide information. With the exception of Jordan, there seem to be no clear legal frameworks for regulating access to information that would serve as a launching pad from which to turn a community that is largely ignorant of the reality into an informed community capable of insisting on accountability.
- At the economic and infrastructure development levels, the various reports demonstrate the many problems faced by local communities, which are often the result of the excessive attention paid to the national and urban levels at the centre at the expense of rural and other communities. In addition, there is an absence of decentralization policies and local authorities have inadequate powers to take the initiative in this regard. There is, for example, centralized control over all key services, such as water, electricity and communications, and a lack of privatization initiatives or processes, or even partnerships with the private sector, aimed at improving efficiency and performance, with a few exceptions such as the electricity and telecommunications sectors in Jordan.
- The various official media organizations devote excessive attention to the national level at the expense of the local one. In most of the cases, there is an absence of specialist local media focusing on local affairs, or an absence of the legal frameworks that would enable them to exist and function and ensure their independence and freedom of action.
- An important result of the above is that local authorities are treated as a suitable vehicle for the authorities concerned to address socio-economic problems, such as unemployment. Some of the local reports highlight the phenomenon of hidden unemployment, which results from the large size of government bodies and, in turn, damages the reputation and standing of local administration work, creating what is known as surplus employment in local authorities. Other reports touch on the lack of specialist skills, or at least the failure of local authorities to attract and retain people with the required skills. This would require development, training and specialization programmes for staff in the various local government

bodies as well as leading elected and appointed members of local government.

- Finally, attention should be drawn to the fact that most of the local authorities that were assessed suffered from a technology gap and were significantly lacking in this area. As we approach the end of the first decade of the 21st century, this is a major obstacle to community development and advancement, and the ability of community members to communicate with each other and with their local authorities and governments. There is an urgent need for all the concerned and competent bodies, both official and popular, to deal with this matter, especially since, according to a number of the local reports from Jordan and Egypt, for example, the younger generation is increasingly turning to the Internet and other modern communications technologies to discuss a range of local government issues, itself a manifestation of participatory democracy.

Whatever the nature and content of the findings and recommendations of the various assessment reports, the aims of the overall process, as is emphasized above, were to undertake an honest self-reckoning, ask questions that promote development and reform, and improve the democratic process at all levels and in all areas. This process should begin at the local level, by identifying weaknesses or failures and providing a local perspective on how to address them. This should be based as much as possible on existing strengths, success stories and achievements rooted in the local vision and values of each community. This was stressed by participants at the regional conference held in Amman in May 2010, who gathered to discuss the first draft of this report. The various parties expressed their support for most of the findings in the four national reports. They stressed the need to act on the findings and called on all stakeholders and decision-makers in the different countries to adopt the findings and to work to address them appropriately and promptly.

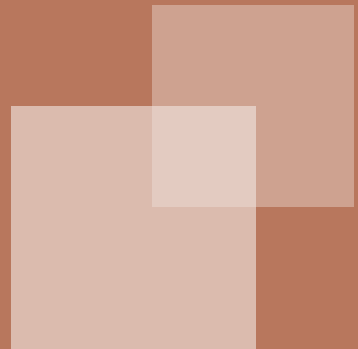
The aims are to consolidate the role of local authorities as a true partner in governance, and to effectively implement the widely called-for decentralization policies on the way to making a quantum leap in the generally low levels of development. The participants also called on donors and relevant institutions, which enjoy a considerable degree of acceptance and display considerable professionalism, such as International IDEA, to continue to support similar processes, with a particular focus on supporting initiatives related to democracy and governance at the local level. Future follow-up should also be supported in order to verify the effectiveness of the assessment findings and put them into practice, with a view to serving the best interests of the participating communities, as well as applying this experience to other locations, levels and countries in the Arab world.





# Chapter 2

## Assessing the State of Local Democracy in the Arab World





## Chapter 2

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# Assessing the State of Local Democracy in the Arab World

At this point in the report, it is important to reiterate our unwavering commitment to the principle of self-assessment. We have intentionally chosen not to elaborate on, and to be as concise as possible in, the findings and analyses emerging from the four national reports. In order to reaffirm that this report is merely an initial approach to understanding the state of local democracy in the Arab world, based on national reports developed by local teams in each country, we have chosen to include in this volume comprehensive summaries of the four national reports. This section presents some facts on how this assessment project was concluded. The summaries were prepared on the basis of original texts, as well as proposals and reviews made by local teams in order to ensure that they adequately reflect the full content of the national reports,<sup>3</sup> particularly their most significant findings and recommendations.

International IDEA developed the idea of an SoLD project to assess the state of local democracy in the Arab world based on its long-standing interest in the region as a target for the provision of all possible forms of technical assistance in support of advancing democracy. The first steps were to seek opportunities to implement the project on the ground and to obtain the necessary funding. The Spanish Agency for International Development Cooperation, (Agencia Española de Cooperación Internacional para el Desarrollo, AECID) at the Spanish Ministry of Foreign Affairs, showed a particular interest in both the qualitative self-assessment methodology and the initiative to implement it in the Arab world.

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<sup>3</sup> Each of the national reports was written in Arabic, and a summary in English was published by the assessment partner organization in each country.

International IDEA concluded cooperation agreements with local partner organizations on this basis, to implement the assessments within the limits of the funding provided. Each organization acted as partner in and supervisor of the assessment process in each of the four countries covered by the assessment. The four countries were selected on the basis of their record of initiatives in the areas of democracy and governance reform. This is merely a first step that it is hoped will be followed by other steps to carry out assessments in more countries in the region. To achieve their objectives, and in the light of their commitment to the principles mentioned above, the assessments were carried out in the participating countries based on the following steps and criteria.

- All the field assessment activities were conducted on the basis of the methodology outlined in International IDEA's *Local Democracy Assessment Guide*, which was adapted to the realities of the four countries covered by the assessment. The guide encourages assessors to view the methodology as a general framework and to build on it by addressing any additional aspects or issues they believe affect the local democratic process in their communities.
- Four local municipalities were carefully selected in each country (with the exception of Egypt, where a fifth municipality was added) based on a set of agreed criteria. The selected cases were a representative sample of the reality of local democracy throughout the country. The selection was such that each country included municipalities that varied in terms of socio-economic conditions, growth rates and geographic location.
- In each local municipality, field assessments were based on the principle of self-assessment by those who have the best knowledge of the reality in their community. To this end, the partner organization overseeing the assessment project in each country, in cooperation with International IDEA, selected a local team of five researchers from within the local community. The members of each team had diverse backgrounds, experiences and areas of expertise. Furthermore, the teams were gender-sensitive. In all the cases, we tried to include in every team at least one member working in the area of local governance, either an elected member of the local council or an experienced administrator in the local government. Before starting the fieldwork, local team members received training on the details, methodology and objectives of the process.
- In order to differentiate the assessment process from traditional opinion polls and field surveys, and to achieve an in-depth study of the reality of each situation, fieldwork teams were given a period of more than four months to complete the assessments and prepare their reports. The distribution of the fieldwork over a period of months was a fundamental aspect of the assessment methodology. It allowed the assessment teams to examine and follow up on the minute detail of every situation, rather than confining their tasks to monitoring current opinion.

- Based on the above, the local work teams were committed to carrying out an in-depth assessment of all the local municipalities selected. The process began by collecting information and relevant documents and examining available references, as well as meeting with people from all sections of the community, both individually and in groups, to discuss the topics proposed for the assessment. The expertise and capacity of local team members, as well as their knowledge of the conditions in their communities, played a major role in producing feasible conclusions and recommendations. This contributed greatly to the success of the whole process, and to the development of local reports that stem from the core of the local vision of the reality of democracy in each municipality.
- Each local assessment team prepared a report for their respective local municipality. The reports addressed all the assessment topics, monitored the facts of the local situation and drew detailed conclusions that laid the basis for the development of a series of practical and realistic recommendations. The common feature among all the recommendations was that they stemmed from within the community and reflected its own vision of how to utilize the strengths and remedy the weaknesses in local democracy in each case. The recommendations were spread over an approximate time frame that determined what would be possible in the short term and what could be addressed in the medium and long term.
- In conjunction with the local teams and under the coordination and supervision of International IDEA, the partner organizations compiled a national report based on the combined findings of each country's local reports. The national reports, of which detailed summaries are presented in the chapters below, are a general synopsis of each country's combined local reports. This represents a serious attempt to derive benefits from the sample assessments and a general approach to the reality of local democracy in each country.

Finally, it is important to emphasize that the intentions of this local democracy assessment are to try to identify, utilize and reinforce the strengths of local democracy, and to identify any weaknesses and their causes and propose possible remedies. This should all be based on what direct stakeholders perceive to be the main contributory factors in the move towards a more sustainable democracy, and stem from within the community, with a view to strengthening democratic institutions and practices to achieve better levels of prosperity and development.



# Local Democracy in Jordan

An Analytical View from  
Inside the Municipalities







# Local Democracy in Jordan

## An Analytical View from Inside the Municipalities

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### 1. Introduction

- Jordan is one of the most urbanized countries in the Third World. Its cities were formed by forces of rapid urbanization. The urban population makes up 83 per cent of the population of the country. Rapid urbanization was the outcome of several factors, such as regional wars, internal and external migration concentrated in large cities, the large size of the public sector, and the integration of Jordan's economy into the global economy.
- Municipalities have not been able to develop into local policy authorities. They play the role of service provider, rather than a developmental and cultural role. The real power of local governance still lies in the hands of governors and governorates, which operate under the Ministry of Interior. This means that the system of local governance is highly centralized.
- The Municipality Election Law poses a major obstacle to developing local democracy. The electoral system deprives residents in the capital city of the right to elect the mayor and half the members of the Amman Municipal Council. Council members are chosen by nomination in the Aqaba Special Economic Zone and the Petra region. Municipal elections are run under the complete supervision of the government, which forbids any form of independent monitoring. The system also lacks sufficient guarantees for the freedom and integrity of elections.
- Since the early 1990s, civil society organizations (CSOs) in Jordan have been increasing in number and their geographic spread. However, their role is largely concentrated in the capital and a few large cities, and their influence is negligible on the outskirts. The relationship between municipal councils and CSOs is weak, as there is generally insufficient awareness of the importance of cooperation and partnership between municipal councils and CSOs.
- The same observation applies to the relationship between the private sector and municipal councils. Business associations, such as the chambers of industry and commerce, play a limited role in municipalities outside the capital and the large

cities. Most Jordanian companies lack social policies, and they only occasionally feel any sort of social responsibility towards their local communities.

- Despite their similarities with other Jordanian cities, the four selected cities—Ma'an, Al Mafrq, Jerash and Rusaifa—are characterized by low living standards, higher than average dependency ratios, low levels of income, higher than average poverty, unemployment and illiteracy rates, and life expectancy rates that are lower than the national average.
- It is also notable that the four cities are connected to the capital more than they are to their rural hinterlands. Development projects in these governorates have not affected the wider sphere and have not raised the social productivity of the labour force.
- The four municipalities have access to very limited areas of public space, owing to the lack of public facilities or infrastructure, such as public halls, libraries, parks and squares. Legislation restricts the right of assembly and association. Public gatherings require prior permission from the local executive (the governor). In addition, the weak financial resources and high debts of the municipalities prevent them from supporting and sponsoring cultural and social activities.

A series of recommendations emerged from the national report.

*In the short term:* The national report called on municipalities to adopt mechanisms for self-assessment and review, to utilize the expertise of local experts and universities in order to develop standards for good urban governance, to construct infrastructure for public space, and to develop and update their websites.

*In the medium term:* The national report highlighted the need to develop municipal election laws and systems that conform to international standards of transparent and credible elections. Mayors and members of all municipal councils should be directly elected by the public, including in Amman, Aqaba and Petra, under the supervision of an independent election body. There is also a need to revise the forced merger of municipalities and to allow the formation of municipal councils on a democratic and objective basis.

The national report also called for an enhanced developmental role for municipalities and a strengthening of their human resource capacities by exchanging staff and expertise with universities and think tanks. In addition, cities need to be more integrated with their rural hinterlands by establishing various forms of cooperation. The national report also called on local administrations to develop their local databases and information systems, and to develop a strategic vision and long-term planning for municipalities, which will attract investment projects and give municipalities incentives based on the achievement of their socio-economic and development goals.

*In the long term:* The national report highlighted the need to take advantage of the new political climate in Jordan, which supports administrative decentralization, with a view to enhancing the independence of municipalities and promoting their developmental role as the principal local policy authority. It is also necessary to develop sustainable local development policies and instil good urban governance policies that are based on administrative decentralization, local democracy, transparency, accountability, good performance and gender balance. Additionally, foundations for societal partnerships between the private sector and civil society should be established. Each city needs to develop its own culture and an identity that conforms to its social characteristics and history. The national report also stressed the importance of strengthening civil society at the local level, assessing its needs, and helping it to devise a strategic plan that builds its capacities.

## 2. The city in context

### 2.1. Geography and spatial features

The effects of a city's geographic and structural conditions on its identity

The history and nature of Jordan's modern-day cities and towns are suggestive of the role that geographic features—particularly location and resources—have played in the shaping of those cities and towns. This includes their social history and a range of political, administrative and security factors. Today, Jordan has 12 large cities, the geographic and social identities of which were formed by several factors, the most important being that they serve as administrative centres for the surrounding governorates. There are also 93 medium-sized cities and towns which serve as centres for municipalities. The cities and towns, which have seen a wave of modern urban settlement, can be divided into three geographic locations: the mountains, the plains and the desert. Four Jordanian cities were chosen for this national report: Al Mafraq, Jerash, Rusaifa and Ma'an. These cities vary in terms of geographic location, natural structures and demographic composition.

Located 72 kilometres (km) north of Amman, **Al Mafraq** is a major hub for Jordan's north-eastern desert area. It is situated at a junction of international routes that connect the kingdom with Iraq, Syria and Saudi Arabia. The city's unique location has influenced its role in contemporary political and social events—a significant aspect of the city's identity. In the centre of the desert, and on the same longitude, lies **Ma'an**, 220 km south of Amman. Given its geographic location, Ma'an is considered the hub of Jordan's southern desert. It also stands at a junction of international routes connecting the kingdom with Saudi Arabia and Egypt. Characterized by its central location between Jordanian cities, **Rusaifa** is a newly established city located 20 km

north-east of Amman. It has a local transport network that connects Amman and Al Zarqa'. Finally, **Jerash** is an example of Jordanian rural cities. Known for its mountains and rich soil, the city has developed a primarily agrarian economy.

## The effects of geographic conditions and human settlement patterns on daily life and social relations

Geographic determinants and human settlement patterns have had a significant impact on people's daily lives and social relations in Jordan's modern-day cities. This can be seen in the strong impact of location on determining production patterns, and thus on shaping social relations and daily lives. Settlement patterns in desert cities and towns have been affected by the construction of roads, Bedouin settlement projects, the availability of agricultural resources or the arrival of waves of migrants and refugees due to a city's proximity to large cities. These four patterns can be found in the cities covered by the study. At the outset of the 20th century, Ma'raq had a traditional pastoral and agricultural economy, which is still the main source of income for communities in the northern desert. These groups used to, and still, do business in Ma'raq markets on a daily basis. Some Moroccan families and those of Syrian merchants settled near the markets and shops selling grains, and livestock products came from the village of Bani Hassan.

Ma'an was divided into two historical districts: the Hijazi district and the Shami district. A third district, Al Wasat, was established later. This division was the product of tribal alliances that controlled not only local policy but also local representation and the daily lives of individuals. In the past three decades, Ma'an has seen a new pattern of settlement after the government and some corporations built a number of workers' housing projects.

The patterns of settlement in Rusaifa have influenced daily life and social relations in quite a different way. Earlier random population settlement produced some overcrowded and disorganized districts, such as the camps that were built to accommodate forcibly displaced Palestinians after the 1948 and 1967 wars, as well as 1991 Gulf War returnees. A more recent pattern of settlement began after several housing projects and urban development areas were established, including workers' housing projects and investment projects which altered the previous type of settlement based on kinship ties.

The area of Jerash has played a key role in internal and external population movements, and hence in the human settlement patterns in the city as well as the social relations and daily lives of its residents. This has made it an important hub for travel to other surrounding governorates and a key destination for many people from neighbouring areas, who have settled there for work or business purposes. Historical and tourist

sites in Jerash have made it a major tourist destination, bringing large sectors of its population into interaction with tourists. Additional types of interaction are created by the city's cultural festival, which has been an annual event since the early 1980s.

## The impact of settlement patterns on local democracy

Local settlement patterns and social relations have had diverse cumulative effects throughout history on the exercise of local democracy in Jordanian cities. State institutions have at times played a role in intensifying these effects by attempting to create a balance between a city's districts.

In Mafraq, the settlement pattern has strengthened the synergy of local communities between their social identities and the practice of local democracy. The city has a homogeneous layout, which is a product of its historical development and economic activity. The various settlement patterns are visible during social occasions and public activities. They claim to directly meet the needs of their community, and this is apparent during parliamentary and municipal elections.

Ma'an's historical districts—Hijazi Ma'an, Shami Ma'an and Al Wasat—still have a clear impact on tribal alliances and ways of expressing demands and relations with public institutions. Thus, Mafraq and Ma'an often reflect tribal settlement patterns and their associated alliances and interests.

In Rusaifa, however, the impact of settlement patterns on local democracy is minimal, for reasons related to the structure of the city. Overcrowding, increased financial burdens, long working hours and the perpetual search for better opportunities to increase income have brought about a decline in political participation and in the collective tendency to aggressively pursue local demands.

Settlement patterns and the structure of districts in Jerash are more organized and systematic, creating a healthy and positive diversity that is demonstrated in the various types of competition in exercising local democracy.

## The public sphere in Jordanian cities

### a) Public space

The majority of Jordanian cities lack an institutionalized location for public activities, such as a city hall. However, there are various unofficial facilities and halls for public gatherings. In Mafraq there are two parks, a public library and a large hall that can hold up to 500 people. There are also five smaller spaces in various clubs and associations as well as seven commercial wedding halls that can be rented for various purposes. There are three types of public facility in Ma'an. The first type is official facilities such as the Governorate Hall, which holds up to 100 people, and the King Hussein

University Halls, which are used for official and semi-official events. The second type is semi-official facilities that belong to the municipality and civic organizations, the most important of which are the municipality's parks, its library and its hall, which holds up to 240 people, as well as three smaller halls for societies and clubs. The third type of public facility is the tribal chambers, which play an important role in the public life of the city.

Rusaifa has five parks and a relatively large public library, which has a hall in which particular events are held. There are also dozens of private facilities such as wedding halls, which can be used for other purposes, but the city has no public hall. Jerash has a municipal hall, which is usually reserved for official meetings. There is also a public park, which serves as an outlet for people, although it is lacking in many aspects and is never used for public gatherings and events. The city's ancient theatres are sometimes used for public events. Most popular gatherings are held in the tribal chambers (*diman*).

## b) The legislative and political frameworks regulating public space

The 2004 Public Meetings Act no. 7 applies to all public activities in Jordan, including public gatherings, protests and demonstrations. Any entity or person who wishes to organize a public meeting must notify the local executive (governor or administrator) at least three days in advance, giving details of the purpose, location, time, participants in and duration of the event. The governor's written approval is a prerequisite. However, gatherings related to election candidates or campaigns are regulated by the Election Law. They are usually held on a personal or family basis and treated with tolerance, unless they lead to disputes, legal violations or encroachment on public property. Tribal chambers have played a significant political role in Ma'an, providing alternative locations for public meetings, particularly during the political protests that took place in the city. The people of Ma'an have not been accustomed to obtaining official permission for public gatherings.

## 2.2. Demography: Population structure and social relations

### Population statistics

Jordan has a population of approximately 5.8 million (2007 estimate), approximately 2.9 million (51.5%) of whom are male and 2.7 million (48.5%) female. Table 2.1 shows the distribution of the population by governorate and gender.

**Table 2.1.** Estimated population of Jordan by governorate and gender, 2007 (thousands)

Governorate	Males	Females	Total	Percentage of national population
Capital	1,139.4	1,076.6	2,216.0	38.7
Al Balqa'	1,990.0	184.3	383.4	6.7
Al Zarqa'	441.2	411.5	852.7	14.9
Madaba	73.7	69.4	143.1	2.5
Irbid	521.7	497.0	1,018.7	17.8
Mafraq	139.4	129.6	269.0	4.7
Jerash	88.3	83.4	171.1	3.0
Ajloun	67.0	64.6	131.6	2.3
Al Karak	113.0	110.2	223.2	3.9
Al Tafila	40.8	39.3	80.1	1.4
Ma'an	57.0	51.8	108.8	1.9
Al Aqaba	69.4	55.3	124.7	2.2
<b>The Kingdom</b>	<b>2,950.0</b>	<b>2,773.0</b>	<b>5,723.0</b>	<b>100.0</b>

Source: Department of Statistics, *Jordan in Figures 2007*, May 2008.

In 2004, the city of Mafraq had a population of 48,000, around 20 per cent of the 250,000 people living in the governorate of Mafraq. The city's population is divided into 51.8 per cent male and 48.2 per cent female. The population of Ma'an is estimated at 30,000, around 32 per cent of the 108,000 people in the governorate. Ma'an's municipal council, however, estimates the population of the city at 45,000 (53.2 % male and 46.8 % female). The city of Jerash has a population of 68,500, of which 51.4 per cent are male and 48.6 female. Jerash accounts for around 40 per cent of the governorate's total population. Rusaifa has a population of 224,564 (51% male and 49% female), accounting for 27 per cent of the total population of Al Zarqa' governorate (852,700). The governorate of Ma'an alone constitutes 37 per cent of the total area of Jordan, making it the country's largest governorate. Mafraq covers 30 per cent of the total area of Jordan. The average population density in Jordan is 64.5 people per km<sup>2</sup>. Jerash comes second after Irbid in terms of population density, with 419 people per km<sup>2</sup>.

Table 2.2 provides some demographic indicators for the whole country and the four selected governorates. It shows that the population of Al Zarqa' governorate accounts for 15 per cent of Jordan's total population, making it the third most populated city after Amman and Irbid, despite having an area of only 4,761 km<sup>2</sup>. The table also indicates the rural nature of Al-Mafraq, with 61 per cent of its population living in rural areas. The governorates of Jerash and Ma'an have a more urban nature, with 63 per cent and 55 per cent of their populations living in urban areas, respectively. Ma'an seems to have a significantly high mortality rate compared to the national average (4.8 compared to 3.6 per 1000 people), which indicates the poor level of health services in the governorate.

**Table 2.2.** Demographic indicators for Jordan and the four selected governorates, 2006

Indicators	Jordan	Mafraq	Ma'an	Jerash	Zarqa'
% of urban population	82.6	39.2	54.9	62.7	94.5
% of rural population	17.4	60.8	45.1	37.3	5.5
% to total population	100.0	4.7	1.9	3.0	14.9
% of males	51.5	51.8	52.4	51.4	51.7
% of females	48.5	48.2	47.6	48.6	48.3
% of population under 15	37.3	40.9	39.0	40.8	38.9
% of population 15 to 64	59.5	56.3	58.1	56.3	58.1
% of population over 65	3.2	2.8	2.9	2.9	3.0
Area (km <sup>2</sup> )	88,778	26,541	32,832	410	4,761
Population density (person/km <sup>2</sup> )	64.5	9.9	3.2	709.8	175.3
<b>Dependency rate</b>	<b>68.2</b>	<b>77.6</b>	<b>72.1</b>	<b>77.6</b>	<b>68.6</b>

Source: Department of Statistics, *Governorate Indicators (2003–2006)*, December 2007.

### Age structure of the population

Jordan has a high proportion of people under the age of 15 (37.3% of the total population). Those aged between 15 and 64 account for 59.5 per cent of the population, and those over 65 only 3.2 per cent. The four cities covered by the study generally have a young age structure, and hence a dependency rate that exceeds the national average.



## Major social, ethnic and religious groups

Jordanian society is often described as rich in social, cultural and religious diversity, owing to a multitude of historical and geographic factors. This religious diversity is in spite of the fact that the vast majority of the population is Arab and Muslim. The small percentage of Jordanian Christians (ranging from 3% to 8%) regard themselves not as a minority but as an extension of the ancient Christian East. In addition to Jordanian Christians, there are ethnic minorities that settled in Jordan at different stages in history, such as the Circassians and Chechens who came from the Caucasus and were settled by the Ottoman Empire in east Jordan, northern Syria and Palestine. There are also other smaller ethnic and religious minorities such as Kurds, Armenians and Baha'is.

Arabic is the official language of Jordan. It is used formally and informally and by government departments. All minority groups are fluent in Arabic and use it in their daily life and work without difficulty. However, some ethnic groups, such as the Chechens and Armenians, continue to use their own languages with family members and on special occasions. In general, there are no legal restrictions on the use of ethnic minority languages in Jordan. It is worth noting that article 2 of the 1952 Jordanian Constitution states that Arabic is the official language of the state and will be used in official and public dealings. No issues have ever arisen concerning the use of native languages by minority groups in their social circle.

## Jordan's population structure

Various population groups have taken refuge in Jordan since the early 20th century, including from Palestine, Syria, Lebanon and the Hijaz, and even from the Maghreb and Yemen. The Syrian revolt against the French mandate in the 1920s led to the migration of many Syrians to Jordan, such as the Druze who came with Sultan Pasha Al Atrash to Jordan and settled mainly in the Azraq oasis and Mafraq.

In addition, scores of Syrian, Lebanese and Hijazi families emigrated to Jordan in the early 1920s, when many of those who had joined the Great Arab Revolt or King Faisal's government in Damascus assisted in the establishment of Jordan's government and armed forces. Throughout the first half of the 20th century, the young country attracted teachers, intellectuals and experts from neighbouring countries, especially from Palestine, Syria and Lebanon. The newly established country also attracted merchants, craftsmen and farmers who went to work in Jordan, and subsequently were instrumental in the building of the country's modern economy.

Jordanian citizens of Palestinian origin, especially those who took refuge in Jordan after the 1948 war and Jordan's annexation of the west bank of the River Jordan in 1950, account for nearly half the population of today's Jordan. Jordanians of

Palestinian origin generally complain of being discriminated against in terms of political rights, and by the 'Jordanization' policy that has been applied since the early 1970s which has led to their exclusion from the ranks of the army, the security forces and sensitive government positions. In contrast, the Jordanian authorities and many political activists of east Jordanian origin have expressed their reservations about demands for population-based equality and justice before a comprehensive settlement of the Palestinian problem is reached, for fear that this would turn Jordan into a 'substitute homeland' for Palestinians and in turn undermine their right to return to their homeland within the framework of any future settlement.

Jordan's current population structure is affected by two key factors: the increasing number of foreign workers from Arab and Asian countries; and the presence of a large Iraqi community which was forced to flee to Jordan as a result of the 1991 Gulf War and the US occupation of Iraq in 2003. The number of foreign workers in Jordan rose from 111,000 in 2000 to 303,000 in 2008, an increase of 175 per cent and an annualized increase of 22 per cent per year. The majority of foreign workers are male. Women accounted for only 8 per cent of the total foreign workforce in 2000, rising to 17 per cent in 2008.

### The social structure and the state of minorities in the four cities

Ma'raq has a local and regional social structure. Most of its population either belongs to Jordanian Bedouin tribes, migrated from other parts of Jordan, or came from Syria as merchants or was forcibly displaced from Palestinian cities. While the city has no ethnic minorities, there is a Christian community of around 5000 people (8% of the city's population). Ma'an, by contrast, is entirely populated by Jordanian Arabs, who are all Sunni Muslims. There are no other religious groups in the city. Historically, the city's unique geographic location attracted a range of diverse communities, some of which are of Syrian origin. There are also a few families of Armenian origin, but no groups are treated as minorities by either the authorities or other groups. In Rusaifa, there are two ethnic, cultural or religious minorities: a Circassian and Chechen minority of approximately 1 per cent of the population and a Christian minority of a roughly similar size. Jerash has a mostly Arab Muslim population, some of which has distant Syrian origins, as well as a 3 per cent minority of Circassians and Caucasian immigrants.

On the whole, Jordanians of all cultural and religious backgrounds are treated equally in terms of citizenship rights and responsibilities. With regard to the legislation that governs public life and democratic representation, however, there are fixed quotas for Christians, Circassians and Chechens in parliament but not in municipal councils. No conflicts related to religious or ethnic minorities have been reported in the past two decades.

## 2.3. Socio-economic base and municipal finance

### Economic and industrial sectors and activities

For many decades, Jordan's cities and towns depended on local production and a service-oriented economy, while modern industry and rapid capital turnover were confined to Amman and, to a lesser extent, Al Zarqa'. Since the mid-1990s, other cities, including the four selected for this study, have witnessed more diverse economic activity with the emergence of new development policies to expand the production base, such as the establishment of special industrial and development zones in Mafraq and Ma'an.

Mafraq has a diverse commercial, agricultural, industrial, and service-oriented economy. The commercial sector is the city's most important, with over 3000 small and medium-sized businesses across the city. Agriculture has also flourished in the past two decades in areas neighbouring Mafraq, where there are some 80,000 acres of irrigated agriculture, 108,700 acres of orchards and 450 poultry and livestock farms. The industrial sector is in third place. There are nearly 80 factories. Ma'an was one of the first cities to depend on trade, owing to its location at a junction of international routes in the middle of the southern desert. It now has more than 942 small and medium-sized businesses. The city's economy also depends on a broad service sector, which is linked to 43 neighbouring localities, and on booming mining, chemical and extractive industries in neighbouring areas, including phosphate mines, fertilizer plants and quarries.

Rusaifa's economic base relies on handicraft industries, such as blacksmithing, carpentry and mechanics. The city also depends on medium- and large-scale manufacturing, with dozens of garment, textile and food processing factories across the city. In the business sector, the city has 4000 small and medium-sized registered businesses. In Jerash, agriculture is the primary economic sector. It is the main source of income for the majority of the city's population, and there is around 20,000 acres of cultivated land. In second place comes the tourism sector, while the business and service sector comes third.

### The impact of economic activity on the structure of the local community

The social system in Jordan's cities is directly influenced by production patterns. These patterns have a clear impact on human settlement patterns and the creation of residential districts as well as the ensuing relations. In the past decade, economic changes have affected the essence of local relations and lifestyles, which, in cities such as Mafraq, have shifted rapidly towards consumerism and created new shopping patterns. This is more evident in Rusaifa, where there has been a rapid increase in

population and a decline in traditional economic sectors such as phosphate mining. However, the effects of an unstable economic base on agriculture, and of tourism on the community's structure, functions and relations can be felt in Jerash.

In addition, most Jordanian cities have in the past decade adapted to new economic patterns that have been the product of the Jordanian economy's integration into the global economy. This impact has been more evident in the northern and central cities than in Ma'an. The result is increased and more diverse trade in goods, larger markets, and new shopping malls and banks, as well as extensive electronic commerce and interaction with the global stock market.

### Socio-economic relations with surrounding rural areas

Mafraq has long-standing socio-economic relations with its surrounding rural and nomadic areas due to its role as the administrative and commercial centre of the governorate. The city has three bus stations that serve the eastern desert areas, the northern cities and the west of Mafraq. Ma'an has historically depended on its extensive mutual relations with the surrounding rural and nomadic areas. Economically, there is a wide and continual exchange of commodities between Ma'an and its neighbours. People from the neighbouring rural areas market their agricultural products in Ma'an, while those from the nomadic areas market their livestock and dairy products in the city, where they buy their food supplies, clothes and other goods.

In Jerash, farmers come from nearby rural areas to market their agricultural products in exchange for the basic commodities they need. They usually borrow or buy on credit from merchants until the harvest, creating a sort of economic interdependence between the city and its rural neighbours. No such relations exist in Rusaifa, however, which has no rural neighbours. Rusaifa has strong ties with Amman and Al Zarqa'. In Jordan, the movement of labour between urban centres and their surrounding areas is generally affected by levels of development and economic activity and the structure of the cities and their surroundings. The administrative centralization of the areas far from the capital has created a greater reliance on urban centres, increasing the movement of labour between those centres and their surrounding areas.

### The role of municipalities in resolving land disputes

In recent years, the number of registered land disputes in Mafraq was 261 in 2006 (4.5 cases per 1000 people), 162 in 2007 (3.4 per 1000 people) and 87 in 2008 (1.8 per 1000 people). In Ma'an, there were 139 (4.3 per 1000 people) registered disputes in 2007. In Jerash, there were 47 (0.7 per 1000 people) disputes in 2007 and 56 in 2008 (0.8 per 1000 people). Rusaifa has seen an overall decline in the number of land disputes.

In the various governorates and cities, land disputes are usually settled by local governors and the Department of Lands and Survey, the work of which involves land planning, demarcation and ownership identification. Municipal councils are currently working on the development of structural plans for their areas. Land registration, transfers of ownership and dispute settlement are carried out by the Department of Lands and Survey.

## Income levels, poverty and unemployment

The most recent study of poverty in Jordan was conducted in 2003, which estimated that the national poverty rate was 14.2 per cent. The study showed that 15.2 per cent of male-headed households lived in poverty, compared to 14.1 per cent of female-headed households. The poverty rate in the four selected governorates was higher than the national average: 25.4 per cent in Mafraq, 24.1 per cent in Ma'an, 18.4 per cent in Jerash and 22.3 per cent in Al Zarqa' (where Rusaifa is located).

The 2007 revised economic activity rate in Jordan was 39.8 per cent (64.4% of males and 14.7% of females). The low economic activity rate is due to the low levels of participation by women and the youthful population. The large number of people under 15 naturally do not work. The 2007 unemployment rate was 13.1 per cent (10.3% of males and 25.6% of females). Those who had been unemployed for at least a year accounted for 50.1 per cent of the total unemployed, more than half of which were in the 15–24 age group.

In the four cities covered by the study, the 2006 revised economic activity rate and the unemployment rate were respectively 35 per cent and 16.9 per cent in Mafraq, 37.2 per cent and 17.5 per cent in Ma'an, 34.9 per cent and 15.5 per cent in Jerash, and 37.8 per cent and 12.3 per cent in Al Zarqa' (Rusaifa). National statistical indicators show that young people and women are the main victims of unemployment. The number of unemployed women is 1.5 times higher than that of men. (The figure for unemployed women is based on those economically active women who are part of the workforce and are looking for employment.)

The dependency ratio is defined as the number of persons who depend for their daily livelihoods on the income of one person. Compared to the national dependency ratio of 1:4, the dependency ratio in Mafraq is 1:5, in Ma'an is 1:5.3, in Rusaifa is 1:4.2 and in Jerash is 1:4.3. In 2006, the average annual per capita income in Jordan was 1,083 Jordanian dinar (JOD). In Mafraq it was JOD 904, in Ma'an JOD 878, in Jerash JOD 802 and in Rusaifa JOD 950. Overall, the four cities have noticeably higher unemployment rates and lower standards of living.

## Crime and violence

The crime rate in Jordan saw a significant increase in 2006–2007—an annual rise of 49 per cent. Among the four selected cities, Ma’an had the highest annual increase (78.5% per cent), followed by Al Zarqa’ (53.5%), Mafraq (31.6%) and Jerash (25%). The average crime rate per 1000 people in the four cities in 2006 was: Mafraq 6.4, Ma’an 4.2, Rusaifa 4.4 and Jerash 3.6. Available data on the four cities for the past year do not give sufficient detail of human rights violations. Nor is there any specific reference to the four cities in the relevant reports of international organizations, which only address violations at the national level. However, recent reports have documented one case of political detention in Rusaifa. No clear cases of political violence have been recorded in the selected cities in the past three years, with the exception of some limited clashes in Ma’an following the events of 2002—the most recent wave of political violence in the city and the last for over two decades.

## The financial status of the municipalities

The majority of Jordanian municipalities are experiencing chronic annual deficits and large accumulated debts. This was the government’s excuse for merging more than 300 municipalities into 93. The merger was carried out in 2001, and it has stripped the municipalities of the ability to earn direct revenues, which now flow into the state treasury. Municipal debt reached JOD 60–65 million in 2007, but decreased to JOD 50 million in 2008. This came after an amendment to the 2007 Municipalities Law stated that 6 per cent of revenues from fuel produced by the Jordan Petrol Refinery Company should go to the municipalities, in addition to JOD 106 million in government support. It is worth noting that the running expenses of the municipalities, especially staff salaries, consume a considerable proportion of total revenues. The ministry has been forced to put a freeze on new appointments, with the exception of cleaning staff, because municipalities were spending 35 per cent of their revenues on salaries.

The 2008 budgets for each of the four cities were: JOD 4.5 million for Mafraq, JOD 2.4 million for Ma’an, JOD 9 million for Rusaifa and JOD 4.5 million for Jerash. Local taxes are the main source of revenue for the municipalities in the four cities, in addition to their share of the fuel revenue from the state treasury, of duties and taxes and of income derived from fines for traffic violations. The proportion of municipal revenue raised from local taxes was 55 per cent in Mafraq, 64 per cent in Ma’an and 80 per cent in Rusaifa.

## Cases of Financial Abuse

There are no official reports on the amount of tax evasion in municipalities. Sources from Mafraq and Ma’an report a rise in tax evasion cases, but there are no procedures

for tracking and tracing tax evasion. One case of local government corruption was recorded in Ma'raq, seven in Ma'an and three in Jerash. All the cases were related to land, finance, cooperatives or community associations. Action was either taken to rectify the financial matters, or the case was referred to the judiciary, or the services of those proved to be involved in financial corruption were terminated.

Local government institutions have adopted various procedures to prevent the spread of corruption. These include the application of laws and statutes that regulate work and prevent corruption, and the application of internal financial and administrative control systems to monitor the execution of administrative and financial procedures and decisions from inside the institutions. The procedures also include the role of the State Audit Bureau, an official arm that is independent of local institutions. Every municipality has a branch of the State Audit Bureau responsible for inspecting and monitoring finances and expenditure.

## 2.4. Human development indicators

By international standards, Jordan is ranked as a medium-income country with medium levels of human development. Jordan ranked 86th out of 177 countries on the United Nations Development Programme's (UNDP) 2007–2008 Human Development Index. Among Arab countries, Jordan ranked third in literacy after Kuwait and Palestine, with a literacy rate of 91.1 per cent. On the level of overall human development, Jordan ranks seventh after Kuwait, Qatar, the United Arab Emirates (UAE), Libya, Oman and Saudi Arabia. Jordan has a school enrolment rate of 78.1 per cent, ranked third among Arab countries after Libya and Palestine. According to a UNESCO report (2008), Jordan ranked 55<sup>th</sup> out of 129 countries on school enrolment, and second among Arab countries (after Bahrain). However, all the indicators vary among Jordan's regions and cities.

### Health indicators

The national infant mortality rate in 2007 was 19 per 1000 live births, compared to 24 in 2004. There has been a clear improvement in health standards in recent years. Infant mortality rates are similar in all Jordanian governorates, but data are not collected at city level. Table 2.3 shows a number of health indicators disaggregated by governorate.

**Table 2.3.** Health indicators for Jordan and the four selected governorates, 2006

Indicators	Jordan	Mafraq	Ma'an	Jerash	Zarqa'
Number of hospitals	101	4	2	1	8
Number of beds	11,009	225	194	135	939
Number of health centres	428	46	21	18	33
Number of rural clinics	243	37	21	10	8
Number of maternity centres	406	39	18	18	31
Number of communicable disease centres	12	1	1	1	1

Source: Department of Statistics, *Governorate Indicators (2003–2006)*, December 2007

In 2007, the total number of medical doctors in Jordan was 3,702. There were 63 doctors in Mafraq (1.3 doctors/1000 people), 31 in Ma'an (1/1000) and 165 in Rusaifa (0.8 /1000).

## Education indicators

There are a total of 83,900 primary and secondary school teachers in Jordan. There are 17 nursery schools in Mafraq (0.4 per 1000 people), 8 in Ma'an (0.4 per 1000) and 62 private and public nursery schools in Jerash (0.9 per 1000). Table 2.4 illustrates some educational indicators, including the number of teachers, in the four selected cities.

**Table 2.4.** Educational indicators for Jordan and the four selected governorates, 2006

Indicators	Jordan	Mafraq	Ma'an	Jerash	Zarqa'
Number of schools	5,517	423	210	206	578
Number of students	1,567,856	75,222	31,927	51,455	229,614
Number of teachers	88,256	6,086	2,686	3,087	9,775
Number of students per teacher	17.8	12.4	12	16.7	23.5
Illiteracy rate	9.3%	17.5	15.6	9.8	8.6
Literacy rate	90.7%	82.5	84.4	90.2	91.4

Source: Department of Statistics, *Governorate Indicators (2003–2006)*, December 2007.



## 3. Representative democracy

### 3.1. The institutional and legal framework

#### The legislative framework regulating local government

Article 121 of the Jordanian Constitution stipulates that municipal and local affairs are to be run by municipal or local councils. The details have been left to the Municipalities Law and other relevant laws. According to the Administrative Divisions Law of 2000, as amended, Jordan is divided into 12 governorates, which include 51 districts and 38 sub-districts. The districts contain 753 towns and villages, and the sub-districts include 400 towns and villages. Thus the kingdom comprises 1153 towns and villages. As for municipalities, there are 93, in addition to the Great Amman Municipality, according to the 2007 decree by the municipal affairs minister.

A national legal and administrative framework governs the electoral process at the municipal level, specifying all the details of the process. The Municipalities Law (no. 14 of 2007) covers the electoral system for municipal councils, and mandates the minister of municipal affairs to determine the number of council members and the number of seats reserved for women in each municipality. These seats are then added to the original number of seats for municipal councils.

#### Establishing new municipalities and electing their councils

If the majority of a town's residents wish to establish a municipality of their town or to merge their existing municipality with another, a request must be submitted to the governor. After noting her/his observations, the governor refers the request to the municipal affairs minister. The minister then appoints a committee, which must include at least two town residents, to verify the wishes of the town's residents. If it is found that the majority of them see the need for a municipality, the Council of Ministers will decide to establish one. The minister then determines the number of council members. Subsequently, the minister appoints an ad hoc committee that exercises the powers of the council, and appoints one of its members as chairman. The term of the committee should be no longer than one year, during which the new council is elected.

#### Municipal election dates

Elections for the 93 municipalities and the Greater Amman Municipality all take place on the same day, once every four years. The exact date is determined by the municipal affairs minister, but it is usually in July. The Aqaba Special Economic Zone and the Petra Region Authority are excluded from the provisions of the Municipalities Law. Their council members are appointed by the Council of Ministers. Half of

them should be representatives of the local community. Only half of the council members of the Greater Amman Municipality are elected by the people. The other half, including the secretary of Amman, are appointed by the Council of Ministers.

### Representation of marginalized groups

There are no special procedures for increasing the representation of marginalized groups. The only exception is when the Council of Ministers includes a number of women (over and above the women's quota) or representatives of minorities and youth among those appointed to the Greater Amman Municipality council. Women won the right to vote and stand in municipal elections for the first time in 1982 but did not exercise that right until 1995.

### Compliance with international election standards

Electoral legislation reasonably complies with international standards for municipal elections, including the reservation of at least 20 per cent of council seats for women. However, the Municipalities Law, which regulates local elections, does not recognize the right of civil society to monitor elections, and it opposes any independent international or regional monitoring of elections. Moreover, the law does not permit non-Jordanian residents to vote in municipal elections.

## 3.2. Electoral disputes

### Dispute resolution mechanisms

There are three types of electoral dispute.

1. Election-related appeals, such as objections to electoral registers, objections to ballots and challenges to the validity of an election: objections to electoral registers are addressed by the Voter Registration Committee, with an opportunity to present objections to the Court of First Instance. The court's decision in such cases is final. In the case of objections to ballots, the returning officer's decision is final. Challenges to the validity of the election of a mayor or any member of the council are handled by the Court of First Instance, the decision of which is final.
2. Election crimes: the law defines 16 offences related to attempts to rig elections or influence their results. Legal proceedings over such crimes are instituted by the attorney general or on the basis of a complaint by a voter or candidate within 15 days of the date of announcement of the election results.
3. Disputes that arise on the sidelines of an election: such disputes are resolved amicably within the group, family or tribe. If all attempts fail, the governor steps in to resolve the problem.

## The nature of disputes in the past three elections

The major disputes were related to objections to electoral registers and were resolved within the relevant legal framework. However, the authorities have yet to provide any data on the number of such disputes. Practices that fall within election crimes, particularly educated people voting as illiterates, were obvious and widespread but usually overlooked. The other reported election disputes were all of a local nature, such as the failure of a group or tribe to vote as per their agreement with another group or tribe, or accusations of election rigging without the submission of a formal appeal. In the past three municipal elections in Ma'an, such disputes were less severe than they had been during parliamentary elections. There were a limited number of disputes in Mafrqa. Most of the appeals in Jerash focused on names being inadvertently omitted from electoral registers. In Rusaifa, there were objections to the validity of the election of some council members, but these were resolved amicably.

The most significant disputes that arose during the most recent round of elections were substantial objections by the Islamic Action Front (IAF) to the methods implemented for voting by military personnel. The IAF decided to boycott the elections a few hours after polling began. A number of candidates who were disadvantaged by the voting of military personnel also challenged the election results. In the 2003 elections, the IAF objected to amendments to the Municipalities Law, whereby a provisional law was issued during the parliamentary recess which allowed the government to appoint all municipal council presidents (mayors) as well as half the council members. As a result, the IAF limited its participation to the Greater Amman Municipality council elections and boycotted all other municipal elections.

### 3.3. Electoral system design and performance

#### The electoral system

The 2007 Municipalities Law establishes the First Past the Post (FPTP) system for the election of mayors and the Block Vote (BV) system for the election of council members. However, in June 2007, the BV system was replaced by the Single Non-Transferable Vote (SNTV) system after a decision by the Law Interpretation Bureau (of 11 June 2007), which is legally binding. On reserved quotas for women in municipal councils, the Municipal Law gives women the right to stand for all the seats of a council. The quota system is then applied at a later stage to women candidates who were unable to win contested seats in the first round. The women candidates with the most votes win the quota seats for all the districts of the municipality. In accordance with Law Interpretation Bureau decision no. 4 of 2007, the 'most votes' method was replaced with another method whereby the seats are won by those women candidates who receive the highest percentage of votes against the number

of voters in their electoral district. In addition, Bureau decision 2 of 2007 considers these contested seats won by women candidates to be not part of the quota reserved for women.

## The impact of the electoral system on the party system

Since its adoption in the 1995 municipal elections (when it was first decided to conduct all municipal elections on the same day), the BV system has enjoyed general acceptance, even among political parties. This is because the system allows for the formation of tribal alliances, although it gives no advantages to political parties. The only party that has any chance of running against the tribes in municipal elections is the Islamic Action Front, but the IAF tends to restrict its participation to urban areas. While the SNTV system gives no particular advantage to small parties, it restricts the ability of large parties to win a majority, forcing them to distribute their constituents' votes accurately among their candidates in multi-member districts so that they all have an equal chance of winning.

Although the decision of the Law Interpretation Bureau to replace the BV system with the SNTV system was based on legal procedure, it was 'unfair' in substance. Its aim was to deprive the IAF of the opportunity to win a majority on the major municipal councils. The result has been continued tribal dominance over the electoral process.

## Electing a mayor and forming a ruling majority

Three different electoral systems have been used for the past three elections. Each had a different effect on the formation of a majority in municipal councils and the election of a mayor. In the 2007 elections, the SNTV system was used and the IAF boycotted the elections. Consequently, there was no organized party capable of achieving a majority in any of the municipalities. No other parties boycotted the elections, but they fielded candidates in only a limited number of districts and supported independent candidates in other districts. The process of electing a mayor is somewhat different in that in the SNTV system the voter votes for one candidate in his or her electoral district regardless of the number of seats allocated for that electoral district, whereas voters in all electoral district vote to choose a mayor from all the candidates running for office. Therefore, the number of votes required to win the office of mayor is far greater than that required to win a seat on the municipal council. In addition, the candidates running for mayor need to have supporters and allies in all constituencies.

The 2003 elections were completely different. The government had merged neighbouring municipalities, reducing them from 300 to only 93, and adopted a provisional law during the parliamentary recess. This allowed the government to

appoint all the mayors and half the members of all the municipal councils. Following the IAF's boycott of the elections, all the municipalities had a government majority. The 1999 elections, however, were the most consistent with the history of municipal elections because the BV system was used, which was an advantage for the larger parties. The IAF was able to form a majority in a number of key municipalities, and tribal alliances also won a majority in a large number of municipalities.

Because its municipality consists of a single electoral district, Ma'an's tribal alliances have been the main vehicle for translating votes into seats on the municipal council. In recent elections, alliances secured deals to exchange support between municipal and parliamentary elections. Although the office of mayor was filled by appointment in the two terms before the most recent election, there has been a return to the traditional pattern for municipal elections, in which the major tribes share the offices of mayor and member of parliament. In Rusaifa, there were fears that the government's interference would affect the election results. In Mafraq and Jerash, the electoral system does not include any arrangements for political parties, which has undermined their role and allowed tribes to control the municipal council. In general, the very limited participation by political parties, mainly owing to the withdrawal of the major party from the elections, does not give any meaningful indication of any consistency between the number of seats and the percentage of votes obtained by any party.

## The transparency and integrity of the electoral system

The electoral system does not specify how voters can translate their votes into seats on municipal councils. Nonetheless, voters do not believe there to be any deficiency in this regard, due to the relevant community experience derived from the use of SNTV in parliamentary elections since 1993. The major drawback was that the switch from BV to SNTV took place only a month and a half before the elections. Thus, those standing for election were faced with a confusing new reality, and the burden of making an extra effort to inform their constituents of the new situation and its implications.

The electoral system is clear in that it allows voters to exercise their freedom to choose between candidates, but it lacks integrity because it fails to provide a proper solution for illiterate voters, who must inform the polling station committee chairman of their choice of candidate, which is a violation of the secrecy of the ballot. Furthermore, scores of educated voters often claim to be illiterate at the polling station in order to reveal the destination of their vote to the representatives of candidates. Although this practice is prohibited and is punishable by law, it persists and the need for a solution is ignored by legislators. Another shortcoming is that extensive participation by military personnel has been allowed since the 2007 municipal elections. All military

personnel have the right to make a free choice between candidates in their own municipalities. However, when they are brought from their barracks en masse to vote in nearby areas, where they know neither the people nor the candidates, many believe they do not vote freely, but rather as instructed.

Although the electoral system views candidates with impartiality, tribes and large parties always have a better chance of winning. The electoral system would provide better opportunities for social pluralism if it limited the ability of the strongest powers to capture all or most of the municipal council seats.

## Election campaigns

### **a) The impact of the electoral system on election campaigns**

The electoral system has a negative impact on election campaigns. The law does not set fixed dates for nominations or election campaigns. Nor does it specify the length of a campaign. These details are left to the municipal affairs minister to decide, opening the way for a few potential candidates to launch 'indirect' election publicity campaigns in the newspapers before the official start of the electoral campaign. The SNTV system reduces the effectiveness of election campaigns, especially in rural areas where tribes decide to field one of their members as a candidate and commit all other members of the tribe to vote for that candidate.

### **b) Political parties and election campaigns**

The electoral system does not encourage political parties to broaden their support base or direct their campaigns towards other groups in the community outside their traditional vote-base. On the contrary, the system has driven some parties to reduce the number of candidates they field. Having fielded around 100 candidates in 1999, the IAF put forward only 32 candidates in 2007. Other parties, such as the Jordanian Democratic People's Party (HASHD), the Communist Party, the Baath Party, the Progressive Party and the Arab Party, chose to ally with independent candidates. They decided to form an alliance under the 'National Democratic Movement', which put forward 27 candidates. On the other hand, the adoption of a women's quota has encouraged the major parties to field women candidates for municipal elections for the first time in their history.

### **c) Election campaign themes**

Election campaigns mainly focus on the various types of local services. Some themes recur in all municipalities, while others are locally specific, such as a tourism revival in tourist areas and environmental protection in areas with high levels of pollution. Political parties focus on issues such as the democratization of legislation, development and unemployment. Among the most significant issues that have been

raised during election campaigns are: infrastructure development, environmental protection, the creation of employment opportunities by municipal projects, the cleanliness of the city and the creation of public space such as libraries and parks. These themes reflect local government agendas through the priorities that municipal councils set for themselves, within the functions set out in the Municipalities Law and through the demands voiced by the people.

## Dividing municipalities into electoral districts

The Municipalities Law mandates the municipal affairs minister to divide municipalities into electoral districts with a view to organizing voter participation. Table 2.5 shows the number of electoral districts and the number of municipal council members in the four selected areas.

**Table 2.5.** Number of electoral districts and municipal council members in Rusaifa, Ma’an, Mafraq and Jerash

Municipality	Districts	Members + mayor	Women’s quota seats	Total council members
Rusaifa	5	11	3	14
Greater Ma’an	1	9	3	12
Greater Mafraq	5	9	3	12
Greater Jerash	3	8	2	10

There are no uniform or recognized standards for defining electoral districts, whether in terms of population size or in terms of the number of each district’s representatives on the municipal council. This has resulted in a huge difference between the number of districts and the distribution of seats. The number of districts in municipalities ranges from one district in Ma’an to 23 in Irbid and 27 in Amman. There are similar differences in the number of seats for each district, ranging from one to eight seats. Thus, the delimitation of electoral districts conforms to a wide range of standards, including, of course, population size, the administrative divisions adopted by the central authority, the rural or urban nature of the area, the demographic nature of the municipal area, and the distribution of tribes.

No formal appeals have been recorded in the past three years. The boundary delimitation process that attracted the greatest opposition was the government's decision in 2002 to merge neighbouring municipalities, which turned dozens of municipalities into mere districts of other larger municipalities. A district is represented by one or two person(s) rather than having its own council. This process has been heavily criticized for the poor level of services currently provided to former municipalities and the low level of representation.

### 3.4. The political party system

#### Political parties and local government

##### a) Existing parties and membership size

There are 15 political parties in Jordan: the IAF, the Islamic Centre Party (ICP), the Arab Islamic Democratic Movement (Du'a'), the Jordanian Communist Party, the Jordanian Democratic Popular Unity Party, HASHD, the Jordanian Arab Socialist Baath Party, the Progressive Arab Baath Party, and the National Constitutional Party, Al Resala Party, the Direct National Democratic Movement, the Jordanian National Party, the Unified Jordanian Front Party, Al Hayat Party, and the Jordanian Welfare Party. The 2007 Political Parties Law stipulates that the founding members of any political party must number at least 500, with habitual residence in at least five governorates (10 % from each governorate). The 1992 law required only 50 founding members. Twenty-two old parties failed to secure the required number of members according to the new law, and other parties had difficulty in doing so but managed to exceed the required minimum by around 100 or 200 members.

None of the existing political parties has a clear vision for local governance. Almost half (seven) the parties have merged under the umbrella of the 'Higher Coordination Committee for Opposition Parties'. These include the Islamic Action Front, three leftist parties (Communist, HASHD, Popular Unity) and three nationalist parties (Socialist Baath, Progressive Baath and Direct National Movement). The other eight parties are classified as moderate 'centrist' parties, among which are two Islamic parties (Islamic Centre and Du'a) and the National Constitutional Party, which was formed by the merger of nine parties in 1997. The other five parties (Resala, Welfare, National, Unified Front and Hayat) are the most recently established.

In the legal sense, there are no religious or ethnic parties. The Political Parties Law states: 'A Party shall be constituted on the basis of citizenship without any discrimination founded on a sectarian, ethnic or group basis or favouritism because of gender, origin or religion'. Three parties can be classified as working in the field of political Islam, however, meaning that they simultaneously call for the application of Islamic law (Sharia) and participate in political life as per existing legal and constitutional norms.



## **b) Political party participation and funding in elections**

Three of the 15 existing political parties have obtained their licence since the 2007 elections. The other 12 parties, out of 35 that existed before the 2007 Political Parties Law, are those that managed to prove their status to be in compliance with the new law. The 12 parties were licensed after 1992. They all took part to varying degrees in the 1995 elections, often without revealing their candidates' political affiliations in order to maximize support from their tribes. In the 2007 elections, however, only three parties and a four-party alliance under the banner of the 'National Democratic Movement' took part. There were 93 candidates, including those who chose not to reveal their political affiliations.

A limited number of parties have representation on municipal councils. The IAF withdrew from the most recent elections on polling day in protest over what they considered to be election rigging. However, two of the party's candidates did not withdraw in Al Karak and won seats on the council. Another eight IAF members who were not included in the official list ran in the elections: two were elected mayor and three won council seats. The National Democratic Movement, which represents four political parties and a number of independent candidates, won seats in 10 municipalities. Among its total of 15 victories, three won mayoral positions and 12 candidates, 10 of whom were women, won council seats. Two of the 10 women won contested seats while the other eight gained their seats through the women's quota. Finally, the Islamic Centre Party, which had not officially announced the names of its candidates, won a total of nine seats in eight municipalities. Four of their successful candidates were elected to the office of mayor.

For the first time in the history of party work in Jordan, the 2007 Political Parties Law endorsed the allocation of funds from the national budget to contribute to financing political parties. The 2008 Statute on Contributions to the Funding of Political Parties grants each licensed party JOD 50,000 per year, to be paid in instalments in June and December. There is no local funding for political parties at the governorate level independent of the central funding allocated to each party.

## **c) Women candidates**

No women were nominated by political parties in the past three elections, but a 20 per cent quota was reserved for women in the 2007 elections. The percentage of women candidates fielded by parties in 2007 was 20.4 per cent. Three of the female candidates were in Rusaifa, two of whom won seats on the municipal council. In addition, a woman assumed the leadership of a party during the most recent election, although the party fielded no candidates in the elections.

## The impact of the party and electoral systems on performance

The party system has practically no effect on the performance of municipal councils, mayors and local government. Owing to the weak impact of political parties on local government, a mayor or a council member affiliated to a party acts very like an independent member. The mayor is directly elected by voters rather than council members, which gives the mayor additional leverage in running the council and a large degree of independence from the political parties on the council.

## Opposition representation on municipal councils

A number of municipal councils include opposition party representatives, albeit limited in number. In addition, many municipal councils have independent members who sometimes take on an opposition role, either for personal or tribal reasons or as a result of disagreements over priorities or performance. There is nothing to prevent opposition parties from proposing alternative programmes and policies in most municipal councils. However, this is not possible in Rusaifa for example, where there seems to be a lack of communication channels between the various parties and the municipal councils.

The majority groups on municipal councils generally show a high level of intolerance towards any form of public criticism of their performance. This undermines the ability of opposition parties to exercise their right of free criticism for fear that this would strain relations within the council.

## Unrepresented social groups

In the four selected areas, there have been no reports of any social groups lacking representation on municipal councils to the extent that it would have a political impact. However, there are groups outside the four areas, such as the Nawari people, who have no representation. Other smaller minorities in Jordan, such as Kurds and Armenians, have poor levels of representation. Despite the quantum leap in their representation achieved by the quota, women are still under-represented given their proportion of the population. The Nawari people tend to resist all forms of organization and prefer to live in closed groups. Armenians have a school that teaches their native language.

## 3.5. Evaluating elected officials

### Election of mayors

A mayor (the municipal council president) is elected along with council members, but on a separate ballot paper which is deposited in a separate ballot box designated for the mayor. All registered voters in all districts can participate in the election of

the mayor, although a voter may choose only one candidate in his/her district for membership of the municipal council. Since a mayor is elected by all the voters in a municipality, as opposed to council members who are elected only in their electoral districts, he or she gains a degree of moral force far greater than would have been the case had he or she been elected by council members. As chief of the municipal executive branch, the mayor does not hold an honorary office but one that involves real authority.

## The rules governing the functioning of municipal councils

The mayor calls council meetings and sets their dates. He or she prepares the agenda for meetings and chairs the sessions of the council. The mayor also represents the council in the signing of contracts, such as mortgages, leases, loans, reconciliations, tenders, sales and purchases, in accordance with the applicable regulations. In addition, he or she serves as chief of the municipality's executive branch and the supreme authority in all its districts. At the same time, the mayor will comply with the council's decisions and work on implementing them. There are no clearly defined formal mechanisms for holding the mayor accountable to council members or directly to the electorate. One mechanism that can be used is to call an extraordinary session, with the consent of one-third of the members, stating the purpose of the meeting. In this case, the mayor must comply within one week of the call for the meeting. In addition, a complaint can be lodged with the governor concerning any serious violations by the mayor. Any citizen who has a direct interest in a topic on the agenda has the right to take part in discussions on that topic. Council sessions are open to the public, but final decisions are made in closed session.

## Orientation programmes for new members

There is a clear shortage of orientation programmes for newly elected council members. The only available programmes are offered by civil society institutions and are directed more towards women than men. In the past two years, however, the European Union and a few United States Agency for International Development (USAID)-funded institutions have been active in conducting training programmes for council members. Examples of programmes in Mafraq are the Municipality Development and Promotion of Participation programme conducted by the Information Network for Women in Municipal Councils, and basic management skills training run by the Local Community Development Programme.

The National Assembly of Jordanian Women's Committees, chaired by Princess Basma Bint Talal, also runs training and orientation programmes for women candidates and winners of municipal elections. The most recent of these programmes was 'Enhancing Women's Active Participation in Public Life at the Municipal Level',

which was held in 2008–2009 in partnership with the Jordanian National Commission for Women with the support of the UNDP and the United Nations Development Fund for Women (UNIFEM).

## The size and functions of a municipal council

There is considerable variation in the size of municipal councils, depending on the size of the cities they are in and their populations. They range in size from a minimum of five to eight seats (in addition to two seats reserved for women), which is the most common size (found in 76 municipalities) to a maximum of 34 elected members and 34 other members, including the mayor, appointed by the Council of Ministers, in the Greater Amman Municipality.

Municipalities have a wide range of functions, including at least 29 service and development functions, such as town and street planning, the issuance of building permits, sewerage and rainwater drainage, the regulation of public markets, the regulation of trades and industries, the construction of public transport stations, monitoring of public places, the establishment of public parks, fire control and prevention, flood protection, disaster relief, the establishment of cultural and sports institutions, food standards and safety, the construction and monitoring of slaughter houses, public hygiene, health monitoring, the maintenance of public health, the establishment of cemeteries, risk prevention, the monitoring and regulation of street vendors, licensing of advertisements, the demolition of dilapidated buildings, and the management of municipal property, among others.

With respect to the procedures for decision-making, the mayor presents the issues for discussion, which are then submitted to a vote, if necessary. The council's decisions are made by a majority vote of the members present. When the votes are equal, the chairman of the session has the casting vote. If both the mayor and his deputy are absent, the session is chaired by the eldest member.

There has been no significant public criticism of the size of municipal councils in the past three years, from either political parties or the media. However, the municipal council in Jerash has received criticism from newspapers due to the disproportionate size of its membership relative to its population. In Rusaifa, the size of the municipal council has also drawn criticism from political parties, especially the IAF.

## Municipal monitoring of municipal administration

Administrative offices and officers come under the supervision of the mayor, who, as is noted above, is the chief of the executive branch. A municipality manager appointed by the municipal affairs minister is the most senior executive in a municipality and the direct manager of the executive branch. Hence, municipal councils have no

direct authority over administrative offices, except when issues concerning them are placed on the council's agenda. There is nothing to prevent councils from obtaining information on the functioning of administrative departments, provided that this is done with the approval of the mayor or through a decision by the council.

## Performance evaluation mechanisms

The Municipalities Law and related regulations contain no provisions for continued evaluation of the performance of elected members and officials in the periods between election cycles. There are, however, indirect ways to achieve this through CSOs, which can conduct seminars and workshops for this purpose in partnership with the mayor and appropriate council members. Municipal councils do not have any modern systems for continually tracking and evaluating levels of performance on the basis of a set of predefined goals related to the quality and availability of municipal services. Most municipalities face the problem of hidden unemployment, which requires the restructuring of municipalities and the provision of training for employees to improve their productivity and performance.

## Formal procedures for the impeachment of elected members

There are three grounds for the impeachment of elected officials and the nullification of their election, two of which pertain to their election and the third to their subsequent performance and conduct. These are:

- (a) when a member is convicted by a court of law of an election crime under the Election Law, his or her election is invalidated;
- (b) if a voter challenges the validity of the election of the mayor or a council member within 15 days of the publication of the election results, the court, if satisfied, may revoke the election of the contested mayor or member and affirm the election of a replacement; and
- (c) the president (mayor) or a member of the council shall forfeit his or her office if he or she (i) misses three consecutive council meetings, or a quarter of the meetings held by the council during the year, without a valid excuse, (ii) works on a case brought against the council as a lawyer, expert or agent or purchases a right that has been disputed by the council, or acquires that right by any other means, (iii) concludes an agreement with the council or becomes a beneficiary of any agreement with the council or its representative, or (iv) loses any of the qualifications for membership prescribed by the Municipalities Law.

There have been no reports of any elected members or officials being impeached in the past three years.

### 3.6. Processes and practices: The administration of elections

#### Electoral Management Bodies

The formation of electoral management bodies (EMBs) is primarily the responsibility of the municipal affairs minister, who appoints a returning officer in every municipality. The returning officer, who is usually a local governor, then appoints the necessary committees. The administration of elections includes the following key elements.

- The municipal election process begins with the appointment of a returning officer for each municipality by the municipal affairs minister. The returning officer then appoints the necessary voter registration committees and prepares and revises the electoral register for public dissemination. Any objector may appeal against the voter registration committee's decision to the relevant Court of First Instance within one week of the publication of the electoral register.
- The appellant shall receive notice of the appeal within three days of the date of filing the appeal. The head of the court shall issue a ruling within one week from the date of notification, and the decision shall be final. The chair of the registration committee then signs each page of the list, at which time it becomes final. Every candidate has the right to obtain a copy of the final electoral register.
- The minister sets a nomination period and a polling date. He/she informs the returning officer of the dates, who in turn informs the public at least five days before the start of the nomination period.
- Nominations for municipal council membership are made by submitting a nomination form, approved by the minister, to the returning officer during the period specified by the minister. The form has to be duly signed and accompanied by a receipt which proves that the candidate has lodged with the municipal treasurer a deposit of JOD 100 for first and second category municipalities or JOD 50 for third and fourth category municipalities. First category municipalities are those of governorate capitals and any other municipality with a population of more than 100,000. Second category municipalities are those of district capitals and those with a population of 15,000 to 100,000 people. Third category municipalities are those of sub-district capitals and those with a population of 5000 to 15,000. Municipalities in the fourth category are all those that do not fall under any of the other categories.
- The returning officer determines the location(s) of the polling stations, and the time polling begins and ends. The polling period is to be not less than 10 hours. The returning officer appoints a polling committee for every polling station. The polling station committee chairman should be provided with one or more ballot box(es), two copies of the electoral register and a sufficient number of ballot papers (approved by the minister).

- The returning officer appoints one or more counting committee(s). The counting committee carries out its work at the polling station. The candidates or their representatives have the right to observe the counting process.
- The returning officer announces the name of the candidate who won the office of mayor, the names of candidates who won seats on the council and the names of the women candidates who won the seats reserved for women. The municipal affairs minister announces the election results in the official gazette and gives the winners certificates of their election.
- For an election to be valid, more than 50 per cent of all registered voters must have voted. If this does not happen during the specified voting period, then voting is extended for another 10 hours on the following morning. The boxes are then sealed, at which point the results of the election become final irrespective of the number of voters.

## Monitoring of the past three municipal elections

No civil society or international observers were allowed to monitor and assess the overall freedom and fairness of any of the past three municipal elections. Nor did any local, national, regional or international organizations take part in monitoring the elections.

### **a) The integrity of the past three municipal elections**

The administrative framework for elections did not provide for the freedom and integrity of the past three elections. This applies in particular to the 2007 election, which saw heavy participation by military personnel, and the one before it, in which people were denied the right to elect mayors and half the members of municipal councils. The main drawback of the administrative framework that governs elections is that the government controls the entire electoral process, which impairs the independence of the EMBs and prevents the monitoring of elections. Other gaps include public voting by illiterate people, which violates the principle of ballot secrecy. The reports of the National Centre for Human Rights (NCHR), an independent government institution, are the most important official assessments of the electoral process. However, its latest report (September 2007) failed to address several of the complaints the centre had received, although it did touch on 11 different types of violation of the integrity of elections.

### **b) The effectiveness of EMBs**

There is a need to improve the functions of EMBs, especially with regard to voter registration, ballot paper design and polling station management. Other functions, such as candidate registration, the counting of votes and the management of election disputes have been carried out more successfully.

## Voter participation

### a) Voter turnout in municipal elections

A voter must be at least 18 years of age on the first day of the election year, meaning that the youngest voter would be 18 years and seven months old when the elections take place in July. The turnout in most municipalities was higher than the 50 per cent recorded in Greater Amman, particularly in rural municipalities. The turnout in two of the municipalities covered by this study was 52 per cent in Ma'an and 58 per cent in Jerash.

The overall turnout rate in the most recent municipal elections was 56 per cent, or 62 per cent ignoring Greater Amman. The turnout in parliamentary elections was higher than that in municipal elections, reaching 57.2 per cent in the most recent parliamentary elections. In general elections, there is little difference in the turnout between genders (57% for women and 55% for men). However, at the municipal level, the difference increased to six percentage points (65% for women and 59% for men).

### b) Voter education

There are no voter education programmes at the local level. The bulk of the effort in this area is carried out through the radio and television. There have also been voter education initiatives by a number of independent media institutions. Most of the initiatives are implemented by CSOs, as well as some prominent local initiatives presented by Al Hussein Bin Talal University (AHU) through the university's radio station.

A Ministry of Municipal Affairs spokesperson announced that measures had been taken to help people with special needs cast their ballots, without stating what those measures were. While no measures have been taken for this purpose in Ma'an, people with special needs are allowed to vote in ground floor halls in Rusaifa. The elderly and the blind usually come to polling stations in the company of relatives or supporters of the candidate they plan to vote for. As is noted above, illiterate voters have the right to choose one of the members of the polling committee to write the names that the voter dictates in the presence of other committee members.



## 4. Participatory democracy: Institutions, processes and practices

### 4.1. Local authorities and participatory democracy

#### Openness

Despite the fact that the Municipalities Law enshrines the public's right to attend council meetings, in practice municipal council meetings are not open to the public. The primary reason for this is that citizens have not been accustomed to exercising this right, which is generally unknown to them. Moreover, municipal councils make no effort to inform local communities of the dates of these meetings. Nor do they encourage them to attend. However, the municipalities of Ma'an and Rusaifa do organize special meetings for citizens at the Municipal Hall. Ma'an also has a popular committee that follows the activities of the Municipal Council. Rusaifa has popular committees at the district level, which provide a link between the people and the municipal council. In addition, Ma'an uses written advertisements and banners to inform the public of meetings that are open to citizen participation, and sometimes even prints invitation cards and makes direct contact with social groups. Rusaifa also uses written and verbal invitations for this purpose. There were no reports of public council meetings being held in Ma'raq and Jerash.

#### Fairness and equality

There are no standard programmes or policies to verify that the interests of different groups are served equally. Groups normally work to protect their own interests. However, there have been cases of favouritism. Complaints about the influence of kinship favouritism on the distribution of services have been made in Ma'an. From September to August 2008, 14 complaints were made through the AHU local radio station about the maladministration of public services. These complaints, however, did not escalate into charges of dishonesty or partiality.

#### Transparency

##### **a) Municipal documents accessible to the public**

Municipal documents that can be accessed by the public include municipal council decisions, project documentation and details of instructions given to the public. These documents are usually publicized in local newspapers, on municipal billboards and in the streets. The public in Jerash has access to structural plans and relevant decisions; and in Ma'raq to documents provided by the municipal services sector. The municipality of Ma'an publishes a regular newsletter that includes information which the municipal council deems important for the public to know. Rusaifa's

municipal council uses meetings, seminars, workshops and sometimes radio as a means for public access to the council's decisions and projects. In Mafraq, in spite of the fact that it has a website, the municipality still uses loudspeakers to announce public events.

### **b) Municipal websites**

Neither Ma'an nor Jerash has a municipal website to provide information about the municipality, its bodies and its activities. Ma'an's municipal council plans to seek assistance from the AHU to create a website for the municipality. In Jerash, however, the issue is still under discussion. Mafraq has a municipal website, but most people know nothing about it. Al Rusaifa has a website that is yet to be activated. Internet use is still quite limited in Jordan, with users accounting for only 12 per cent of the population. Thus, the Internet is not a common means for accessing information in any of the selected areas. The same applies to all areas beyond the capital. The Internet is most widely used by university and college students.

### **c) Transparency in the discussion of municipal budgets**

In Jerash, Rusaifa and Mafraq, municipal budget discussions are confined to within the walls of the municipal councils. This means that if a group of citizens has any opinions or suggestions regarding the budget, their only option is to convince their council representative to support them. In Ma'an, however, the municipal budget is discussed in public, through a number of council meetings that are held for the public, after the outline of the budget has been prepared by the municipal finance department. There is a clear lack of awareness among local communities of the importance of discussions related to the budget.

### **d) Transparency in public decision-making and advertising vacancies**

Municipalities comply with applicable rules and regulations provided for by legislation on the various levels of decision-making. These levels include weekly council decisions and mayoral decisions based on the recommendations of competent authorities or committees. Decisions pertaining to tenders or leases, purchasing and other contracts are made by the competent committees, such as a tender or purchasing committee. The mayor's role is simply to endorse the recommendations of these committees.

Vacant posts are advertised on municipal billboards and in national newspapers for an average of one week. The nature of the vacancies determines how they are filled. Posts that require academic qualifications and expertise are usually advertised in newspapers, while jobs that require no advanced qualifications are filled at the discretion of the mayor. Many municipal councils create unnecessary jobs merely to meet the local community's high demand for employment.

## Responsiveness to the needs of citizens

In the four selected municipalities, certain departments are willing to receive public complaints. Ma'an has a complaints office which operates under the supervision of the municipal secretary. The office receives complaints about municipal services and other requests, either in person or by telephone, which are then followed up by the executive authorities of the municipality. Complaints submitted by council members are handled either by the mayor or by the council. In Jerash, a complaints bureau receives written complaints and refers them to the competent authorities. If necessary, they are then presented to the municipal council. The complaints and requests are usually responded to in writing. Rusaifa municipality has established a unit that receives citizens and directs them to the correct department to investigate their complaints and take appropriate action. Mafraq has expressed a willingness to receive people's complaints. However, the majority of complainants are influenced by tribalism and favouritism. Complainants do not hesitate to seek the assistance of the mayor or a council member for an immediate solution to a problem.

There are no accurate statistics on the number of complaints about municipal services received in the past year in any of the selected areas. The estimated number of complaints in Ma'an was 20 complaints per month, most of which were related to building violations and the removal of dust, stray dogs and waste. The estimated average number of complaints in Jerash was five to seven per day. In Rusaifa, most of the complaints focused on road building and cleaning up the so-called phosphate hills. The estimated percentage of resolved complaints in the past year was 70–90 per cent (70% in Jerash, 80% in Ma'an and 90% in Rusaifa). There are no figures or estimates available on recurring complaints.

## 4.2. Civil society, the private sector, the international community and the media

### Civil society contributions to implementing local policies

There are 29 CSOs in Ma'an, 26 in Jerash, 39 in Rusaifa and 45 in Mafraq. The CSOs in Ma'an include 25 non-governmental organizations (NGOs) (19 charities, four cultural organizations, an environmental association and a branch of a women's organization). an environmental association and a branch of a women's organization. There are also four branches of trade unions, but there are no known branches of any political parties. In Jerash, there are 12 charities, six cultural forums and associations, three branches of trade unions, two branches of political parties and three sports clubs and youth centres. In addition to the 45 NGOs in Mafraq, there are 12 civic organizations working on social, cooperative, cultural, sports and health care activities. Most of the organizations in Rusaifa can be classified as local civic

organizations. CSOs do not normally interfere in the formation and implementation of the local policies approved by municipal councils. Like municipalities, CSOs have their own agenda. However, they do sometimes cooperate, especially on public events such as seminars and workshops.

## Municipal partnerships with private companies

The study indicates that in both Ma'an and Mafraq there are no real partnerships between the municipality and the private sector. The only exception is the outsourcing of some service functions to private sector companies in Ma'an, or the renting out of plots of land in Mafraq. In Jerash, there are 91 private partnerships on service provision, including on property leasing. The municipality of Rusaifa has signed 180 agreements with construction companies to provide and improve services in order to meet the needs of the local community. The local reports highlight the private sector's insufficient levels of social responsibility in Ma'an, particularly the major companies in the area, such as phosphate companies, fertilizer companies and the industrial zone.

Public-private partnerships received praise and were deemed satisfactory in both Jerash and Rusaifa. Jerash's municipal council considers such partnerships to be an important element in shaping the future policies of the municipality. In Rusaifa, the municipal council discusses performance failures and seeks to resolve them appropriately. One example is its ongoing work with the Jordanian Phosphate Mines Company to remove the company's phosphate mining waste generated over previous decades. Partnerships have been encouraged and praised by civic organizations and the media in both Jerash and Rusaifa.

## Municipal partnerships with civil society organizations

In Jerash, the municipality has numerous partnerships with local environmental associations, sports clubs, cultural forums and cooperative societies. The municipality and the Governorate of Ma'an are also engaged in a limited partnership with a few CSOs, whereby the municipality provides some assistance to the CSOs so they can provide health care, and social and cultural services. The partnership has been praised by Ma'an's municipal council, which looks forward to developing it and expanding its outputs. In Jerash, the municipal council has also expressed its satisfaction with such partnerships, which contribute to the achievement of its goals, especially those of enhancing its cultural role and providing a clean environment. The partnerships receive media coverage, through which there have been calls to expand the opportunities for civil society and unleash its potential.

## The role of the private sector in the provision of basic services

Four private corporations have been providing telecommunications and information and communications technology (ICT) services in Jordan since the privatization of Jordan Telecom in 2002. Electricity is currently provided countrywide by three companies, each of which has a concession area, and two of which were privatized in the summer of 2008. The municipal council of Ma'an met the privatization of basic services with discomfort at first, after a storm of criticism from the local media questioning its feasibility and stressing that it would be at the expense of citizens. After seeing a difference in the quality of services, especially in the telecommunications sector, the council began reduce its criticism. However, some criticism remains of expanding the privatization policy.

In Jerash, the municipal council believes that the public sector provides basic services at lower cost and more stable prices than the private sector. The Jerash report indicates that perceptions of privatization are changing as a by-product of globalization. Privatization has won favour among those who advocate the concept of globalization, while those who believe in the government's role in providing services are opposed to privatization, arguing that it undermines the interests of the lower and middle classes.

## Municipal cooperation with civil society organizations

### **a) Regular meetings**

In Ma'an and Jerash, there were no reports of regular or special meetings held to promote direct cooperation between municipal councils and CSOs. Individual meetings are held but they do not reach the level of joint cooperation. In Mafraq, however, a 'City Dialogue Forum' was established in 2007 under the patronage of the Mafraq Cultural Forum and the Mafraq Chamber of Commerce, with the aim of engaging community actors and stakeholders in open dialogue with officials on issues concerning the community and the town. In Rusaifa, regular meetings are held to enhance communication between the municipal council and CSOs and, if needed, local committees in order to devise better plans and solutions.

### **b) Addressing disputes that lead to violence**

CSOs have no programmes to address major disputes that may lead to violence, such as systematic discrimination against certain population groups or employment inequities. However, there are other mechanisms working in this direction, including a number of (informal) civic social organizations, such as tribal chambers and meetings, which provide frameworks for resolving disputes that arise among these groups and between them and the community, government institutions or the municipal council.

These social frameworks are widespread in Ma'an, where tribal chambers efficiently manage local politics. They are described as facilities for managing local politics and holding public meetings that go beyond the ties of kinship. This gives them an added advantage of not needing permits for public meetings.

## International donors and non-governmental organizations

A number of international donors have been active in the four areas studied. For the past five years, the South Society for Special Education in Ma'an has received over JOD 1 million in international funding for the largest centre for the treatment, rehabilitation and reintegration of people with special needs in southern Jordan. In addition, the British Council has funded a local radio station and provided English learning programmes to imams in mosques. International NGOs have funded the construction and management of Masah Al Noor Chest Hospital.

In Jerash, international donors have financed several projects, including: the Third Tourism Project at a cost of JOD 8 million (World Bank); a project for municipal development and the promotion of popular projects (USAID); an Infrastructure Improvement Project (World Bank and the French development cooperation agency); and a project to protect natural water resources (USAID). Projects by international donors in other municipalities include an Unemployment and Poverty Reduction Programme, which was carried out by the European Commission in cooperation with the Ministry of Municipal Affairs in 18 municipalities in the period 2004–2008 at a total cost of 30 million euros (EUR).

The activities of international organizations and donors have had no direct or clear impact on governance in Ma'an. Perhaps the only exception has been the British Council's funding of the AHU local radio station, which has turned into a tool for popular control and performance monitoring of the various levels of local government. The Jerash report indicates an indirect donor impact on local governance. There are no regular frameworks or forums through which international actors can take part in policymaking or decision-making in the different study areas.

## The local media

The only local media outlet available in the areas studied is the local radio station in Ma'an, established few years ago as a community radio station. Run by the AHU Studies and Community Development Centre, the radio station provides a unique experience in community development and the media supporting participatory democracy between local government and the community. Communities in the selected areas mainly access information on local affairs through national media outlets, such as radio, television, official news agencies, daily and weekly newspapers and private radio stations. National radio and television stations as well as

Jordan's official news agency, Petra, are owned by the government. The Jordanian government and affiliated institutions also own more than two-thirds of the shares in the country's best-selling daily newspaper and around one-third of the shares in another prominent daily newspaper. Four other daily newspapers and a large number of weekly newspapers are independent. Thus, it can be argued that the government owns the majority of news outlets.

### 4.3. Processes and practices

#### Forms and methods of citizen outreach

Table 2.6 outlines the most important forms and methods of outreach used in the study areas.

**Table 2.6.** Forms of citizen outreach used in Jordan in the past year

		Rating			
		1 = not used; 2 = used 1-3 times; 3 = used 3+ times			
		Ma'an	Jerash	Mafraq	Rusaifa
Provision of public information					
1.1	Distribution of materials (pamphlets, newsletters, etc.)	3	1	3	2
1.2	Regular media interviews	3	2	2	3
1.3	Public presentations and exhibitions	2	2	2	2
1.4	Scheduled programmes in the local media	2	2	3	2
1.5	Computer-based applications (websites and email)	2	1	3	1
1.6	Others	-	A	-	1
Public consultation					
2.1	Consultative meetings	3	2	3	3
2.2	Community forums	3	2	-	3
2.3	Public surveys	2	1	2	2
2.4	Others	-	B	-	1

Public decision-making					
3.1	Thematic working and focus groups	2	1	-	3
3.2	Public workshops	3	2	-	2
3.3	Others	-	-	-	1
Joint implementation of decisions					
4.1	Partnerships with the private sector and CSOs	2	3	-	3
4.2	Others	-	C	-	1
Other forms of outreach					
5.1	Other forms of outreach	-	D	-	E

(A) mail, local newspapers, billboards; (B) unplanned individual meetings and contacts; (C) municipal executive branch; (D) seminars, lectures, public celebrations; (E) indirect gatherings (weddings and funerals).

## Citizen outreach processes

### a) Assessment as part of municipal community outreach

The municipality of Jerash has no procedures for involving the community in assessment processes. The municipality of Rusaifa involves citizens and seeks their feedback on its projects and procedures. There is continual assessment of the positive and negative effects of decisions made by the council. In Mafraq, the municipal council asserts its belief in the importance of involving citizens in the assessment of the municipality's achievements and programmes, citing the fact that council members are held accountable to the electorate for the promises they made in their election campaigns. Through various assessment methods, the council seeks to justify its programmes, announce its future plans, apologize for any failures in public service delivery and explain that failures are the result of limited financial resources, inefficient labour, insufficient equipment or inadequate public awareness and responsibility-sharing.

In Mafraq, the municipality uses a complaints box system. It also receives citizens' complaints and keeps track of local news in the press and of citizens' criticisms voiced on the radio. The municipality of Rusaifa has expressed a willingness to reconsider its decisions and programmes based on the results of assessments and reports by competent committees. The municipal council in Ma'an has multiple



assessment tools, but believes that there is room for improvement if it is to meet the basic conditions for a reliable assessment system to formulate and revise policies.

### **b) Assessment as part of civil society's community outreach**

In Jerash, CSOs do not use assessment tools as part of community-wide outreach. In Mafraq, CSOs have shown an interest in cooperating with the municipal council, eagerly involving it in their cultural conferences and seminars while taking part in the activities and events organized by the municipality on public occasions. CSO outreach to the public in Rusaifa has been through meetings and seminars that serve as a free platform for performance assessment, as well as participatory and effective outreach. Given the limited presence and role of CSOs in Ma'an, it is difficult to examine this issue.

The estimated participation rate in community outreach was 10 per cent in Jerash and up to 70 per cent in Rusaifa. In Ma'an, there is a noticeably high rate of participation in public meetings and events. The recent instability experienced by the city has increased interest in public affairs. The municipality of Jerash believes the major obstacles to citizen outreach to be illiteracy, conflicting working hours between the municipality and other departments, cultural factors, and low public unawareness of the role of the municipality. In Rusaifa, the municipality sees the key obstacles as illiteracy, apathy, cultural differences, unemployment and difficulties communicating with women due to the patriarchal nature of the community. In Ma'an, a lack of confidence in some institutions seems to have reduced the level of participation in municipal events.

### **Referendums and popular initiatives**

Neither the constitution nor any legislation provides for referendums at either the local or the national level. Perhaps the only time the concept of official referendums was discussed was during the formulation of the National Charter in 1991. The charter is a guidance document for the state and society, which at the time it was adopted served as a new social contract. The requirement for a referendum was disregarded for fear that the charter, which only has moral authority, would become more powerful than the constitution (1952), which was passed by parliament and endorsed by the king.

## **5. From assessment to recommendations: Findings**

### **5.1. The general structure of Jordanian cities**

Jordanian cities were formed by the forces of rapid urbanization. Internal migration from rural to urban areas and an influx of immigrants from outside the country have

contributed to rapid urban growth. International crises have also influenced the flow of immigrants into Jordan lasting the past two decades, and this has changed the structure and composition of Jordanian cities. Jordan's urban population accounted for 83 per cent of the total population in 2008, a 5 per cent increase on 2003.

The national report explains that the historical circumstances by which Jordan's cities were formed have had a clear impact on some aspects of the practice of local politics, which is reflected in the patterns of settlement. The study shows a diversity and richness in the patterns by which Jordanian cities were formed, ranging from well-known historical cities, to urban centres, urbanized rural areas and desert areas that developed into urban administrative centres through the effect of the centralization of government and state functions, and cities established near the capital due to the influx of immigrants and refugees.

Most Jordanian cities tend towards diversity and have achieved a high level of social integration. However, the quality-of-life indicators in most of the chosen localities remain weak, which is reflected in the high poverty and unemployment rates in those communities compared to the national average. The further a town or a city is from the capital, the lower the quality-of-life indicators.

Relevant data indicate that most of the development efforts directed at local communities in Jordan are elitist. They are mainly limited to extractive and service-oriented projects that lack a social dimension. Even the major projects in some cities maintain stronger ties with the capital than with neighbouring towns, meaning that they play a modest role in community development and the development of the communities surrounding them.

Municipal indicators demonstrate the importance of their social, cultural and service roles. However, their role in managing local politics requires greater awareness. Municipalities lack many of the tools and much of the infrastructure needed to carry out such a role. Most municipalities do not have a 'city hall' to provide a venue for cultural and community activities and public discussion. Municipal budgets rarely allocate funds for this type of expenditure.

CSOs still have a limited presence in Jordanian cities and towns and are almost non-existent in some. Civic institutions have poor relations with municipalities and there is a mutual lack of awareness of the importance of such relations. This is particularly evident in municipalities' relations with the private sector, which is still far from assuming its social responsibilities. A major conclusion on the general structure of cities is the insufficient, disorganized and sometimes conflicting information available.

Jordanian cities have mutually dependent economic relations with their rural and nomadic surroundings. The fact that the major cities are administrative centres

increases their importance as service hubs for neighbouring communities. Taxes are the primary sources of revenue for municipalities, accounting for more than half their income.

The level of per capita income in the selected cities is lower than the national average by around JOD 200. The cities have a per capita income of about JOD 883. This is a recurring theme with other quality-of-life indicators in these cities. This can be exemplified by the fact that the cities have a higher infant mortality rate than the national average and lower life expectancy (up to 70.5 years for men and 72 for women) than the national average of 71.6 for men and 74.4 for women.

Finally, the strengths of the general structure of Jordanian cities lie in social integration and harmony and in their ability to accept and communicate. Meanwhile, the low development and quality-of-life indicators, the immaturity of civil society and the private sector's lack of awareness of its role reduce the likelihood of developing local democracies and mainstreaming the values and principles of governance.

## 5.2. Representative democracy

The Municipalities Law, which is the legislative framework that governs municipal elections and the conduct of municipal affairs, is still under review. The municipal mergers, by which 300 municipalities were merged into 93, still lack consensus. Many at the local and national levels are calling for a reconsideration of the decision and a return to the previous arrangements. They believe that the merger has created a new level of centralization that solely serves the interests of the municipal centre, that is, the city in which the municipality is located, at the expense of the other towns and villages that formerly enjoyed independent status. Furthermore, there is a belief that the merger brought about an unfair distribution of services and infrastructure, and a lack of genuine representation. The pilot has yet to run its course, and thus should not be judged prematurely. A current proposal for an alternative is to choose a limited number of municipalities that encompass towns that are known to be suffering from the negative effects of the merger and re-divide them into new municipalities.

After the establishment of the Emirate of Transjordan in 1921, the first municipal elections were held in 1925 in accordance with the first Municipalities Law, which had been passed earlier that year. A new Municipalities Law that allowed women to participate in municipal elections was issued in 1928. The Municipalities Law on which the most recent elections were based was passed in 2007. Perhaps the most significant amendment made by the 2007 law is that it treats municipalities as financially autonomous civic institutions that also play service delivery and development roles. This endorsement of the development function provides a quantum addition to the role of municipalities. The law also lowered the voting age from 19 to 18 in order to broaden the base of public

participation. In addition, the law reserves at least 20 per cent of municipal council seats for women, to facilitate their active participation in public decision-making. It also allows for greater inclusion of women in municipal work. The law adopts SNTV as the voting mechanism and allows army and security personnel to exercise their right to vote.

The current law, however, continues to deprive the Aqaba Special Economic Zone and the Petra Region Authority of freely elected municipal councils, or of the right to elect their own community representatives to the boards of regulatory authorities. It also deprives the people of Amman of the right to elect half the members of the Greater Amman Municipal Council, who are appointed by the government. Although the SNTV system was adopted on the basis of a decision by the Law Interpretation Bureau, which is legally binding, it is marred by prejudice because the decision was in clear contradiction of the election-related provisions of the law. The first elections to be held in accordance with this decision exhibited the manifest deficiencies of the legal framework for municipal elections, which include that:

- The minimum legal age for voting was over 18.5 years.
- Voting by illiterate voters by informing the polling station committee of their choice of candidate violates the principle of ballot secrecy and encourages the violation of the integrity of elections.
- The voting by military personnel is inconsistent with the right of citizens to vote in their municipal districts.
- The election law fails to specify a date for municipal elections, a nomination period and a period for election campaigns.
- There are no clear standards for the distribution and delimitation of electoral districts, either in terms of population size or in terms of the size of representation on the municipal council. The result is large differences in both the number of districts and the distribution of seats.

Other important conclusions drawn by the report include a lack of knowledge among council members of the basics of, and the legal provisions governing, municipal work, and the absence of an institutionalized assessment of the performance of municipalities and their elected councils. This is exacerbated by the weak participation of political parties in the management of municipal affairs. Another problem was the continued exclusion of expatriate workers and investors with long-term residency in the country from participating in their area's municipal elections.

Also noted was the absence of sufficient guarantees for the freedom and integrity of municipal elections in Jordan's municipalities, as elections are run completely under the supervision of the government, which forbids any form of independent monitoring by either CSOs or NGOs.

The weakness of political parties in Jordan has greatly affected municipal life and kept municipalities under the dominance of tribes and their alliances. There is also a notable disregard of the right of political parties to state funding for their election campaigns. The weakness of political parties has led some to run in several municipal elections without explicitly announcing the fact. The results of the 2007 municipal elections indicate that only three parties had representatives in 22 municipalities (the IAF, the National Democratic Movement (an alliance), and the Islamic Centre Party). The three groupings won nine mayoral positions and eight women's quota seats in the 22 municipalities. On a related note, in all the municipalities covered by the study, political parties lacked a clear vision for local governance in terms of both election campaigns and candidate platforms.

Women's participation in local governance remains modest. The women's quota set out in the 2007 Municipalities Law, under which the most recent elections were conducted in 2007, seeks to improve the situation of women in local government. In the two municipal elections before 2007, no women were nominated by political parties. The percentage of women nominated by parties in 2007 was 20.4 per cent.

Many factors lie behind the weak role of political parties in local government and elections. Most stem from the weakness of the parties themselves, caused by the absence of party platforms, which has reduced their interest in municipal work. Other factors include sparse financial resources and the absence of democracy inside parties, which rely on a centralized structure that gives the executive leaders the final say on the party's official candidates.

As is noted above, available indicators show that voter turnout in governorates was higher than in the capital. Voter turnout in the Greater Amman municipal elections was 50 per cent, but the average turnout for the other municipalities was 62 per cent.

The report also highlights that CSOs have no agenda or vision on local governance or municipal performance. In addition, there were no regular or designated meetings with civil society actors in most municipalities. Although some civic institutions are active in social, humanitarian or charity work, others work under a religious banner on charitable activities, especially during religious occasions such as Ramadan. Similarly, municipalities still have limited relations with the private sector, and prospective partnerships are confined to a few areas. This is despite the willingness of municipal councils, CSOs and the media to enter into partnerships with the private sector. At the same time, there are clear indicators of the private sector's insufficient efforts to enhance its social responsibility towards municipalities and local communities, particularly the major companies operating in municipal areas.

### 5.3. Participatory democracy

The public face of democracy and local participation is participatory democracy, through which it is possible to measure the level and effectiveness of participation, the effectiveness of services in responding to communities' needs, and the ability to build social capital. Despite the fact that Jordanian cities have weak institutional frameworks for participatory democracy, it is evident that local social traditions have, to some extent, played a role in bridging the gap. An example is the role of local social forces, tribal chambers and non-institutional meeting places in communicating popular demands. Social traditions have an added value in generating discussion, forming public opinion and escalating popular demands.

In contrast, the weak institutional frameworks and immature civil society structures have had an adverse impact. Institutional weakness is evident in the lack of openness of municipalities towards citizens, an example of which is the lack of interest from municipal councils in stressing the legal rights of citizens to attend council meetings. Most municipal councils do not hold regular quarterly meetings to discuss municipal affairs with citizens, an indication that councils make no effort to ensure citizen involvement in decision-making. Nor do municipalities make any effort to institutionalize the rights of citizens to access municipal documents or any other information that may be of interest to them in accordance with the 2007 Freedom of Information Act.

Although municipal councils often stress their eagerness to listen to citizens' concerns and demands, this does not occur on a regular basis. However, there is no doubt that council members show an interest in relations with citizens in the period before elections. There are no legislative controls or codes of conduct that stress the need for municipal councils to commit themselves to a balanced distribution of services, so as not to whittle away the rights of minorities, marginalized or vulnerable groups, or those who did not vote for the council at the elections.

The report also highlights a lack of transparency. Municipal budgets, which are the main driving force for all municipal activities, are approved within the confines of municipal councils without involving any section of the community. Moreover, adherence to the rules and regulations pertaining to tenders, purchasing contracts and job vacancies is usually just a formality. Although citizens have the right to present their complaints about performance to the municipal council, there are no obvious mechanisms for receiving and following up on complaints.

Media organizations and communications outlets provide some opportunities to improve or facilitate interaction between civil society and municipal councils, but such experiences remain modest. The community radio station run by the AHU in Ma'an, however, has been a unique exercise that has provided a forum for public opinion and a tool for community oversight.

The level of cooperation with, and networking between, CSOs, private sector companies and local communities is still extremely low, relying mainly on the good will of individuals rather than stable mechanisms and tested frameworks that fulfil the needs of all the stakeholders and the common interests of a developing city.

## 6. Recommendations

### 6.1. General city structure

#### Short-term recommendations

1. Devise an urgent national plan at the municipal level for self-assessment and review, to enable local governments to establish a preventive system against all forms of corruption and to identify the efficiency of their procedures and bodies in implementing their goals.
2. Devise a national plan to develop a system of standards for performance quality in local government, incorporating quality standards for municipal work and a set of programmes to spread awareness of the concept of quality in municipal performance and services.
3. Provide a public hall in every Jordanian town and city to serve as a public space for local democratic activities, meetings and public debates.

#### Medium-term recommendations

1. Reconsider the developmental role of municipalities in Jordan; and accelerate the setting up of development departments in municipalities.
2. Call on municipalities to develop their human resources capacity, which would require an institutional training and empowerment plan that involves both elected members of municipal councils and management personnel.
3. Invite municipalities to incorporate strategic planning into their work; develop a clear short-, medium- and long-term vision; define objectives and mechanisms of action; and devise clear implementation plans.
4. Proceed to develop local information systems on the state of cities and local communities in order to address the current gap and discrepancies in available information.
5. Connect investment and development projects carried out near cities to local communities, and increase their responsiveness to the needs of those communities.
6. Create incentives for the private sector to actively engage in community partnerships with municipalities.

## Long-term recommendations

1. Expand the scope of autonomy and decentralization of local government units in Jordanian cities and towns. The more decentralized these units, the greater their awareness of priorities, the more they are monitored by the community, and the higher the levels of participation and democratic practice.
2. Implement sustainable local development programmes that stem from the priorities and needs of communities; enhance their capacity and enable them to enjoy their rights. Communities that suffer from low living standards, poverty, unemployment and illiteracy are the communities with the lowest level of participation in local politics.
3. Support and develop civil societies and create incentives for social actors and local politicians in this area.

## 6.2. Representative democracy

### Short-term recommendations

1. Work on developing clear institutional frameworks that ensure the direct representation of all the areas in municipalities and the equitable distribution of services and development.
2. Put an end to the exceptional situations in the Aqaba Special Economic Zone, the Petra Region Authority and Greater Amman Municipality, to enable these areas to fully elect their local council representatives; end the appointment of local councils in other areas.
3. Adopt a national assessment model for the performance of municipal councils, and train the councils in its use and exploitation.
4. Develop rules to govern the operation of municipal councils, including council members' relationships with the mayor and their role in monitoring the municipal administrative apparatus.

### Medium-term recommendations

1. Amend the Municipalities Law so that it specifies a certain date for municipal elections in the election year, states that they must be announced ahead of time, and specifies a nomination period and a period for the election campaign that is relevant to the election date; review the terms of municipal council membership.
2. Ensure that military personnel participate in municipal elections on an individual basis and in civilian attire, and only in the municipal areas in which they live when they are not on active service.



3. Retract the interpretations of the Law Interpretation Bureau, which modified the municipal electoral system in such a way that it contradicts the intentions of the Municipalities Law; and return to the (open) Block Vote system, in relation to the Bureau's first decision in this regard, and to the 'most vote' system in relation to its second decision on this matter.
4. Provide training for new council members to familiarize themselves with all aspects of municipal work and their rights and duties; and raise their awareness of the principles of good governance.
5. End the current method by which illiterate people cast their votes, which violates the principle of ballot secrecy; design ballot papers that bear photographs of candidates so that the voter puts an 'x' next to the photograph of their chosen candidate.
6. Form a Higher National Committee of key officials and party and civic figures to oversee municipal elections. The committee should be established by a royal decree that defines its functions and role in ensuring fair elections.
7. Allow for local control over municipal elections.

### Long-term recommendations

1. Modify the political party funding system so that it contributes to the election campaign expenses of political parties, according to specific criteria that include incentives for women and youth.
2. Allow foreign citizens who have resided in the country for at least 10 years to participate in their area's municipal elections.
3. Strengthen the role of women, increase their involvement in political life and the management of local affairs, and enable them to assume leadership positions.

## 6.3. Participatory democracy

### Short-term recommendations

1. Encourage municipalities to inform citizens of their legal right to attend their municipal council's ordinary meetings, put in place the administrative arrangements that will make this right available to citizens who wish to attend, and commit themselves to publishing the dates of the council meetings by all means possible.
2. Institutionalize regular meetings between the municipal council and citizens and make them part of the municipal tradition.
3. Develop a comprehensive system of transparency that ensures a commitment to fairness and equal opportunities in the work of the municipal council and government.

4. Adopt transparent and well-publicized mechanisms for the receipt and follow-up of complaints; and document and carefully examine complaints as a means for assessing the quality of municipal actions.
5. Encourage municipal councils to adopt strategic action plans and four-year action programmes, and to seek citizen feedback on and support for these plans.

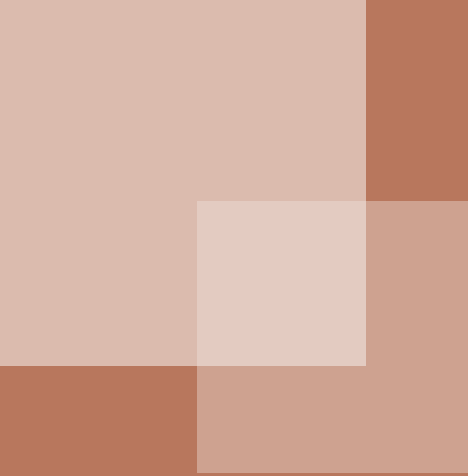
### Medium-term recommendations

1. Call on municipalities to enhance their educational role as a prerequisite for raising public awareness, which would reflect positively on popular participation and public concerns; establish the necessary facilities.
2. Draw the attention of municipalities to enhancing the role of community media outlets and to the importance of adopting relevant initiatives, such as supporting local community newspapers, radio stations and the electronic press.
3. Develop municipal newsletters and ensure their regular delivery to the largest possible number of citizens.
4. Update, activate and widely publicize websites as a communications tool, the role of which will increase with the rapidly growing use of ICT; build a website for each municipality that does not have one.
5. Provide citizen access to municipal information and documents to ensure transparency and adherence to the 2007 Freedom of Information Act.

### Long-term recommendations

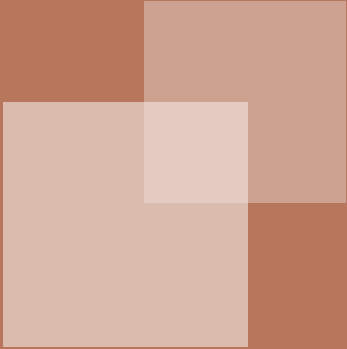
1. Call on municipalities to organize popular participation within their local domains, and to cooperate with other municipalities in developing codes of conduct that govern councils' actions and are based on the principles of good governance, democratic values, integrity and transparency.
2. Establish local partnerships with the private sector and CSOs, particularly chambers of industry and commerce, with a view to forging a common vision of the development needs of cities.
3. Cooperate and network with public and private universities in municipal areas or in governorates, and employ their scientific, cultural and technical capabilities.
4. Exploit the opportunities provided by international donors and NGOs in order to enhance the developmental role of municipalities in areas that fall within their responsibilities.
5. Call on political parties to give greater attention to local governance in their platforms and campaigns; emphasize that local governance is the cornerstone of democracy.

6. Call on CSOs to pay greater attention to training women in the practice of democracy and increasing their involvement in local governance and municipal elections.
7. Develop a set of instructions and procedures that are based on legal powers, to provide the necessary mechanisms for holding mayors and municipal council members accountable.
8. Develop training programmes for new council members, adopt educational programmes, and provide regular local media tools to keep the public informed of developments related to municipal activities and the city.
9. Institutionalize the work of municipalities; put domestic legislation and internal regulations into effect; and organize councils' relationships with municipal executive bodies.



# The State of Local Democracy in Egypt

Bringing Accountability  
Closer to Local Citizens





# The State of Local Democracy in Egypt: Bringing Accountability Closer to Local Citizens

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## 1. Introduction

Strengthening local democracy and enhancing the role of local institutions are important for several reasons, the most important of which is to raise local institutions' awareness of the conditions and affairs of local citizens. The current debate is not about the efficacy of local democracy. Instead, it is about how local democracy should be applied, its requirements and the kind of challenges it faces, as well as the potential it has for success.

The constitutional and legal framework in Egypt encourages local popular participation and emphasizes centralized planning combined with decentralized policy implementation. Various types of municipalities (in governorates, regions, cities, districts and villages) are responsible for the implementation of local development plans and programmes. For this reason, municipalities should play an important role in promoting democracy, developing community spirit, and supporting the role of community members in the conduct of their own affairs.

Constitutional amendments, which took effect in 2005 and 2007, marked a new phase in state policy aimed at decentralization. The new policy became a fundamental political commitment in President Hosni Mubarak's election manifesto in the 2005 presidential elections. Decentralization then became a strategic theme of subsequent conferences of the ruling National Democratic Party (NDP). The new decentralization policy was announced by the Council of Ministers in 2008 and was first applied to pilot sectors, such as finance and education, in preparation for its application to other service sectors. The Ministry of Local Development is pursuing a new draft law to regulate this policy.

### 1.1. Selected municipalities

This report is an attempt to assess the state of local democracy in Egypt. It seeks to do so by reviewing the results of five field studies that were conducted in five different municipalities, with a particular focus on geographic features and socio-

economic conditions. The municipalities are a representative sample of the reality of local administration in Egypt, through which the strengths of the local system can be identified, built on and reinforced. In addition, any weaknesses can be identified and addressed, based on the views of local officials and experts. In addition, a survey of a sample of 500 people from the selected municipalities was carried out to examine their views on the reality of democratic practices and popular participation in these municipalities and on what can be regarded as possible, realistic and achievable changes. The importance of local studies stems not only from the updated data they produce, as well as the local analyses they generate, but also from the fact that they convey and develop the views of communities on issues related to development and democracy.

Care was taken in the selection of the five municipalities to achieve a relatively greater representation of the significant diversity in Egypt's local communities, which range from urban communities in Cairo, Alexandria and the north coast to rural communities in upper and lower Egypt, as well as other communities in the Suez Canal area and Sinai. The municipalities chosen for the study were: the eastern district of Nasr City, Cairo; Al Riyadh village, Damietta; Port Fouad district, Port Said; Talah village, Al Minya; and Al Montazah district, Alexandria.

## 1.2. Practical and methodological challenges

The fieldwork teams faced four key challenges.

- There were difficulties in accessing data, either because they were unavailable or because they had not been compiled. To bridge this gap, some informal data were used. Governorate-specific United Nations Development Programme (UNDP) Human Development Reports were also used.
- There was a lack of local consensus and an ambiguity in positions on development priorities (i.e. what do we want?). The main aspect of the ambiguity was 'the dilemma of choice' between democracy and development, and the question of which should come first. Other issues that arose were choosing between priorities, the arbitrariness of government decisions, and centralized priority setting without the involvement of local citizens.
- There was a difference of opinion about whether reform and development are best achieved through a top-down or bottom-up approach; and whether there is a need for a new law on local government or more comprehensive implementation of the current law, which contains around 40 inactive articles. The assessment team tried wherever possible to present all the different views.
- Some teams met with administrative/security restrictions while holding field meetings and conducting citizen outreach through public opinion polls. This led

us to rely on estimates given by municipality research teams, in their capacity as members of the local community.

## 2. The general structure of municipalities in Egypt

Local democracy is, in one way or another, linked to the geographic and socio-economic contexts by which it is surrounded and affected. These contexts provide a number of advantages that achieve a greater level of social interaction, which strengthens local democracy. These advantages should be used and maximized. The contexts may also include factors that impede local democracy and need to be overcome.

### 2.1. Geographic and spatial features

Geographic location and associated aspects generally affect the nature of a municipality's population, and thus its conditions and general trends of performance. It also has an impact on the nature of economic activity, as people tend towards certain economic activities depending on the area's natural conditions and available resources. All this provides some opportunities for, and places economic constraints on, the growth and development of a municipality, which in turn reflects on the socio-economic level of individuals and families and their involvement in all aspects of the conduct of local affairs.

The five selected municipalities vary considerably in terms of geographic location, and geographic location has had multiple effects on the lives, social relations and economic activities of their populations. Nature and topography largely influence people's lifestyles, economic activities and social relations, as well as the growth and development of municipalities. For example, Port Fouad's location, and the presence of a waterway that separates it from the rest of Port Said, has noticeably limited migration to the area, leading to a low population density. This has resulted in less pressure on basic facilities, and had its effects on family relations and social cohesion. By contrast, in Al Riyadh village, social norms play a major role and give a degree of power to certain people. This is also the case in Talah, where there is strong cohesion between family members and among families within the village. However, the urban nature of Nasr City and Al Montazah district has adversely affected family cohesion, and social relations are driven by personal interests.

The five municipalities display imbalances between governorates not only in the availability of services, facilities and infrastructure, but also in levels of investment. Geographic and natural factors have had the largest role in shaping government policy and local government performance on the use of natural resources, and even on networking with other municipalities within the same governorate.

Some municipalities, including Port Fouad, Nasr City and Al Montazah, have venues, such as public parks, libraries and public meeting halls, where people can exchange views and discuss various topics. In contrast, most rural municipalities, including Al Riyadh and Talah, have a relative lack of public venues. Many social and popular gatherings are held in such venues, especially on religious and public occasions. The organization of such gatherings requires no special permission from the security services. However, using the venues for political party meetings or to discuss political issues, such as during parliamentary or local elections, requires prior authorization from the security services.

## 2.2. The impact of administrative levels on performance

Egypt's administrative divisions were established by the 1971 constitution. They originally comprised three levels: governorates, cities and villages. Act 52 of 1975 later added two further levels to local municipalities: rural districts (*markaz*) and districts. These divisions were incorporated into Act 43 of 1979 and remain in force. Thus, Egypt is divided today into governorates, cities, towns, districts and villages.

In the Egyptian context, the process of moving higher up the organizational hierarchy (upgrading) has become a common demand of various communities, given the greater levels of government funding and political attention it brings with it, which in turn means community access to more public services. Cities want to be governorates, districts want to be cities, villages want to be rural municipalities, that is, to become main villages, and *izbas* and *kafrs* (sub-villages) want to become satellite villages. This has caused numerous organizational and operational problems in the local system. Consequently, there has been an increase in the number of upgrading decisions for local communities that do not meet government standards for the establishment of municipalities. Municipalities have emerged with a legal and organizational status that is disproportionate to the nature of their communities.

According to the 2006 census,<sup>i</sup> Egypt's urban population had reached 30,949,000, representing a growth of 40.2 per cent since the 1996 census. The size of the population in rural areas was 41,629,341, an increase of 24.2 per cent. This means the urban population increased to 42.6 per cent of the total population, while the rural population dropped to 57.36 per cent.<sup>ii</sup> Given that the official minimum population size of a rural municipality is 40,000,<sup>iii</sup> a simple division of 42,000,000 by 40,000 would mean a total of 1050 rural municipalities. However, in reality there are 1221 such municipalities, which implies that an increasing number of small villages have been upgraded to municipalities, mainly to improve access to public services.

Allied to this problem is the shortage of technical and professional manpower to assist municipalities in covering their areas of responsibility, especially in rural and



disadvantaged areas. This affects the ability of localities to follow through effectively on services deployed within their administrative jurisdictions. In addition, although the rural district (*markaz*) level is central to the management of rural affairs, no president (equivalent to mayor) is appointed for this type of municipality. Instead, powers are exercised by the president of the city council, despite the difference in the nature of activities and services between an (urban) city and a (rural) *markaz*. In short, a *markaz* does not have the required powers to properly perform its developmental role in rural areas. This was demonstrated in the reports on the rural municipalities that fall within the category of *markaz*, Al Riyadh and Talah, and in the community opinion polls.

Finally, there are numerous examples of rural areas overlapping with urban areas, where villages fall within the administrative jurisdiction of cities and even districts (as with Al Montazah). This is in spite of the fact that official standards require that agricultural land should be detached from a village before it can become a city, in order to maintain the area of agricultural land as an important national asset. However, the reality is that most cities in rural governorates contain within their geographic boundaries areas of cultivated land, which makes it difficult to apply this standard. The result has been the erosion of agricultural land and an uneven distribution of services between the various areas of a local municipality.

### 2.3. Demography and social relations

The population size of municipalities is proportionate to their geographic size. However, the rate of population growth in rural areas is higher than that in urban areas due to a variety of factors, including lower levels of education, widespread illiteracy and cultural seclusion. Some urban areas also have a high rate of population growth, such as Al Montazah, which currently has a population of approximately 1,600,000, according to 2007 estimates, and a population growth rate of 1.721 per cent per year.

The gender ratio of the population in the locations studied is in line with the national average (52% male and 48% female), with the exception of a few municipalities that have a significant difference in gender distribution, especially in industrial areas. For example, in the eastern part of Port Fouad, there are 1,548 men and 1,022 women. Conversely, there are other areas where women outnumber men, such as Nasr City, which has a female population of 249,400 and a male population of 247,700.

Arabic is the official language used in all the municipalities in the study, and all the governorates of Egypt. However, different dialects are spoken in some municipalities. For example, in Port Fouad, the common dialect is Sawahli (Coastal), while in Talah the dialect is closer to Sa'idi (Upper Egyptian). The Ezbat Al-Hagana area of Nasr

City has a variety of dialects due to the presence of a community of Arab descent and a Sudanese community, which has created a diversity of cultures within a single municipality.

The use of English is common in urban areas with high standards of living, such as Nasr City, especially in the context of marketing modern goods and services. It is also used by people who regularly interact with foreigners, as is demonstrated clearly in Port Fouad and Al Montazah, as opposed to the villages of Al Riyadh and Talah, where foreign languages are not common due to high levels of illiteracy.

There seems to be no ethnic diversity in the selected municipalities. Moreover, there is generally little religious discrimination in Egypt. The small number of Christians coexists with Muslims in most of the municipalities. They enjoy equal rights and bear the responsibilities of citizenship without discrimination. There were no obvious clashes between particular groups in the selected municipalities, except for a few individual incidents that may have temporarily strained relations between Muslims and Christians. One example is an attack that took place in a church in Al Asafra, Alexandria. Clashes sometimes occur with those living in unplanned residential areas (slums), such as Ezbat Al-Hagana in the eastern district of Nasr City, during attempts to impose control over the areas. However, these disturbances rarely escalate into conflicts. There are reports of ongoing government efforts to improve and develop these areas and provide their citizens with a better life.

## 2.4. The socio-economic base and municipal finance

The study showed that a relatively low level of economic and financial resources does not necessarily have an adverse or direct effect on local participation rates. Despite the large gap in socio-economic conditions between the five study areas, which favours urban areas, it was noted that rural and tribal areas generally had the highest participation rates, particularly in elections. This is due to the strong tribal and family ties in those areas, which, more than any other factor, influence participation rates and local voting trends.

Although the government has recently increased efforts to distribute investment and development among the different governorates, especially those in Upper Egypt, the study team noted a lack of local investment. The 2006/2007 budget indicated that the local government sector's contribution to total investment in Egypt was 2.1 per cent (about 2.8 billion Egyptian pounds, EGP).

Independent efforts and popular participation are the cornerstones for achieving the national objectives of socio-economic development plans, by supporting government efforts on the implementation of community service projects. Many localities have launched campaigns to educate citizens and motivate them to contribute to the projects

through popular participation. During the fiscal year 2006/2007, 13,399 projects with a value of more than EGP 1.234 billion were carried out through independent efforts. An analysis of the projects demonstrates that most were carried out in some of the poorest and least resource-rich regions. Of the total 13,399 projects, 3,000 were in Upper Egypt, while there were only 1,028 in Cairo and 1,000 in Alexandria.<sup>iv</sup>

The five case studies reveal a lack of support for craft industries, especially small and micro enterprises, despite the fact that they are seen as the most effective mechanisms for diversifying and broadening the base of goods and services and providing real opportunities to raise income levels. More support should be given to economic activities that help to increase income levels and improve employment opportunities. This is critical for most municipalities.

Income inequality indicators show a non-significant gap in income levels between individuals in most of the selected municipalities. Income levels in the Ezbat Al-Hagana area of Nasr City are generally low, and 1.7 per cent of the district's population lives beneath the poverty line. The village of Kahil is the poorest in the governorate of Al Riyadh, and among the 10 poorest villages in Egypt.

The incidence of violent crime, such as armed robbery, murder and rape, is low in Egypt's municipalities, owing to a number of factors, including the heavy security presence and a lack of slums. Violent crimes such as murder are relatively uncommon, and sexual offences are rare. Violent incidents rarely extend beyond a brawl or an exchange of insults as a result of people's daily interactions.

Act 139 of 2006, which amended certain provisions of the General Budget Law, imposes a restriction on municipalities' use of the proceeds of funds and special accounts assigned to each governorate. Municipalities previously used these funds to establish or complete local projects that had been discontinued due to budget deficits. After the law came into effect, these special accounts were closed and municipalities were no longer able to use funds without the approval of the finance minister.

## 2.5. Social development indicators

According to the case studies, there has been substantial progress in socio-economic development in governorates and municipalities in the past three years. However, there are significant disparities between not only the five selected municipalities but also most municipalities throughout the country.

In general, urban municipalities have notably higher levels of per capita income (up to EGP 1000 per month in Port Fouad compared to about EGP 150 per month in rural municipalities), higher life expectancy (up to 69 years for males and 72 for females) and lower infant mortality rates than their rural counterparts.

The studies also note that urban municipalities enjoy a higher level of basic services including electricity, clean water and sanitation, which has had a positive impact on social integration, popular participation and local democracy. Some urban municipalities face problems related to the management of services. This has caused poor levels of service and frequent interruptions to services such as drinking water and electricity, as is the case in some parts of the eastern district of Nasr City. Most rural municipalities suffer from a lack of basic services, especially health care, education and social welfare. Most of the projects carried out through independent efforts and popular participation are focused on basic service provision.

In sum, the relative improvement in socio-economic indicators in the selected municipalities has brought about higher levels of local participation. Nonetheless, the lack of health and education services and high rates of illiteracy in rural municipalities create problems such as the inability of citizens to connect with and respond to community development initiatives. They also exacerbate the negative impact of certain social customs and traditions that may hinder the local democratic process.

### 3. Representative democracy

This section examines the organizational structure of local democracy by identifying the legal framework governing local elections and the electoral system, as well as political parties and other representative institutions. The purpose is to gauge their functionality and effectiveness, and to assess existing parties, their local structures and their level of representation, as well as the extent to which the electoral process is free and fair.

#### 3.1. Institutional and legal frameworks

Local popular council elections are held in Egypt in accordance with Act 43 of 1979, as amended, on local administration, and Act 73 of 1956, as amended, regulating the exercise of political rights. Local elections are held every four years, a period that may be extended for reasons deemed by the president of the republic to be urgent.<sup>v</sup> Local popular council elections are held on one day during the 60 days preceding the expiration of their term.

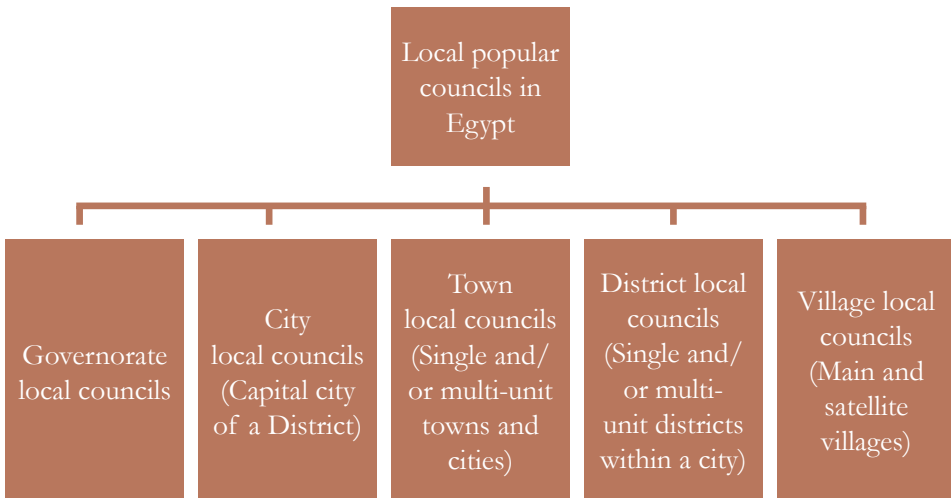
Egypt's current administrative divisions include 28 governorates, 184 rural districts and 218 cities. There are 79 districts,<sup>vi</sup> 1221 rural municipalities,<sup>vii</sup> and tens of thousands of *izbas*, *kafrs* and *shiyakhat*. However, only the first five levels are legally designated municipalities. All five have locally elected popular councils and centrally appointed executive councils. The system is unique in that it creates five levels that each includes two 'legally' independent bodies, but that together represent the executive authority. The elected council has little or no authority, however, and an appointed executive council cannot be considered a representative body.

According to the constitution, the function of a municipality, both its elected local council and its centrally appointed executive council, is to implement public policy at the local level. Therefore, elected councils cannot be considered local ‘parliaments’, but only a ‘community framework’, albeit an elected one, for expressing opinions rather than local policymaking.<sup>viii</sup> The local system includes the right of municipalities to establish and manage all public facilities, except for those considered to be national or special facilities, which is established by a decision of the president.

The popular aspect of local government (local popular councils) has a hierarchical structure. The supreme local popular council supervises lower-level popular councils and approves their decisions. The study team noted that there were demands for a reduction in administrative divisions to three instead of five. Operationally, lower-level municipalities (cities, districts and villages) submit their draft budgets for incorporation into the governorate’s draft general budget. These are then discussed by the minister of local development with each respective governor and sent to the finance minister for inclusion in the draft national general budget, which is submitted to parliament for approval. A local popular council is generally composed of publicly elected members. The constitution reserves at least 50 per cent of council seats for workers and farmers.

Egypt’s electoral legislation and the legal framework governing the electoral process theoretically respect, maintain and conform to international standards, and even impose controls and penalties for their violation. In spite of this, many violations and interventions in practice corrupt the rules that govern the electoral process.

**Figure 3.1. Local popular councils in Egypt**



Most electoral disputes are handled either by electoral management bodies (EMBs) or by local government agencies and the police, or even the judiciary in some cases. Most disputes arise from inappropriate polling places, violations that occur inside and outside polling places, partial behaviour on the part of election staff, the failure of government authorities to apply election laws and international standards, and non-compliance with counting rules. Clashes occasionally break out between citizens, especially supporters of opposition parties and independents, and the local government when names are not included on the electoral register. It is now agreed that the best way to avoid and address such disputes would be to refine and update the electoral registers and to link them to the numbers on the national identity card.

Clashes may also break out between candidates' representatives and local government officials when the voting process loses its main pillar: secrecy. Such disputes are often dealt with by the police. In addition, some electoral disputes arise over the unequal use of propaganda among candidates or the media's bias towards NDP candidates to the detriment of other independent or opposition candidates. Electoral disputes may also occur towards the end of an election, if the results are rigged in favour of a certain candidate or when this is claimed by another candidate. These disputes are handled by the competent judicial committee. If the committee fails to settle a dispute, the matter is referred to the judiciary, which has on numerous occasions ruled that elections be annulled in several electoral districts, although these rulings are often ignored.

### 3.2. Electoral system design and performance

The electoral system currently used in Egypt is a plurality/majority system. It was used in the most recent local elections, in April 2008. The system is based on the Block Vote (BV) system, which is the use of plurality voting in multi-member districts. Voters have as many votes as there are seats to be filled in their district, and are usually free to vote for individual candidates regardless of party affiliation. This is seen as the most appropriate system given the weakness of political parties in general and their absence at the local level, and given the absence of a culture of party alliances. However, the system reduces opportunities for women to compete in elections on an equal footing with men and to access adequate representation.

The Law on the Exercise of Political Rights does not apply to non-Egyptians, which prohibits foreign nationals residing in Egypt from voting. Candidates campaigning for seats on a local council must be Egyptian nationals, at least 25 years of age on election day, registered as voters and resident in their municipality. They should also be literate,<sup>ix</sup> and have completed or been exempted from military service as provided by the law.<sup>x</sup> A committee chaired by a member of a judicial body and including representatives of the Security Directorate and of the governorate is established by a

decree of the minister of the interior to prepare candidate lists, among other things. During the five days following the closure of nominations, lists are presented to each municipality's constituency in the manner prescribed by the governor. To become a member of the local popular council, a candidate needs to have obtained a majority of the valid votes cast in the election.

There is no mention in the Local Administration Act and its amendments of the procedures for organizing the voting and counting processes. These details have been left to the Law on the Exercise of Political Rights. In the light of this, the voting and counting procedures in previous elections should have been supervised by the Supreme Commission for Elections, which is more impartial than the committees established by governors. However, this was not the case. The study team noted the ambiguous role of EMBs. It was not clear whether their functions included local elections, or whether their remits were limited to parliamentary elections. This issue needs to be resolved before the upcoming local elections in 2012.

Local popular councils are relatively large in size and, even though they use the majority system, have fairly complex methods for elections, vote counting and determining the winners. This is exacerbated by an immature electoral culture and widespread illiteracy. The electoral system has had no influence on the conduct of election campaigns in most electoral districts. Past campaigns have been carried out in a smooth and orderly manner, particularly as the NDP provided most of the candidates. Moreover, the electoral system has had no impact on existing political parties. The most recent elections had only a limited number of opposition party candidates in a small number of electoral districts.

In the 2008 local elections, there were 36,059,539 eligible voters, and 55,509 candidates for 53,056 local council seats. The elections were supervised by 318 committees and 41,085 subcommittees. In addition to the NDP, 13 parties took part in the elections,<sup>xi</sup> fielding approximately 1200 candidates (2.3% of all the seats). The NDP fielded a candidate for every seat. There were also 3,131 independent candidates, all of whom achieved only marginal results. The NDP captured some 44,000 uncontested seats (about 85% of all the seats), and 20 uncontested seats went to opposition parties. The remaining 9000 seats were contested by nearly 10,000 NDP and opposition candidates. This meant that genuine and contested elections were held for less than 17 per cent of all seats—a percentage that demonstrates a poor ability to pump new blood into local popular councils, which are considered the initial venue for learning democratic practice and preparing elected leaders.

There has been a relative improvement in the proportion of women candidates fielded by political parties. However, the proportion remains low, especially considering the continued efforts of numerous agencies to empower women and

enhance their political role in proportion to their numbers, and improve women's education, employment and public participation rates. In the 2008 local elections, the NDP fielded 6000 women out of 52,000 candidates (11.5%); Al Wafd Party fielded 24 women out of 507 candidates (4.7%); Al Tagammu' 16 women out of 224 candidates (7%); Al-Geel Party seven women out of 74 candidates (9%); the Nasserite Party five women out of 138 candidates (3.6%); and the Free Republican Party three women out of 14 candidates (21%). Women captured a total of 2300 seats (4.4% of all seats), which is a very modest percentage given the relative increase in the number of women candidates.

**Table 3.1.** Women's representation in local councils in Egypt, 1983–2008

Election year	1983	1988	1992	1997	2002	2008
Average percentage	9.2	1.5	1.2	1.2	1.7	4.4

Fewer than 500 seats were won by opposition parties, a mere 1 per cent of the total number of local council seats. The NDP captured more than 95 per cent of the seats and the remainder went to independents. The results confirmed the notion that, along with the NDP, of course, Al Wafd and Al Tagammu' are the only political parties capable of fielding a presidential candidate.<sup>xii</sup> Not enough effort was made by opposition parties to gain the support of ethnic or religious groups. They had no presence whatsoever in most electoral districts, particularly in the rural municipalities selected for this study (Al Riyadh and Talah).

**Table 3.2.** Election results in the selected municipalities of Egypt

Municipality	Number of council members and party affiliation		
	NDP	Opposition	Independents
Port Fouad	25	2 (Wafd, Tagammu')	1
Nasr City (East)	18	-	-
Montazah	20	3 (Wafd, Tagammu', Ghad)	1
Riyadh	24	-	-
Talah	24	-	-



Official figures on voter turnout were not announced by the Ministry of Interior, but Egyptian human rights organizations estimated that only 5–7 per cent of registered electors voted. The electoral system has a clear impact on the results and on voter behaviour in election campaigns, and the choice of one NDP candidate over another. The most significant influences that emerged during the elections were: money, power, personal relations, custom and traditions, social culture and prevailing allegiances.

There are a number of challenges inherent in the current electoral system for Egyptian women. Women face at least two problems over the conditions attached to the candidacy process, which is the first phase of an election. First is the almost complete disregard of political parties, especially their leaderships, which view fielding female candidates as a potential risk that often leads to a reduction in the party's share of seats. This attitude is still commonplace among political parties in both legislative and local elections.

The other problem faced by women in the candidacy phase is the 'anti-women's quota', that is, the 50 per cent of parliamentary and local council seats reserved for workers and peasants. Workers in the electoral sense are those who began their career as unionized workers without obtaining a college degree. The fact that the majority of workers, or labourers, are, according to this definition men, means that male candidates can take more advantage of this quota than female candidates. Peasants are those who own a very small piece of agricultural land as their main source of living. In rural communities, most property, particularly agricultural land, is registered in the name of men (usually husbands), even if it was purchased with women's money. This means that most of the 50 per cent quota is taken up by men. Furthermore, the majority of politically active women are from outside the working class and farming communities. They are usually either self-employed or civil servants, and thus do not fall within the category of workers or peasants. The effects of this 'anti-women's quota' are not confined to the 50 per cent of seats reserved for workers and peasants, but also extend to the other half, undermining the relative weight of women candidates running for those seats and competing with male candidates.

The processes following the candidacy stage in Egypt's electoral system, such as organizing campaigns, covering expenses, voting and overseeing the counting process, also pose major challenges and complications for women candidates and women voters. Perhaps the most significant challenges for women candidates are the election campaign activity, how women are dealt with by the media, and the prevailing social attitudes towards women candidates. The government seems to have acknowledged these challenges, by opening a window of opportunity for women candidates in its most recent constitutional amendments. Parliament is now authorized by the constitution to allocate a proportion of seats to women. However, there is a debate over whether this

should be 10 per cent or 15 per cent of the elected seats in parliament and local councils.

One-third of the seats on the Shura Council (the upper house in parliament) are filled by presidential appointment. This has allowed the government to ensure meaningful representation of women on the Shura Council. As for elected councils, the ruling NDP has used its ability to capture most of the uncontested seats to usher in a relatively large number of women to local councils. With a total of 6,000 female council members (11.5%), the NDP has achieved a breakthrough in the representation of women on elected local councils.

The lack of interest and low levels of participation in local elections compared to parliamentary elections lead to an absence of election campaigns in the conventional sense. Publicity is limited to a few meetings and seminars organized by parties, as well as some attempts to attract acquaintances and friends. Accordingly, there were no violations of campaign rules, and no alliances or coalitions were forged between opposition parties and their candidates during the most recent local elections.

In the past three local elections, the key issues raised during election campaigning by political party and independent candidates were:<sup>xiii</sup> unemployment, housing, education, health care and public services. Most of these issues were raised by parties during public debates. They were considered the major issues of public concern. Democratic reform was also on the agenda of the political parties during the elections. Parties called for fair elections, an end to emergency law, and the freedom to form political parties and publish newspapers, as well as economic reform.

A number of observations were made in the local reports on the conduct of the most recent local elections (April 2008) in the five municipalities selected for the study. These include the following.

- The NDP dominated the elections and lacked any real competitors, leading to its uncontested victory in most constituencies, including Al Riyadh and Talah. There was some competition, albeit marginal, from opposition parties and independents in Port Fouad and Al Montazah, and from members of the Muslim Brotherhood in Nasr City.
- At the national level, the NDP held internal elections to select their local candidates, and key party officials had the main say in approving and rejecting them.
- Voters were more influenced by candidates' personal competences than their party affiliation or electoral manifesto.
- Money played a major role in bringing electoral victory to some wealthy candidates.

- Female voter turnout in the elections varied between rural and urban areas. Female turnout was extremely low in rural municipalities, particularly the village of Talah (Al Minya), where statistics showed that only 400 of the 13,000 women on the electoral register cast their vote.
- Not a single female candidate ran in the previous three local elections in Talah, although the NDP's current secretary for women's affairs in Al Minya is a woman from Talah. In the 2008 elections, there were no women on the village's local council, which was also the case in the village of Al Riyadh (Damietta), where the only woman was the NDP's secretary for women's affairs.
- Women's participation in elected councils was relatively higher in the urban areas studied. Women's representation on Port Fouad's local council was (7.1%) in the 1996 elections. A percentage that was doubled in 2002 and went up to 17.8% in the 2008 elections. There were eight women candidates in Nasr City, four at the district level and four at the governorate level. All of the eight NDP candidates won a seat in the 2008 elections. Three other women hold key posts in local popular councils.
- There was a significant drop in voter turnout in the 2008 elections, which saw the lowest voter turnout in the history of Egyptian elections. This casts a definite shadow on the legitimacy of elected councils.

A review of the media reporting of local elections reveals a major bias towards NDP candidates compared to other, especially independent, candidates. The election propaganda of opposition party candidates almost never extends beyond their own media outlets, which are often nothing more than partisan newspapers with a limited circulation. State-owned newspapers devote most of their pages to the NDP. Moreover, some newspapers give negative coverage to non-NDP candidates and their parties. Independent newspapers, however, have tried to provide relatively unbiased coverage, even though they are often influenced by the ideology of their editorial board. This bias is echoed in state-owned television, which serves to defend the ruling party and its ideology, and to promote its policies. Independent television stations try to present more impartial coverage.<sup>xiv</sup>

### 3.3. The political party system

There are currently 24 political parties registered with the Committee for Political Parties in Egypt. The ruling NDP is the only party that actively participates in local elections. The other parties have a marginal presence in the majority of electoral districts. The formation of parties on a religious basis is prohibited by law. Although there are no religious-based parties, the Muslim Brotherhood is active in many municipalities. It is difficult to find any official figures on the group's membership or how many candidates it fields because it is a politically banned organization and its

election candidates run as independents.

Political party funding is regulated by law. A party's funding sources include membership fees, member contributions, and the return on the investment of party funds in the non-commercial activities stated in the party's statutes. A political party may not accept any contribution, privilege or benefit from any foreigner, any foreign entity, or any juridical person even if he or she enjoys Egyptian citizenship. When parties receive state funding, their budgets are reviewed by national audit bodies, as was the case in the 2005 presidential elections. The latest amendment to the Political Party Law provides for increased state funding of political parties.

Political parties differ in their approach to the selection of candidates at the local level. NDP candidates are chosen by an electoral college, and elections are held within the party to select candidates for every electoral district in the country. The other parties base their selection on candidates' personal competences and their willingness to run in elections and be backed by the party.

With regard to the political manifestos of the major parties that contested the 2008 elections, the NDP focused on developing a clear plan for investment and production, and the application of a new local development initiative. There was also a focus on creating real opportunities that would ease the burdens of Egyptian families, especially those with low incomes.

The electoral manifesto of Al Wafd stressed the need to work to consolidate democracy, end emergency laws, stabilize prices, develop the productive apparatus, enhance the private sector, rationalize subsidies on consumer goods, link wages to prices, devise a new education development policy, ease the housing crisis and develop new laws that regulate the relationship between landlords and tenants.

In its election manifesto, Al Ghad stressed the importance of working to develop a comprehensive economic and political reform programme, adopting a national initiative to discover and support new talent, helping people with disabilities and special needs, and addressing water and sanitation problems.

Unlike the situation at the national People's Assembly, there have been no reports of local council members changing their party affiliation, which in turn has meant no change in the ruling majority within local popular councils. There is no possibility of this happening as a result of alliances among political parties aimed at creating a new majority, or of some members changing their party affiliation or moving from one party to another. There are no constitutional or legal rules to penalize anyone who changes their party affiliation.

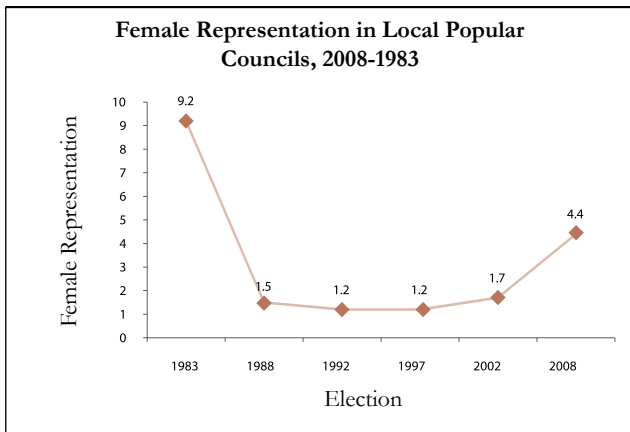
In accordance with Act 5 of 1991, concerning key civil service positions in the local

administrative apparatus, the office of executive council president is filled by a process in which a job announcement is posted and individuals meeting the requirements apply for the post. The selected candidate then signs a one-year contract, which may be terminated if either party to the agreement breaches its obligations.

The structure of local popular councils is a reflection of the NDP's dominance. In terms of the performance of elected local councils, some people interviewed for this study believe that they made many key decisions and recommendations during the two most recent regular sessions. The NDP's control over council seats is seen as a strength rather than a weakness, because it promotes cooperation between the people and the executive branch at the local level, which helps achieve the objectives of both the NDP and local councils. Furthermore, a council president's affiliation with the majority party may give him (or her) greater power and control over council members, in spite of the negative impact on the autonomy of local councils.

The least represented social groups in local councils, in proportion to their size, are women, youth and people with special needs. The latter group in particular has neither in law nor in fact been allocated a quota of local council seats as a means to voice issues of concern.

**Figure 3.2. 1983–2008 Women's representation in local popular councils in Egypt**



*Figures are percentages.*

As is noted above, women gained a total of 2300 seats (4.4% of all seats) in the 2008 elections, a modest percentage given the relative increase in the number of women candidates in comparison with the 2002 elections, when, out of 49,522 seats, only 836 were won by women (1.68% of all seats).<sup>xv</sup> The highest level of female representation in local popular councils was in 1983, when local elections were based on the party list system, in which a percentage of seats were reserved for women.

This system was adopted for elections to local popular councils for five years, until the passage of Act 45 of 1988, which incorporated individual seats along with party list seats in every electoral district and abolished the seats reserved for women. This explains the decline in female representation in local councils since the 1988 elections. However, there was a relative improvement in 2008, with the percentage of female representation rising from 1.2 per cent in 1992 and 1997 and 1.7 per cent in 2002 to 4.4 per cent in 2008.

### 3.4. Elected officials

At all five levels of the local governance structure, a president and two vice-presidents are elected from among the council's members at the first local popular council meeting. At least one of the two vice-presidents should be a representative of either workers or peasants. Legally, all members should be given the opportunity to run for leadership positions on the council, as a president, vice-president or subcommittee chair. In reality, however, the ruling NDP has almost complete control over all local popular councils and reserves these leadership positions for its own members.

As a general principle, the law stipulates that the president of the council represents the council before courts and third parties. The president of a municipality should be a government-appointed executive (see above). Both elected council presidents and appointed municipality presidents are almost always members of the NDP, even though they are two positions that are legally supposed to have a relationship of reciprocal oversight.

**Table 3.3.** Local population's assessment of the performance of popular councils in Egypt (100 people surveyed in each municipality)

Municipality	Good	Satisfactory	Poor	No answer
Port Fouad	26	55	17	12
Nasr City	22	38	20	20
Montazah	19	42	38	1
Riyadh	0	39	60	1
Talah	3	31	64	2

Table 3.3 demonstrates that there are considerable reservations about the performance of local councils in the five case studies. Most of those surveyed rated the performance of local councils as satisfactory, slightly fewer rated it as poor, and a much smaller number thought it was good. This indicates the need to enhance the performance of local councils and institutionalize their relationship with local

citizens.

The rules that govern the relationship between the local council, its chairman and its members derive from Act 43 of 1979, and its amendments and executive regulations, as well as the 1980 Local Popular Council by-laws and the internal regulations that organize the work and define the competences of a local council. Like any other council member, the president of the council is accountable to the council and is required not to express his or her views during the meetings and deliberations of the council and its committees. The president is also subject to criminal responsibility like any other member. In addition, the president of the council, like any other member, is not allowed to attend any council or committee meetings that discuss an issue in which he or any of his relatives or his spouse's relatives (up to the fourth degree) have a vested interest (or if he is a guardian, trustee or agent of a person who would have such an interest).<sup>xvi</sup>

However, there are no specific mechanisms for holding the president of a local popular council accountable to the public. This kind of accountability often develops gradually. For example, certain groups or citizens who have a problem that they believe the president has failed to resolve may stage a peaceful gathering in front of the local council. If the president reacts passively, they may decide to send written petitions to the competent authorities, or to publicly distribute leaflets highlighting the negative aspects of the president's actions in order to turn public opinion against him. Another option might be to stage a sit-in outside the local council until the negative situation is resolved by the council president. However, the only way to hold the president accountable to the electorate would be not to re-elect him.

Council members receive very little training. Most training programmes are organized through individual efforts and not based on a systematic or comprehensive methodology of local administration. Most of the information provided to council members comes from 'trainers' who are not specialists in local administration, even those who are academic scholars or university professors. These programmes must be restructured to include a module on the components and forms of local administration, a module on the nature of the political system and the concepts of democracy and equality, and a module on the competences and responsibilities of local council members and the laws pertaining to their work.

Municipalities provide some training activities for local council members, including conferences and seminars on topics related to local administration at the Governorate General Bureau or the local popular council. These activities are usually supervised by the governorate's planning and administration directorates or the training and planning department, and funded by the governorate or the local council. Other organizations, institutions and companies may provide local authorities' staff at

all levels with general training courses on local administration through their own training departments.

The Local Administration Act (43 of 1979), as amended, regulates how information and data on the work of the various administrative departments within a municipality are to be accessed. The Act states that one of the main competences of a local council is to monitor various facilities and activities. The council may request any data—productive, economic or other—related to the activities of other municipalities within the council’s jurisdiction.<sup>xvii</sup>

## 4. Processes and practices

The purpose of this section is to assess the ability of existing electoral systems to honestly express voter trends, the integrity and transparency of the electoral processes, and the level of citizen participation.

### 4.1. Election administration

The law regulates the division of municipalities into electoral districts in order to organize voter participation. However, a range of problems arise from the division of electoral districts, particularly in terms of conformity with international standards. The main criticisms of the current district division are: (a) the imbalances between population density, electoral density and geographic area; (b) the inconsistency and complexity of district boundaries, as a result of the interference of political, partisan and security actors; and (c) the incompatibility of the distribution of polling stations with demography and the social conditions of voters. However, there have been no legal disputes regarding the division of electoral districts in the case studies, despite the decline in the number of polling stations in districts such as Nasr City.

Some rural areas have a so-called electoral quota, which is a voting bloc that represents a particular village or part of a village, according to its population size and geographic area. This is the basis on which these areas’ polling stations are divided and distributed. In general, there is a consensus on the geographic boundaries of each electoral quota in the rural municipalities in the study. Some practices on the ground have become a kind of custom in certain rural areas, such as when the mayor takes control of the voting bloc or the electoral quota, and sometimes even votes on behalf of the entire group. Family leaders in a village may also agree to collectively vote for a particular candidate. This is a clear violation of election law but common practice nonetheless, particularly in areas where there is hardly any media coverage of local elections.



## 4.2. The voting system

The law stipulates that a voter should choose a number of candidates within a required range, and that if he or she votes for less than half the specified number of candidates the vote is invalid. The ballot must be conducted under conditions of secrecy. The voter should place his/her signature or fingerprint in the space across his/her name in the electoral register (after dipping his/her finger in phosphoric ink). The polling committees count the votes, compile the results and send them to the relevant governor.

The current law does not provide for the monitoring of elections. The authorities have refused to allow international observers to monitor general, presidential or local elections. In 2008, the National Council for Human Rights (NCHR) received requests from civil society organizations (CSOs) to monitor the local council elections. The NCHR then sent the requests to the EMB to issue the required permits, although CSOs still had the right to submit their requests directly to the EMB secretariat.

Although the Egyptian government refuses election monitoring by external parties, a few international election monitoring organizations managed to collaborate with Egyptian civic organizations, such as the International Republican Institute and the National Democratic Institute, to compile a number of reports on the results of monitoring the most recent parliamentary elections. After being refused entry to polling stations, the organizations had to collect information by talking to voters, candidates and their representatives, as well as local observers and election officials. They particularly focused on establishing direct relations with local election observers, who proved to be an important source of information.

The 7 September 2005 presidential election constituted the first real test for the capacity of CSOs and human rights organizations to try and monitor an election. As a result of an appeal against a judicial ruling denying them access to polling stations, the Administrative Court passed a ruling on 6 November 2005, which granted CSOs the right to monitor and observe the election process inside and outside polling stations. This ruling sets an important precedent, although it came in late as CSOs had already been denied access to inside polling stations during the September 2005 presidential election.

A number of the organizations demanded that civil society's permanent role in monitoring elections in Egypt be codified. The NCHR held a series of consultations with numerous human rights organizations regarding their participation in election monitoring. The Supreme Commission for Elections agreed to allow representatives of the NCHR and other Egyptian civic organizations to observe the 2008 local elections. The commission required that those who were granted permits to monitor the elections must be known for their impartiality and must not be members of any

political party or a voter in the elections. Many of the organizations encountered problems while carrying out their monitoring functions. Observers were prevented from carrying out their job, or denied entry to polling and counting stations on the grounds that there were no orders to that effect.

### 4.3. Voter participation

The legal age for voting in both general and local elections is 18. Voter turnout in local elections is very low, while general elections receive more popular attention. Although not officially announced, and as noted above, voter turnout in the April 2008 local council elections was estimated at less than 10 per cent.

There are no legal rules and procedures in place to help voters with special needs. Such procedures may therefore vary from one area to another. In the most recent elections, some voters with special needs were given a free return railway ticket at their workplace to travel from their homes to the polling place. Most were civil servants who were mobilized to cast their votes. In some polling stations, blind voters were allowed to be assisted by a companion in casting their votes, while in other polling stations they were assisted by the returning officer, who marked their choices on the ballot paper. In other cases, candidates sent vehicles to transport people with special needs and the elderly to polling stations in order to vote for them.<sup>xviii</sup>

Female voter turnout in the 2008 elections varied between rural and urban areas. Women's turnout was extremely low in rural municipalities, particularly the village of Talah, where statistics showed that only 400 of the 13,000 women registered on the electoral registers cast their vote. In urban governorates, however, there was little difference between male and female voter turnouts. The number of women candidates was extremely low in all municipalities, because most of the parties avoided fielding women candidates.

## 5. Participatory democracy

This part of the study focuses on the assessment of local government in Egypt using a number of criteria: its openness towards citizens, its fairness in treating them on an equal basis, the transparency of its organizational structure and procedures, and its responsiveness to citizens' needs. Local government's effective achievement of participatory democracy hinges on its successful application of these criteria, as well as its ability to cooperate and engage with political parties, civil society and the public to forge a common vision for the present and future of their community, achieve a degree of consensus on current local issues and work towards collaborative decision-making.

## 5.1. Institutions: Local authorities and participatory democracy

### Transparency

Transparency is a key element in assessing the extent to which local government is democratic. If transparency is to be achieved, local government documents need to be accessible to the public. This requires the development of organizational procedures, such as publicizing the documents in designated places, publishing them in newsletters, or posting them on municipalities' websites, if they exist. Transparency also requires that various local council meetings be publicized, allowing people to attend them to voice their concerns and to listen to discussions on local budgets and other issues of public concern.

The study revealed a difference among municipalities in terms of public access to documents. Some municipalities, such as Port Fouad, achieved a considerable degree of transparency by making documents available to citizens through various means. However, there was a lack of transparency in other municipalities, such as Al Riyadh and Talah, where citizens have almost no access to local documents. There have been numerous demands for the passage of a Freedom of Information Act, which would ensure the regular provision of information and allow effective engagement with citizens. The study team reported that among the problems encountered by media outlets dealing with municipalities was a lack of accurate data that could be presented to the public.

In most of the municipalities, there was hardly any transparency in the discussion and approval of the local budget. Among the many obstacles to this were the shortage of internal resources in municipalities and the long delays to the provision of central funding. These problems impede the implementation of projects proposed in the budget, which in turn undermines transparency.

The announcement of vacant executive positions in local government is regulated by the executive regulations of the Local Administration Act, as amended. Civil servants are usually disinclined to work in local government due to the poor salaries and a lack of awareness of the importance of local administration. It was notable that the majority of senior positions in executive councils were held by people from outside the local community.

The results of the survey indicate that the majority rated the quality of interaction with

municipalities, both the executive and the popular components, as either satisfactory or poor. This highlights the need to identify and remedy failures, taking into account that most local government staff come from the local community, which in principle should facilitate such interaction.

**Table 3.4.** Local assessment of the quality of interaction with municipalities in Egypt (100 people surveyed in each municipality)

Municipality	Good	Satisfactory	Poor	No answer
Port Fouad	19	18	23	40
Nasr City	5	17	12	66
Montazah	13	27	34	26
Riyadh	1	59	27	13
Talah	7	37	52	4

Although vacancies are announced and candidates apply and are subsequently evaluated, in practice employment in local government is more often achieved by other routes. Many former police and military officials are given positions in local government in recognition of their past service. This is done without consideration of the fact that local government work is completely different from military or police work, which often causes significant problems and disrupts development efforts. In addition, appointing senior local government officials from outside the community produces a degree of alienation among local staff. This may be a consequence of several factors, which may explain but not justify the low level of performance in local government and the prevailing negative perception of municipalities. These factors include the following.

- a) While the majority of municipality staff are from the local community and are aware of its problems, most municipality officials are not members of the communities they lead, but usually rotate between leadership positions. This is often driven by personal, and sometimes partisan, interests or by security considerations, and is imposed on the local community.
- b) There is a serious deficiency in capacity-building mechanisms or work, training and performance measurement procedures for local government staff, both executive and public, and an absence of a national strategy to train and improve the efficiency of senior local officials.
- c) The drastically low official income of local staff, who constitute the majority of state employees, makes corruption and abuse of public office almost inevitable.

Localities have a wide range of government agencies, which vary in the level of their technical and administrative subordination to central and local government. This has led to difficulties in coordinating the different bodies, an oversized local administrative apparatus, and conflicting competences and powers, all of which lead to ambiguous responsibilities. The central authority is primarily responsible for public service delivery in localities and is accountable to local citizens, thus stretching and weakening the lines of accountability.

If transparency is to be achieved at the local level, a number of problems need to be addressed, including tendencies for the disregard of the value of time, as well as the multitude of bureaucratic barriers and the excessive attention paid to formalities. Added to these problems is the collapse of public support for the competent authorities, owing to their failure to fulfil their duties and responsibilities, properly develop local budgets, and explain their proposed activities and programmes, as well as the financial programmes that will enable local popular councils to carry out their responsibilities.

## Openness

In some of the selected municipalities, the executive branch and the local popular council were more open to the public, and regular meetings between citizens and the president of the municipality were held. These meetings are also attended by officials, and devoted to resolving citizens' concerns. Other means are also used, such as complaints boxes, questionnaires and opinion surveys. Openness to the public is vital in order to encourage public involvement in development activities and investment in the municipality.

In addition, some municipalities, such as Nasr City, Port Fouad and Al Montazah,<sup>xix</sup> have used more developed means of communication with their citizens such as creating a website to provide them with information about the municipality and the activities and services it provides. Also worth noting is Port Fouad's local radio station, which broadcasts a range of local administrative guides on permits, occupancy and construction as well as information on road traffic and other local services.

## Fairness and equality

Egyptian society is remarkably homogenous and there are no ethnic minorities. Christians coexist with Muslims and enjoy equally the rights and responsibilities of citizenship. Assessment teams found no signs of discrimination in the selected municipalities, whether in terms of local service provision or citizen outreach and involvement in local development programmes.

Despite the lack of documentation or data, there is some agreement among members

of the assessment team that localities in Egypt suffer from widespread corruption. A report of the Central Auditing Agency issued in 2008 uncovered EGP 464.6 million in financial irregularities in the various municipalities, which included the waste of public funds, embezzlement and the manipulation of financial results for the fiscal year 2006/2007. Also mentioned in the report was EGP 2.3 million lost through embezzlement, forgery, fraud and other irregularities.

Reference should also be made to a study carried out by the Forum for Development and Human Rights Dialogue on incidents of corruption in Egypt's local councils in 2007.<sup>xx</sup> The study put the number of corruption cases reported in the press at 83, the amount of funds wasted at EGP 454,373,792, and the amount of money embezzled or paid in bribes at EGP 14,898,168. At 54 incidents, municipalities had 65 per cent of the incidents of corruption. Funds wasted in these incidents totalled EGP 387,959,966, although the money embezzled or paid in bribes totalled only EGP 2,789,400 of that amount.

### Responsiveness to the needs of citizens

Several measures have been taken to deal with citizens' complaints and issues of concern. These include a decision by the minister for local development to establish offices to serve the public within each municipal bureau and to provide these offices with information and communications technology (ICT) equipment and communications systems. In addition, complaints and suggestion boxes and other tools for identifying citizens' needs have been put in place. Complaints and suggestions are supposedly examined, and subsequently responded to if they are considered legitimate and can be dealt with within the available resources.

The survey carried out by the study team in the five selected municipalities revealed that, apart from Al Montazah, a high proportion of each population was generally dissatisfied with service delivery and the performance of the municipalities. The vast majority of those surveyed expressed largely negative opinions of both the executive and public officials at the local level, which indicates the inability of municipalities to adequately respond to people's needs and demands.

**Table 3.5.** Assessment of municipalities' responsiveness to citizens' needs in Egypt (100 people surveyed in each municipality)

Municipality	Good	Satisfactory	Poor	No answer
Port Fouad	5	61	33	1
Nasr City	47	13	10	30
Montazah	11	43	46	0

Riyadh	0	38	60	2
Talah	2	49	48	1

There was a notable difference between rural and urban municipalities in terms of openness to citizens and transparency in providing access to documents. Urban municipalities were generally more open and transparent than their rural counterparts. In terms of equality and non-discrimination, there were no differences between the selected municipalities. No discriminatory measures, based on either religion or gender, were taken against local citizens in any of the municipalities. Despite the willingness of municipalities to respond to citizens' needs and complaints, there was a discrepancy in people's rating of their level of responsiveness, which was negative in most cases.

## 5.2. Civil society, the private sector, the international community and the media

While political philosophy and public policy are based on the principle of public, private and civic cooperation as a tripartite system for development, there are several obstacles to achieving this, most notably the legislative framework. The framework is not sufficiently favourable in some procedural matters, including procedures for the recognition and funding of CSOs. Added to this is the weakness of many CSOs (there are almost 25,000 registered CSOs in Egypt, a large number compared to the number of residents and the number in other Arab countries), especially in their organizational structures and human resources, and the limited social awareness about the role and impact of civil society, as well as the inadequate performance of the media in this area.

**Table 3.6.** Assessment of the role of civil society in Egypt (100 people surveyed in each municipality)

Municipality	Good	Satisfactory	Poor	No answer
Port Fouad	16	58	21	5
Nasr City	43	26	11	20
Montazah	12	47	40	1
Riyadh	0	99	0	1
Talah	15	60	24	1

The survey results show that the majority of participants rated the performance of civil society as satisfactory, indicating a desire for a further enhancement of its role, particularly at the local level.

The independent media, especially in local areas, can play a major role in providing citizens with reliable information on local issues, and in helping them to resolve their problems by investigating their complaints and forwarding them to local officials. The media also play a key role in raising citizens' awareness of local issues and engaging them with their local council, by publicizing council meetings and publishing their decisions and recommendations.

The study team noted a significant deficiency in the performance of all types of local media outlets. Localities had poor and sometimes non-existent information capacities, and the national media paid minimal attention to local affairs. Although the larger and more capable local entities (governorates) have websites and lavish publications that sometimes compete with private newspapers in appearance, the 'media, communication and public relations' component of localities is largely ineffective and virtually unknown to the average local citizen. A community may be more acquainted with a local non-governmental organization (NGO) that has a small team of inexperienced volunteers working on health education, environmental protection or the empowerment of women heads of households than with the president of the municipality.

This calls for the adoption of a media strategy for dealing with local government in Egypt. Media professionals need to have a greater role in training local government officials in both the executive and the popular councils on media discourse and how to engage in constructive dialogue and debate while accepting the opinions of others. This could lead to a significant change in culture, and therefore affect the climate of democracy at the local level.

Partnerships between local government and the private sector are uncommon in most municipalities, where there is a daunting amount of bureaucracy as well as isolation from the private sector in service provision. This has negatively affected the availability of certain products and services that would have otherwise been provided by the private sector, especially with the private sector's focus on investments in profitable projects and the lack of incentives for cooperation with local government.

Legislative restrictions, limited financial resources, and the lack of interest in the public sphere are the key factors hindering civil society outreach to and interaction with local government. In the very few success stories in this regard, the CSOs were the ones who took the initiative to assess the best means of communication and cooperation with local authorities.

The field research teams were unable to verify whether international NGOs had a direct role in the implementation of local government policies. However, most international actors take part indirectly in the formulation of local policies through agreements and contracts with intermediaries, or with civic organizations that provide services to



the local population. This is exemplified by the projects carried out by United States Agency for International Development (USAID), the European Union, the Egyptian-Swiss Fund and the Evangelical Organization in Al Minya to promote the cultivation of non-traditional crops and market them to small farmers, provide information, support reproductive health services and provide loans to citizens. These actors also provide municipalities with technical and administrative support in various areas.

Public involvement in community development was either extremely low or non-existent, due to the loss of confidence in local government's ability to meet citizens' needs. This is mainly the result of plans and budgets, especially investment-related ones, being developed exclusively by the executive branch without involving elected local councils. The survey also revealed the lack of public involvement in local planning and policymaking. Most plans and policies are developed centrally. Long-term local development plans are not devised by municipalities, which rely instead on short- and medium-term visions that are based on central government plans and programmes. The lack of involvement of the public in the formulation of such plans and programmes has created a gap between the requirements and needs of communities and the plans and programmes imposed on them by central government.

## 6. Processes and practices

### 6.1. Forms and methods of citizen outreach

A number of television programmes take an active interest in following local issues. They film outside broadcasts involving interviews with people on the street airing their complaints. They then confront an official who can take immediate action to resolve the problem, and show the outcome in the next episode. This confirms what is mentioned above, that in spite of the poor and limited role of the media, it remains one of the most effective methods of connecting citizens and local authorities. Modern media such as the Internet and email are used in some urban municipalities, such as Montaza, Port Fouad and East Madinat Nasr. The local authorities also use other means to communicate with young people, such as encouraging them to participate actively in tree-planting projects, to clean the municipality's schools or to participate in organizing traffic.

Despite the various media and methods used for citizen outreach, the survey carried out by the study group in the five chosen areas revealed that citizens were dissatisfied with the council, its members and the services they offered citizens. An overwhelming proportion of citizens also consider that the procedures in place for dealing with government bodies are poor, and the standard of services offered unacceptable.

## Evaluating citizen outreach

It is noted above that the municipality generally does not feel it has a public duty of governance and does not seek to include assessment methods in the process of connecting with the community. In fact, most of the time it rejects the notion of assessment, considering it an affront rather than a means of developing and improving local government. To this must be added the absence of a core document containing the municipality's vision for the future, drawn up in consultation with citizens and civil society.

The study of the five municipalities shows that despite the dramatic decline in the rates of official political participation in central government, there has been a rise in unofficial political participation indicators, in particular the Internet. The sheer volume of information about local issues available on the Internet, through blogs by residents of villages and small, remote areas, and through 'modern awareness-raising activities' is quite remarkable. The new and diverse forms of communications media, because of their relevance to the circumstances in which people live, are an important factor in bridging the gap and providing a new model. A growing number of social solidarity initiatives have also been set up to tackle the increasingly poor development conditions.

However, the study also found that a large proportion of citizens remain sceptical about the importance and merit of local participation, which leads to their isolation and inability to communicate with the municipality, or even to cooperate with other individuals and civil society institutions. Furthermore, many believe that local services and the advancement of the local community are the municipality's responsibility, and not the responsibility of individuals. This view reflects the desire some individuals have to avoid the uncertainties that arise from dealing with the municipality.

## 6.2. Referendums and citizens' initiatives

There are no constitutional or legal barriers preventing citizens from requesting that a pressing issue or problem, or any clause in a plan proposed by the municipality, should be presented for discussion, and for public opinion to be consulted. However, in reality this does not happen for reasons related to the relationship between the municipality and the citizens. At the same time, no constitutional or legal provisions refer to the need to raise specific issues in order to learn about the public's opinion of them. The law merely allows for the possibility of discussing any clause in a plan proposed by the municipality, to consider how suitable it is to the character of the municipality it affects and how far it meets the needs of the local community.

In Egypt, referendums are only carried out at the national level, and concern amendments to the constitution or other matters about which the president of the

republic may wish to consult the public. There is, however, another type of popular consultation, which consists of public opinion polls or other public initiatives, and seeks to gather the views of citizens with respect to local public policies. These studies are carried out by research centres and specialist local associations, with experts involved in drawing up the final wording of the questions used in the opinion polls. The latter often coincide with national or local elections. Some of these polls have succeeded in highlighting and drawing public attention to a number of problems facing the local community, such as the pollution of seawater in Alexandria, conditions in police stations and the treatment of detainees and, in some cases, political corruption.

## **7. Results of the study and proposed recommendations**

A number of general challenges were identified through the study of the five chosen municipalities. These are similar to those in other municipalities and need to be dealt with and remedied in order to create the level of development necessary for local democracy. A number of recommendations are presented below as a way to ensure greater local democracy.

### **7.1. Challenges**

#### The identity of local government

Constitutionally, local government in Egypt is considered part of the executive authority, not only through articles in the constitution (161–163) on governors or executive councils, but also how it deals with the set-up and creation of elected popular councils. This has led to, and continues to provoke, a lot of controversy and ambiguity. There is a contradiction between the executive nature of municipal councils and the fact that their local councils are elected. The combination in the constitution of the executive administrative nature of municipalities and their popular representative capacity is responsible for this confusion, or at best the legal ambiguity in describing and codifying the local system.

#### Confusion in the legislative history of local government

Several local government laws have been passed in recent decades, many contradicting each other or failing to address previous faults. No reasons have been given for the major variations in the use of the term ‘local government’ in some local government laws and ‘municipality’ in others. Furthermore, there was no prior groundwork or adequate explanation for the abolition of the Ministry of Local Administration and the establishment of the Ministry of Rural Development in 1997, its replacement two years later with the Ministry of Local Development, which then merged with the Ministry of Planning in 2005, and the subsequent creation of the Ministry of

State for Local Development in 2006. There was also no clear reason given for the distinction between traditional towns, which are subject to the unified law, and others, which are subject to Law no. 59/1979, nor for the creation of another central body, the Organization for New Urban Communities.

This begs the question whether the solution lies in developing and changing the law or just enforcing it properly. There is a major difference in viewpoints regarding the need to change the existing law on municipalities. The opposing view is that the law in its present form is adequate and what is needed is the enforcement of several of its articles which are neither enforced nor applied—there are almost 40 inactive articles in the law.

### Shortcomings in local funding

The availability of adequate funding is considered a prerequisite for municipalities to succeed in performing their developmental role. Legislation has established several general principles and common features for local finances, the main ones being:

- Local authorities receive the greatest and most significant share of their resources through government support (central subsidies). Local authorities are thus supposed to exercise authority over the supervision, funding and development of the facilities under their responsibility.
- Local authorities can levy local taxes in addition to national taxes, with the income raised distributed between the local bodies.
- There is a possibility of increasing local charges, provided that this is done within the scope of the sectors mentioned in Law no. 43/1979, pursuant to a cabinet decree, and based on a relevant minister's proposal.

In spite of the diversity and variety of local authority funding sources, this funding is still insufficient to deal with growing local development needs. This persistent gap is the result of a failure to provide local authorities with the means to be self-financing and to achieve a better level of financial independence. Increasing local reliance on central support undoubtedly affects the extent to which local authorities are independent, and use their financial resources to plan local development. Furthermore, centralized spending support may be late in coming or even reduced, which affects the continuity of local authority projects. Central government support is derived from customs revenues on a quarterly basis.

### The problem of administrative fragmentation

It has been noted that there is 'a complex diversity and multiplicity in local authority bodies that is perhaps unparalleled anywhere else in the world'. This multiplicity may

be vertical, in that there are many departments within local authorities, or horizontal, with multiple departments and authorities within one local authority unit. There is also administrative fragmentation or duality with respect to the facilities provided for different services. As a result of accelerating urbanization and the spread of built-up areas into the countryside, as well as towards desert areas and new residential communities, we found more than one municipality with overstretched local facilities. This has become one of the main challenges facing local authorities in particular, and development in general. What is required is a change in the organizational structure of these facilities so that they are linked to local authorities in some way or through management organization structures that create cooperation and unity between them. This would assist in dealing with the problem of the large number and size of administrative buildings and bodies,<sup>xxi</sup> as well as the widespread over-employment within the local authorities.

## The culture and ethics of local government work

This issue does not solely hinge on an understanding of the principles of the local system and the fundamentals of the local development process. It also depends on the nature of the prevailing culture among those working for local authorities. It is not limited to researchers and politicians, but extends further. This matter is of the utmost gravity, in that the work of local authorities affects the daily lives of citizens and is considered the basis of the political and administrative system of the state. Any disruption to the operation of local administration, or uncertainty with regard to its principles, has a negative effect on various aspects of community life.

A number of key issues need to be tackled and resolved.

- a) The conflicts among numerous central bodies and ministries with powers relating to local authorities. The legislative committee at the State Council teems with requests and referrals, requiring legislation to be passed on these matters.
- b) The vague knowledge of many local leaders about the provisions of the law and the rules on their responsibilities, which are dispersed throughout the mass of ministerial decisions and details of executive regulations, particularly if they have no prior experience of local or civil work. Moreover, there is no definitive executive handbook to guide them in their work and their decisions, to preclude the possibility that these decisions might lack legality or exceed their legal mandate, and to prevent them from becoming mere implementers for centrally issued instructions. This leads to an avoidance of taking the initiative out of fear of falling into a legal trap, or of falling foul of the administration and being subject to negative press coverage. A lack of knowledge of what they are doing makes people susceptible to being controlled by the whims of others.

- c) The process of training local government officials has two main flaws: putting the emphasis on issues that have no clear, direct or effective impact on development work in local authorities, while focusing on sending people on training courses and programmes. Thus these programmes become a way of either ticking boxes and stating that an event took place, or rewarding someone, if the training brings some privileges or involves being away from work. The second flaw lies in the generic nature of the training content of these programmes. Training programmes often deal with the general nature of the local system but seldom focus on participants acquiring professional skills related to local authority work. This is due either to the quality of the trainers, and the misconception that what a person learns during training will not necessarily be applied later. This indicates an absence of a culture of learning from successful experiences.

## 7.2. Recommendations

Based on the conclusions reached through the assessment process, we put forward a number of recommendations to ensure greater local democracy, promote citizen participation, support the interaction between local authorities and civil society, create the mechanisms necessary to set this interaction in motion, and provide more opportunities for civil society to contribute to plans for the promotion of the local community, as well as discussing decisions and problems with members of the popular council and the executive council.

These recommendations are presented in three timescales, so that they essentially form a programme of work. They include short-term recommendations, which can be implemented immediately and at little cost, and which require relatively small changes to existing policies and systems; medium-term recommendations, which require some changes to be made to existing legislation and policies, or essential administrative changes, and furthermore require more resources to be made available before they can be implemented; and long-term recommendations, which require essential structural changes to be made to existing organizational and institutional structures. Their implementation will involve considerable cost or call for national approval or agreement. The recommendations are as follows.

### Short-term recommendations

- Promote the implementation of articles of the Local Government Law, as amended, particularly with respect to the Supreme Council for Local Government and the regularity with which it is held; promote its role.
- Hold emergency sessions, at least on a weekly basis, of the internal committees of local popular councils to deal with any problems and difficulties which might hinder the implementation of the committees' projects and programmes.

- Designate a committee in each municipality to study the issues raised through citizens' complaints against executive bodies; resolve these issues in a timely and legally sound manner.
- Hold regular meetings with officials in the executive council and the popular council to discuss needs and problems, to put forward suggestions and alternatives, and to present a realistic picture of the community and its problems.
- Abolish administrative and bureaucratic complications within municipalities to facilitate the process for citizens to obtain the permits they need.
- Draft a guidebook for members and employees of local popular councils, and set out rules of conduct they must follow in dealing with citizens in the municipality.
- Monitor the decisions made by popular councils, and put constant pressure on executive councils to respect and implement them, as these express the needs of local residents.
- Guide spending in municipalities, with due care paid to precision and objectivity in decisions concerning public spending; and subject such decisions to scrutiny.
- Offer professional support programmes and qualifications for members of local popular councils, in order to raise their awareness of their role, and increase their belief in the importance of citizen participation, and the need to cooperate and interact with citizens through meetings, enquiry committees and community dialogue.
- Train members of local popular councils in a number of specific areas, the main ones being reading and reviewing the local budget, and negotiation and performance skills for local popular councils.
- Develop the technical skills of employees in local authorities, particularly in finance and revenue departments, to check the discrepancies between estimated and actual receipts, along with accurate audits of revenues.
- Support partnerships with CSOs at different stages of the work of the local council, particularly in the field of contributing to defining community priorities, when drawing up the budget and monitoring and assessing projects.
- Support and promote the monitoring role of the Ministry of Local Development as a representative of the central government, and as a sponsor of the interests of local authorities, to coordinate local development plans and programmes, and to regularly produce reports and data on the results of the implementation of those programmes and plans.

## Medium-term recommendations

- Develop an accurate database on all municipalities and the types of problem each

of them faces to help bring some of these problems under control.

- Adopt the relevant legal provisions to revive the monitoring role of local popular councils over local executive leaders, so that they have the right to question, and have a role in appointing and dismissing these leaders.
- Apply the principle of the separation and diversity of powers to the organization of municipalities, starting at the governorate level, to take account of the diversity of and disparities in local contexts (economic, cultural, social and geographic), as a precursor to applying this same principle to cities and major urban capitals in governorates.
- Legislate to grant economic regions the status of municipalities with legal personality, along similar lines as governorates, not limiting their role to that of a general economic coordinator with no concrete powers.
- Create a pool of women qualified and able to compete in municipal elections, and support them through political parties, CSOs and the media.
- Support marginalized groups, such as the youth, people with special needs and minorities; encourage them to participate locally, relying on legal means to ensure this.
- Improve the performance of election committees in registering votes, ensure transparency in the election process, and allow local elections to be monitored by independent bodies.
- Support interaction between local popular council committees and executive bodies in the local community, for example, with respect to purchasing, transport, health, social security, agriculture and irrigation.
- Extend the governor's rule within cities by an additional 2 km adjacent to their area, and by a distance of up to 5 km in desert governorates and those deep in the desert.
- Give municipalities the right to obtain income from services and directorates which have been placed under the responsibility of the local administrative authorities, such as education, health and housing.
- Clearly determine the taxes and charges allocated to central government and those allocated to local authorities, and grant municipalities powers to levy or grant exemption from local taxes and charges.
- Allocate a percentage of the taxes and charges which revert to central government to local authorities, including charges that arise when registering contracts for the sale and purchase of property and land within municipalities.
- Increase the rates of local charges, to make them consistent with increases in



income and increases in the costs of services and rising prices.

- Work to ensure that each municipality has an independent budget, locally prepared and approved, without it needing to be included in the state's general budget, and limit the relation between the state's general budget and those of municipalities to subsidies offered to local authorities for them to deal with the increasing costs they face as a result of state policies.
- Coordinate with institutions and banks that specialize in funding investment, such as the Development and Credit Agricultural Bank and real estate banks, in order to increase their contributions to local projects.
- Promote the roles of scientific research centres and universities, in particular regional universities and the National Research Centre, in studying and resolving the problems faced by local authorities.
- Extend the scope of control of local authorities to include the activities of local executive units, provide an environment that allows citizens to attend local popular council meetings, and regularly present the agenda for these meetings to local citizens.
- Work to ensure the greater independence of local popular councils so that they may oversee and control all local services and executive bodies; study the experiences of other states in this regard and benefit from them. There are examples of elected local councils in which each member belonging to the ruling majority has local executive ministerial portfolio duties.
- Set out terms providing for the minimum qualifications required of members of local popular councils, or appoint people from particular groups to local popular councils to meet the need for technical expertise.
- Propose the election of the heads of local authorities through districts and neighbourhoods as a first step to promoting the principle of electing all local leaders.

## Long-term recommendations

- Amend articles in the constitution relating to local administration so that local executive councils and their powers are organized as a part of the executive authorities, whereas local popular councils should be incorporated into Section 2, Chapter 5, which organizes legislative power within the framework of the system of government. This will enable the logic of the constitutional structure to deal with elected (general and local) representative bodies set up to deal with the executive structure, as is required by the principles of the separation and balance of powers.

- Set up a legislative framework that allows some institutional structures to be set up that guarantee cooperation and coordination between municipalities, such as a union of Egyptian cities, for the purpose of looking into the problems they face, and a union of villages to set up a strategy for their advancement and to put an end to the obstacles to their development performance.
- Amend Local Government Law no. 43/1979 and a number of other associated laws, such as the Tenders Regulations Law no. 89/1998, the State Civil Employee Law, and the Law for Public Works to create correspondence between these laws, and contribute to fostering the role of local authorities in promoting development and local democracy.
- Introduce a new law that combines all the required needs for development so that power is decentralized and devolved to local authorities, creating an effective partnership between civil society and the private sector as part of transparent and constructive accountability, with the purpose of guiding traditional administration towards becoming a community-based administration, to achieve more development and to better allocate and use available resources, as well as providing better conditions and an environment conducive to investment and offering job opportunities to young people.
- Redraw the regional map of the governorates of Egypt in order to stimulate the role of regional planning in creating regional stability and employment opportunities, stipulating the creation of regional councils for development that include regional governors, popular council boards, ministry representatives and businessmen.
- Set up a special scheme for Cairo, which differs from other Egyptian cities in that it is the seat of government, official bodies, and funding institutions. This requires the existence of a dedicated administration through the establishment of a supreme council for the governorate, which should include the heads of public authorities, bodies and departments, and the heads of universities situated within the governorate.
- Study the possibility of electing governors, and reconsidering the powers and authorities granted to them, in order to increase their ability to manage public facilities and ensure their responsibility for all the technical and administrative services offered to beneficiaries.
- Pass clear legislation on the duties and responsibilities of local office holders, such as the position of the deputy governor, so that they are able to contribute to promoting local work, albeit emphasizing that the governor is the head of the governorate and has the mandate to rule on all matters, including employees, regardless of their rank, and that the responsibilities of ministers of governorates should be devolved to them under the law.

- Develop systems for local authorities to deal with citizens using modern communication means, which would reduce the amount of time required to complete transactions and would limit the scope for administrative corruption.
- Review the laws and schedules governing the receipt and use of funds from local funding sources.
- Grant local authorities the greatest possible independence and autonomy, enabling them to have effective control over the running of affairs through elected bodies and authorities, to which all local executive services and bodies are subject.
- Promote the role of the Supreme Council for Local Government, which is provided for in Law no. 145/1988, its membership to include the leaders of local popular councils in the governorates, in addition to the current composition of the governors' council, to support effective public participation and strengthen local democracy.
- Require a separation of powers between the governorate's local popular council and its executive council, so that the local popular council is the final authority that decides and approves matters concerning local development, giving the people the power to manage their services themselves and monitor their implementation.
- Legal reinforcement of the local popular councils' supervision powers, which must be able to investigate facts, collect information, and ask questions to ensure effective supervision.



# The State of Local Democracy in Morocco





# The State of Local Democracy in Morocco

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## 1. Introduction

As part of the State of Local Democracy (SoLD) in the Arab World project, funded by the Spanish Agency for International Development Cooperation, and in partnership with International IDEA and the Moroccan Association for Solidarity and Development (Association Marocaine de Solidarité et de Développement, AMSED), four teams produced four reports containing conclusions reached from an assessment of the state of local democracy in four areas of Morocco. The four areas are the municipality of Agdez, Zakoura administrative division; the commune of Krama, Errachidia province; the urban commune of Essaouira; and the urban commune of Martil, Tétouan province. This chapter is a summary of the results of the four regional reports, and of the national report derived from them, based on the assessment process carried out in the four municipalities.

This chapter assesses the participatory and representative aspects of local democracy in order to determine the advantages and disadvantages of representation through political parties, and to assess the different forms of participatory democracy. The results of the self-assessment processes are set out below along with a series of short-, medium- and long-term recommendations.

## 2. The assessment process

Whether quantitative or descriptive methods of assessment were better suited to the task outlined above was determined by the nature of the study. Descriptive techniques were mainly used,<sup>xxii</sup> with the aim of collecting a set of views on local democracy. A diverse range of descriptive research techniques was used, according to the personal preferences of each team and the nature of each research field.

### 2.1. The municipality of Agdez

Any information which a research study presents falls within a general framework of scientific and global development. Before carrying out any fieldwork, it is important to

study all available information which might help add to an understanding of the topic under investigation and set it accurately in its context. A study of this type requires the researcher to understand systems of governance in their developmental and historical context, and from the perspective not only of agreement and harmony but also the struggles and imbalances between the constituent elements of the field studied. The starting point of the study is therefore the conclusions reached from a preliminary review of existing literature, such as statistical studies and other reports. Field research also requires the use of tools and techniques borrowed from different human and social sciences when defining the field of study, which is determined geographically and administratively.

One of the main field research techniques used for the assessment was individual interviews to collect descriptive information, with respondents providing their unique views, beliefs and personal experiences. Mutual trust between the researcher and research subject determines how much data are obtained. A logical series of questions needs to be posed in clear and easily understandable language pitched at the educational level of the research subject. Individual interviews were carried out in various districts in the municipality of Agdez and with the mayor, a representative of the municipality, a community activist and a party activist. These were all carried out in favourable conditions and with good cooperation from the respondents.

Focus groups are a type of group interview designed to produce qualitative as opposed to quantitative data, and in which typically a small group answers a set of questions put to them. The discussion is controlled by a list of secondary related questions. It is a forum for dialogue between different actors, in which opposing views are put and the focus group moderator controls the subjects, quality and length of the discussion. This method was used with residents in different districts in the municipality of Agdez, involving representatives of groups that are active in the municipality, as well as the political parties represented in the local council. The local authority had reservations about holding these focus groups even though, to ensure neutrality, they were held in the homes of citizens. This had a negative effect on the focus group for political parties, in which only four parties took part. Residents from the town centre did not attend the focus group for residents, even though they were closest to the location of the meeting. Opinion polls were also used to enable researchers to gain insights on the views of residents within the scope of research. An opinion poll was conducted with local residents in different districts of the municipality of Agdez, covering people of different ages, gender, ethnicity and professional group. This took place without any objections.

## 2.2. The commune of Krama

The working group in the commune of Krama held a series of trouble-free, convivial meetings. A meeting was held at the headquarters of the community council, and

included the leader of the community council, the municipal secretary and some advisers and employees. A meeting was held with officials from the health sector (chief doctor/ chief nurse) focusing on existing relationships between the commune and the health sector, the relationship between the health sector and other external sectors, and its relationship with civil society organizations (CSOs) and citizens. A meeting was held with the Provincial Office for Rural Investment for Tafilalet, Krama branch. The meeting with the main leader of the rural section in the Krama area focused on the mechanisms for the management of local affairs by the community, and how citizens' complaints are received and their demands met. A meeting was also held in the education sector with the principal of the Tariq bin Ziyad Secondary School and some teaching staff, which focused on the current relationship between the commune and the education sector, the education sector's relationship with other external sectors, and its relationships with CSOs and citizens. In the same way, a meeting was held with a group of activists from the municipality focusing on questions related to the possible creation of tripartite relationships between civil society groups and external groups and sectors. A questionnaire was designed to elicit citizen feedback on the current state of affairs, and impressions on the state of local democracy in the community. A sample of 30 individuals aged from 18 to 60 was chosen to answer the questionnaire.

### 2.3. The urban commune of Essaouira

A thorough analysis of a set of essential data concerning the urban commune of Essaouira was carried out in order to understand how local democracy has developed nationally and locally. This was achieved by researching the commune's specific social, cultural, economic, and urban characteristics, and their impact on democratic practices in the city. The researchers prepared different questionnaires for citizens, groups and elected representatives, and analysed the results. Individual and group interviews with a number of people considered to be essential resources were also carried out to gain information on actual democratic practice in the city.

### 2.4. The urban commune of Martil

Interviews were held with seven CSOs active in the fields of culture, the environment and social development, including those working at the city level and those working at the district level. These groups also completed questionnaires. An academic specialist in local affairs and management studies was interviewed. An extended meeting was held with the mayor of Martil, the commune's secretary and the chair of the cooperation and partnership department, who each completed a questionnaire. An extended meeting was held with an opposition coordinator, who also completed a questionnaire. Researchers also attended one of the public meetings with citizens and CSOs held in the city, at which members of the opposition presented a review

of their work and their assessment of the work of their government counterparts. Working sessions were held and questionnaires were completed by representatives of the four media outlets representing local, provincial, and national print and broadcast media. The research group investigated the views of three key economic actors in the city working in the fields of real estate and sanitation. Most of them had obtained planning consent for vital services in the city. The group also examined the views on different issues of three political parties in the city, and held several meetings with citizens from different groups.

### 3. General framework<sup>xxiii</sup>

A general framework is considered a mainstay of social science and humanities research, regardless of the type of research or whether it aims to collect quantitative or qualitative data. Its importance here is mainly demonstrated through the assessment of democracy in both a national and a local framework. How ruling bodies within a specific area operate cannot be understood unless historical, economic, cultural, ethnic and social factors are analysed. This allows local democracy to be assessed, and its hidden strengths and weaknesses to be understood in order to reinforce the former and remedy the latter. For this reason, this section deals with geography and related factors, demography and social relationships, the socio-economic and financial base, and social development indicators.

#### 3.1. Geography and spatial features

The municipality of Agdez: Provincial location, geographic location and features:

The municipality of Agdez, established pursuant to Decree no. 281-79-2 of 7 April 1997, is in the province of Zakoura, which is in Souss Massa Draa. Located 65 km south of Ouarzazate and 92 km north of Zakoura, it is part of the Draa area, which is in the south-east of the country. The Draa oasis extends for a distance of 200km from Aflandara to Al-Koua. It covers an area of around 23,000km<sup>2</sup>. The Agdez Mountains are part of the Middle Atlas mountain range, which includes the famous mountain of Jebel Kissane. The area is known for its diverse natural resources but is primarily a region with a desert climate with extreme temperatures in summer (38–44°C), and winter (1–7°C). It has low rainfall of less than 110mm per annum.

The commune of Krama: Provincial location, geographic location and features

The commune of Krama is in the Meknès-Tafilalet region, and for administrative purposes is located within the geographic area of Krama, in the administrative area



of al-Rish, in the Errachidia prefecture of the Meknès-Taflalet region. To the north, it is bordered by the Misour prefecture and the Ksabi district in Boulemane province. To the east, it is bordered by the municipality of Kir and the district of Beni Tajit. To the south there is the municipality of Al-Khank, and to the west the district of Ayt Azdak, the municipality of Kirs Taialalin and the municipality of Amzizal Talisht. It has broad elevations, is largely landlocked, and suffers from regular flooding. The climate is semi-arid, and there are huge variations in temperature between the hot and cold seasons, as well as between day and night. Temperatures can reach 40°C throughout the year. The region also experiences frost, particularly in December and January, and suffers from a low rainfall of less than 200mm per annum.

### The commune of Essaouira: Provincial location, geographic location and features

The urban commune of Essaouira is in south-western Morocco, on the Atlantic coast. It is equidistant from three major social and economic centres: Marrakech, Asafi, and Agadir. It is the capital of the regional prefecture in the Marrakech-Tansift Al-Haouz region. To the south, it is bordered by the municipality of Sidi Kawaki, to the east by the municipality of Ida and Kard, to the north by the municipality of Iwanagha and to the west by the Atlantic Ocean. The climate in Essaouira is generally mild throughout the year with temperatures fluctuating between 18°C and 28°C in the summer, and between 10°C and 21°C in the winter. The city experiences strong gales, which locally are called *el-sharqi* (eastern winds), from March until the end of August. Some people call Essaouira the windy city.

### The commune of Martil: Provincial location, geographic location and features

The urban commune of Martil is in the province of Tétouan, which is next to the M'Diq-al-Fanidiq prefecture, Chefchaouen province, and the municipality of El-Arayiche, in the geographic area of Tétouan, Tangier-Tétouan province. Martil is bordered by the Mediterranean Sea to the east, the urban commune of M'Diq to the north, the village municipality of Mellalyine to the north-west, the urban commune of Tétouan to the south-west, and the village municipality of Azla to the south. In the municipality, the Martil plain stretches over an area of almost 1000 hectares, and the Kudia Taifor hills, on the northern edge of the municipality, are 332m above sea level. Land meets the sea at the beach which extends along the coastal strip of the plain and only turns into rocky cliffs in the north at the Kudia Taifor hills. The climate in Martil is pleasant, with sunny weather in the summer, and mild, damp weather in the winter, with temperatures fluctuating between 10°C in the winter and 25°C in the summer, and with an average annual rainfall of 760mm.

Despite Morocco's reputation as an agricultural country, the four regions considered in this study, like all regions in Morocco, are subject to seasonal rains, a harsh climate and natural events that often have a negative impact on rural production. The diversity of these areas is due to their varying altitudes. Although this gives them a beauty that encourages rural tourism, it also contributes to isolating rural areas and remote districts, which negatively affects the ability of residents to benefit from education and their right to health care.

### 3.2. Demography, social structure and social relations

The four areas covered by the local democracy assessment project have been centres of human settlement throughout different historical periods. As a result, they are made up of residents from different racial and social groups.

#### Social diversity in Agdez

The residents of the municipality of Agdez are from four groups. *Arabs* arrived in the area in three stages: first through conquests and second with the arrival of groups from the Beni Maqul tribes in the 13th century, during the Almohad era. In the 16th century, groups arrived from the Beni Helal. Originally from Yemen, they were driven out of Tunisia by the Almohads and pushed back to the edges of the desert. The Beni Maqul tribes lived in Draa, and travelled across the desert to take their goods to Timbuktu every year. They were known for their wealth and plentiful possessions, ploughed lands and camels.

Based on the linguistic meaning of the term and local usage, *Draoua* means 'residents of the region in general', and is mainly used to describe black or dark-skinned residents. They are considered to be the first group to have settled in the area. Some studies show that Draoua were originally from western Ethiopia. They are also called Al-Tashousayin—those whose faces are burned by the sun. This group forms the basis of the social pyramid in Draa as well as of the structure for agricultural production.

The *Amazigh* are descended from the Sanhaji tribes who took over Morocco in the Almoravid era. These tribes were driven away when the Beni Maqul tribes came to the area to settle in the Atlas region and central Draa. They formed an alliance, the 'Ait Atta union with Dada Atta', a grandson of Sheikh Abdullah bin Ihsayen, who is buried at Thalath N IIkatawin.

The history of the settlement of *Jews* in the area is unclear, and there are three different narratives. The first is the mainstream view based on Moroccan oral history, which says that Jews settled in areas that had previously been colonized and devastated, which made it easy for them to settle and exploit the resources. The

second narrative is that they settled in the area in the 10th century, at the time of the arrival of Phoenician traders in North Africa, or through the migration of European Jews, particularly from Spain or Portugal in the 15th century. The third narrative concerns the villages in which other Jews lived and which sometimes have names of Jewish origin (Beni Zouli, Beni Hiyun, Beni Asbih, etc.). Sabil Man estimates that 18 families had settled in the area by the 1930s and continued to coexist with residents until the end of the 1960s, when the last families emigrated to Palestine.

## Social diversity in Krama

The residents of the commune of Krama fall into four main groups.

*Naziboun*, from the village of Ayt Eissa Qiyada bin Tajit, and some traders and professionals from various areas in Morocco. Around 99 per cent of all residents speak the Amazigh language.

Due to their religious status, *Al-Shurfa* (the nobles) are considered to be at the top of the social hierarchy, and they make up no more than 1 per cent of the population. They have specific cultural characteristics that distinguish them from others: they use Arabic in day-to-day communication, and have different names and family relationships that make them less inclined to intermarry with Amazigh Berbers.

The *Ayt Sagharowshan* are descended from their earliest ancestor, Moulay Ali Ben Omar, whose place of burial remains unknown. It is difficult to define the meaning of the word Sagharowshan. The Ayt Sagharowshan are distinguished by their traditional dress and a preference for living in tents. They work on irrigation and light agriculture, and mainly live a nomadic existence.

The *Ayt Azdak* are descended from their ancestor Sidi Ali Aboursh, or Bayboursh. They have three population bases in the region. They are known in the region by the name A-Kramin (the nobles, in Amazigh), and gave their name to the region of Krama. There are various theories as to their origins, although it might generally be said that they came from the Tinghir region in the province of Ouarzazate, in south-eastern Morocco. They carried with them a bundle of sugar cane which they buried in the village of Ayt Ali in Krama, as proof of their ties to their supreme ancestor. For this reason, the residents of this village are considered the closest Al-Karimin (or nobles) to their ancestor. It is also for this reason that they are not allowed to burn sugar cane. They are divided between several villages, which at first glance appear dissimilar. The Ayt Azdak are involved in farming and animal husbandry, and they are settled in the agricultural strip neighbouring Wadi Kir.

## Social diversity in Essaouira

Archaeological research carried out on the Island of Mogador near Essaouira has proved the existence of a Phoenician, Greek and Roman commercial harbour. Historians say that Mogador is the old name for Essaouira, and comes from the Phoenician name Migdol meaning small fortress. Essaouira was established in 1765 by Sultan Sidi Muhammad bin Abdullah as a commercial harbour open to foreign trade, in order to develop Morocco's trade relations with Europe. Mogador played a commercial role for traders and African caravans. Historically, several communities have been active in Essaouira. The special shape of this city and its distinct location attracted a considerable amount of trade, and thousands of Moroccan Jews moved to the trading area, settling there until the end of the 1960s and playing an important role in promoting cultural and economic life. Over time, Essaouira saw the arrival of notable artists, including painters, film-makers, actors and singers, who produced a number of artistic and cultural works in the area.

Another group, the Amazigh, constitute 26 per cent of Essaouira's population. An analysis of the composition of Essaouira's population according to the languages they speak shows that 84.1 per cent of men speak colloquial Arabic as a first language compared to 86 per cent of women, with 15.9 per cent of men and 14 per cent of women using Tashlaheit as their first language. This makes it difficult for those who fall within this linguistic group to involve themselves in public life, especially in children's education. In addition, there is a small group, usually foreigners, that uses foreign languages such as French, Spanish, Italian and German.

## Social diversity in Martil

Martil was established during the time of Spanish colonialism and was designed to shore up militarily the Spanish colonial presence. This led to the building of the Martil fort, some storehouses and a church, the construction of which was overseen by the military architect Joaquin Salinas in 1912, in the area neighbouring the mouth of the Martil River. The town later experienced a well-coordinated architectural expansion. From 1927 its completion was supervised by the architect Carlos Olivo. There is a public square in the middle of a series of streets and lanes, and there is an orderly town plan. Martil's main attraction for its residents was its areas of open space, the sole purpose of which is to provide recreation and relaxation. For decades, Martil was essentially a commuter town for residents working in Tétouan. This relationship made demographic growth very slow for many decades. The character of and democratic practice in the town were subject to significant influence from the provincial capital city, Tétouan. Martil was considered nothing but an appendage on the outskirts of Tétouan. Thus, local democracy in Martil only took off in recent decades, once the rate of growth of the town had started to create a new situation

and to challenge the influence of its neighbouring city. In 1999, 22.6 per cent of the residents of Martil were from other groups within the province of Tétouan settled in the urban commune, 14.6 per cent came from other areas in the geographic area of Tangier-Tétouan, 16.3 per cent came from other areas in Morocco and 5 per cent came straight from the desert to Martil.

The four case studies cover diverse areas, in which various tribes and ethnic groups with different origins coexist, and which are still governed by tribal councils, although their role is declining due to state interference—particularly in the management of economic resources. The pace of this decline slows and the amount of influence given to ethnicity and tribal identity increases in the areas furthest away from urban municipalities. This pattern is linked to the existence of groups that are excluded from participating in administration in Morocco, as well as to the control of local authorities by other groups, as is demonstrated in both the municipality of Agdez and the commune of Krama. It is worth noting that these areas are witnessing the emergence of a new group of local residents: foreigners of different nationalities, most of whom are from Europe. Although this has not led to any noticeable change in local administration at present, they cannot be ignored as an established group, and may in the near or distant future be involved in bringing change to the administration of the area.

### 3.3. The socio-economic base

Morocco's economic development can be divided into two key stages: the pre-colonial era and the colonial era.<sup>xxiv</sup> Prior to colonization, Moroccan rural communities relied on irrigation and agriculture. There was widespread tribal ownership of land, and little private ownership of agricultural land, and the barter system was in use so village residents had no need for money. The basis of the financial system at that time relied on ensuring that local residents stayed in the area by providing food, drink, clothing and homes to protect them from the variations in climate. The colonial period saw families migrating due to hunger or the harsh working conditions and as prisoners. Migration was either internal, to areas such as Beni Mellal, Kenitra, Marrakech and Casablanca, or abroad, particularly to Algeria and France. This stage was mainly dominated by the continual rise of new needs as a result of friction with foreigners, or due to the effect of urbanization on Moroccan Bedouins. This led to a need to move from a barter system to a cash-based economy. There was a shift from small-scale production for self-sufficiency to commercial production as people needed to satisfy new needs, such as purchasing fodder, and paying for electricity and drinking water, irrigation, education for children who had to attend distant schools, medical treatment, clothes and fuel for cooking. This in turn led to the emergence of several non-agricultural activities, particularly in changing circumstances and when traditional mechanisms failed to sufficiently raise the level of rural production. There

was, in addition, less farmland due to population growth and the subsequent increase in the number of heirs to land. Economic activities increased in each of the areas studied in accordance with their particular climatic and geographic contexts, the nature of their plains and soils, and the availability of water and its location.

#### **a) Non-agricultural economic activities**

The spread of non-agricultural economic activity is determined by the proximity of Moroccan villages to urban or tourist centres, and the level of commercial activity in neighbouring areas. Activities in this category include public and semi-public local institutions that employ blue and white collar workers as well as builders and contractors, such as transport workers. In addition, there are people working for the state, such the sheikh, the prefect, employees of rural councils, educational institutions, health centres and other institutions such as delegations. This is not an exhaustive list, and seasonal workers whose employment depends on agricultural work, as well as local artistic groups who are active during festivals, on special occasions, and at weddings, could also be included.

#### **b) Rearing livestock and draught animals**

Rearing livestock and draught animals is considered one of the most common economic activities in Moroccan villages. It is seen as a material determinant of a family's social status, and is a source of pride and standing.<sup>xxv</sup> Cattle rearing is seen as a valued mechanism of investment. Cattle are sold during financial difficulties and used to help mitigate problems related to economic and climatic changes.

#### **c) Trade**

Trade as a non-agricultural activity has many forms. It is sometimes confined to the sale of consumer goods by travelling salesmen, who carry them through villages on the back of horses, mules and donkeys, but may also take place in fixed locations such as shops that sell foodstuffs, weekly markets, and shopping centres in urban and semi-urban areas.

#### **d) Internal migration**

In Agdez and Krama, factors such as successive years of drought, the paralysis of a local economy based mainly on farming, and poor returns on agricultural produce have contributed to forcing many young people to seek work outside these areas in order to raise the standard of living of their families. Both Essaouira and Martil, however, continue to attract migrants.

### e) Traditional local industries

Local traditional industries, such as the manufacture of porcelain, rely on the use of local raw materials such as doum palms, alfa<sup>xxvi</sup> and sugar cane. Imported materials are often needed for the production of textiles and embroidery. Activity in these industries is mostly family-based and the outputs are typically restricted to the local market. Small amounts of goods are sent to neighbouring areas, but these often struggle to compete against ready-made goods manufactured by modern means, which are usually cheaper and of higher quality.<sup>xxvii</sup>

### f) Tourism

The tourist sector is based on the extensive history of the region and its strategic location as a link between north and south, and east and west. The sector also benefits from the natural resources and architectural legacy of each region.

### g) Fishing

Morocco has huge and diverse fish stocks due to its extensive coastline. Fishing fleets are divided into coastal fleets (84% of production) and fleets fishing on the high seas (15%). Fish caught in Morocco include flatfish, white fish, molluscs and shellfish, which are mostly exported. Like all other economic sectors in Morocco, the fishing sector suffers from a number of problems, the main ones being the lack of necessary infrastructure, together with unstructured and disorganized production and marketing. Table 4.1 shows the distribution of economic activities across the areas studied.

**Table 4.1.** Distribution of economic activities in the areas of Morocco studied

Economic activity	Agdez	Krama	Essaouira	Martil
Paid non-agricultural economic activities	✓	✓	✓	✓
Livestock rearing	✓	✓	-	-
Beekeeping	-	✓	-	-
Trade	✓	✓	✓	✓
Migration	✓	✓	✓	✓
Traditional industries	✓	✓	✓	-
Tourism	✓	-	✓	✓
Fishing	-	-	✓	✓

### 3.4. Municipal finance

The budget of each of the four municipalities studied is set out below. The annual general budget of Agdez is around 5 million Moroccan dirham (MAD). Direct income is derived from services, direct and indirect taxes and income from property. An income of around MAD 800,000 (16% of the budget) is raised by the council through these means. It also receives a share of the national value added tax (VAT) levied, which constitutes around 80 per cent of its annual budget (around MAD 3.87 million in 2007).

Almost the entire budget of the commune of Krama relies on income derived from its share of the national purchase tax. Income from this source constitutes almost 90 per cent of the income of the municipality. Income/expenditure in MAD was recorded as follows: 1st half 2005 (2,391,390/2,391,390), 2nd half 2005 (246,309/2,004,604), 1st half 2006 (2,526,195/2,526,195), 2nd half 2006 (1,051,778/2,137,511), 1st half 2007 (2,675,943/2,675,943) and 2nd half 2007 (149,212/1,400,918).

Taxes are a major source of municipal income in the urban commune of Essaouira, making up 32 per cent of total income in 2006 and 33 per cent in 2007—in addition to income from temporary leases, markets and services. The majority of council expenses are administrative expenses, in particular employee wages (MAD 20,556,210 in 2006 and MAD 20,621,802 in 2007), followed by expenses related to the provision of basic services, such as waste disposal, sewage treatment and street lighting, which have been contracted out to the private sector, the Office National de l'Electricité (National Electricity Office) and the Office National d'Eau Potable (National Drinking Water Office). The budget of Martil was not dealt with in detail in its report.

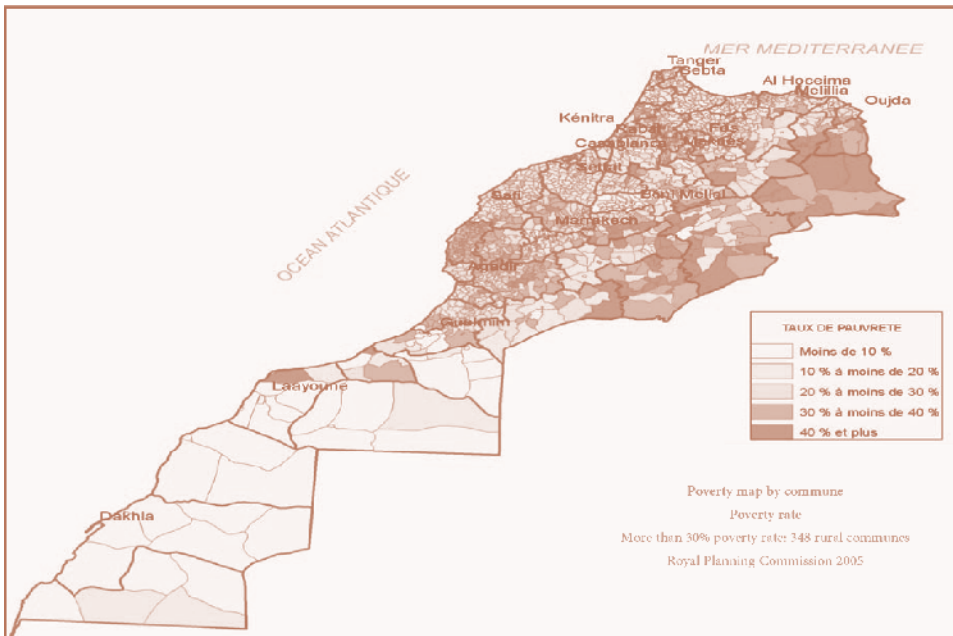
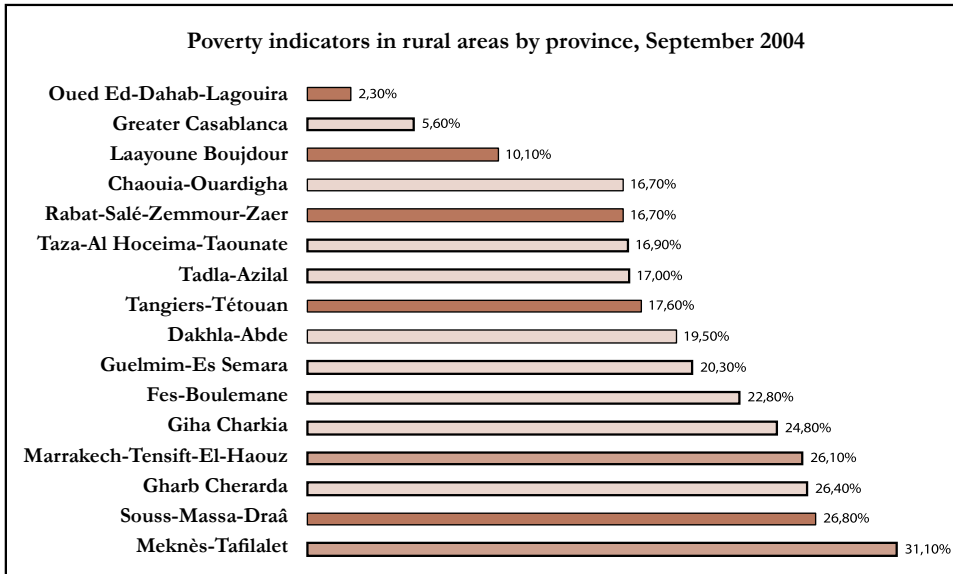
All the municipalities need financial support from the national budget as they do not have enough financial resources to meet the basic needs of local residents, let alone to ensure self-sufficiency. Communal and municipal councils in Morocco have limited contact with local residents and groups. Instead, their work is limited to service provision and to meeting the development needs of local residents.

### 3.5. Social development indicators

In spite of the diversity in the economic activities of residents in the areas covered in the local democracy assessments, statistics show that three of the four areas are among the poorest provinces in Morocco (Figure 4.1).



Figure 4.1. Poverty indicators in rural areas of Morocco by province, September 2004



According to the data provided in the four reports, the levels of poverty in the

commune of Krama and the municipality of Agdez are extremely high, whereas in both Martil and Essaouira poverty is decreasing, even if the latter is still the fourth poorest province in the country. The commune of Krama and the municipality of Agdez also have higher rates of illiteracy in comparison with the other two areas. All four areas have high levels of unemployment, although the unemployment rate is falling in Martil (see Table 4.2).

**Table 4.2.** Current economic and social development indicators in Morocco

Indicators	Agdez	Krama	Essaouira	Martil
Provincial poverty	28.8%	29.49%	28.10%	17.80%
Local poverty	+30%	27.47%	5.7%	7.11%
Working population	-	7,000	40,000	14,448
Unemployment	16.9%	-	16.35%	12.7%
Illiteracy	69.3%	70%	30.3%	47%

All four areas have experienced decline, albeit at different rates, but it is in the municipalities of Agdez and Krama that indicators such as poverty and illiteracy are rising the fastest. These indicators are close to the national average in Martil and the urban commune of Essaouira.

## Education

Infrastructure in the education sector is deteriorating. There is a lack of dedicated spaces for social and cultural activities, and they are of poor quality and not cost-effective. There is inadequate involvement of the state in the management of schools, a lack of continuous training, and overcrowding in classrooms and schools. The highest levels of school attendance are at the primary and secondary levels, and enrolment rates at the high school and university levels are very low. For example, the rate of enrolment for students aged 6 to 11 in Essaouira is 67 per cent. The percentage of registered students who refrain from or fail to attend school at primary level is 2.6 per cent, and amounts to 5.3% at secondary and high school level.

## Health

One of the main health issues in Agdez, Krama and Essaouira is reproductive health, as the infant mortality rate is rising there. This is a result of the difficulties faced by pregnant mothers due to the poor level of health care they receive, insufficient and inadequate clinical equipment in medical centres, a rising birth rate, the lack of delivery rooms in different areas of the municipality of Agdez and a lack of

ambulances. This is in addition to an increase in the incidence of malnutrition due to declines in household income, the paucity of toilets in homes, a lack of bathrooms, the practice of restricting the use of water for fear of incurring high bills, and the continued rearing of livestock within homes. All these factors contribute to the spread of dirt, rubbish and smells, which have a nefarious effect on human health and lead to the spread of diseases linked to a lack of hygiene, such as trachoma, dyspnoea and fungal skin infections. Given the high cost of modern medicine, residents are typically forced to use less effective traditional remedies. However, the report on Martil demonstrates that because it is located in an urban centre it benefits from the range of health care services usually found in cities, so that patients can easily be taken to health centres in the city, and benefit from the health infrastructure available in neighbouring Tétouan.

## Housing

In Krama and Agdez most homes are based in rural areas. The four studies report a low level of infrastructure, with housing being developed on top of barns, and stables within homes in rural and semi-urban areas, as well as a lack of sewage services and latrines.

## Roads

Moroccan roads in the four areas studied are, as in other parts of the country, generally in a poor state. The road transport network between nearby areas or to neighbouring cities is lacking. With the exception of motorways, internal roads linking districts are in a bad condition, which becomes even worse and treacherous in the winter with the appearance of potholes that become flooded. The noticeable lack of infrastructure and poor development indicators can be explained by the nature of the administrative relationship between local residents and communes or municipal councils, particularly with respect to remote areas, the isolation of which means that municipalities and communes are used only for administrative purposes.

# 4. Representative democracy

## 4.1. The concept of representative democracy<sup>xxviii</sup>

Representative democracy is a form of democracy in which voters freely and secretly choose their political party or independent representatives in multiparty elections on a local (local council), provincial (provincial council) or national (parliament) basis. The four reports show that there is a continuing decline in the trust people place in political parties. Young people, women, illiterate residents and immigrants, all of whom usually provide a trump card for political parties during the election process, are marginalized through the exploitation of their poverty, youth, unemployment or illiteracy.

This is compounded by the absence of political parties from what is the reality of representative democracy in Morocco. Such parties require a clear programme and an established membership. Socio-economic issues are imposed on the reality of life in Morocco, so that the economic status, social position and the influence of candidates have a strong influence over the results of local elections. The law governing the administration of local elections allowed the democratic process to be affected because it did not ultimately clarify the educational level required of candidates, and strict regulations cracking down on bribes during election campaigns were not implemented.

## 4.2. The institutional and legal framework

Political parties<sup>xxix</sup> are permanent organizations with a legal personality. They are established following an agreement between people with civil and political rights who share the same principles with the intention of participating democratically in the organization of public affairs with non-profit objectives. Political parties contribute to organizing and representing citizens and, in this capacity, to spreading political education and citizen participation in public life, creating a group of individuals able to perform public duties and to invigorate the political process.

Under the Moroccan Constitution, and in accordance with the provisions of the law, political parties are created and practise their activities with complete freedom. Any political party that breaches the provisions of the constitution or other laws or aims to harm Islam, the royal family or the territorial unity of the kingdom is considered void. The same applies to political parties that are based on religious, linguistic, racial or provincial lines, that are discriminatory in nature, or that violate human rights.

All Moroccan citizens have the right freely to join any legally established political party. However, an individual who has been elected to a post in either of the two chambers of parliament, and who was selected on the recommendation of an existing political party, may not join another political party until after the end of his or her term. Active soldiers of all ranks, officers in the civilian forces, judges, judges in the Court of Accounts, judges in the provincial courts of accounts, governors and deputy governors of municipalities and counties, those in positions of public power and their assistants are not allowed to register with political parties. Nor may any of the above join a trade union, pursuant to law.

All the reports confirmed that, particularly in Essaouira, Agdez and Krama, women and young people are excluded from being nominated to stand in elections. This is because they have no presence in the centres of decision-making within party offices. It is worth noting that there have been no serious conflicts between candidates during election campaigns, other than verbal quarrels that did not need to be settled in court.

Before considering the nature and performance of the electoral system itself, it is important to define the administrative authorities and their duties, as well as the mechanisms for monitoring their performance. Local authorities are the representative of the state and the executive authorities in the administrative divisions of the country. The laws that govern how local authority employees perform their duties make it appear that they work merely in an honorary rather than an official capacity. No compulsory military or administrative training, as the case may be, is required for their roles.

**Table 4.3.** Duties and responsibilities of local authority employees in Morocco

Local authority employee	Capacity	Duties and responsibilities
Officers	Representatives of the king and his deputies in the provinces and administrative districts	Overseeing the implementation of royal decrees, laws, regulations and the enforcement of government decisions and instructions.
First deputies of governors	Law enforcement officers	Purely administrative work; in special cases they are permitted to investigate crimes.
Leaders and pashas	Law enforcement officers	Purely administrative work; they refer complainants to royal police centres or to the police so that they may register their complaint.
Deputies of leaders and pashas/ police department employees/ policemen who are not law enforcement officers/other employees and assistants	Law enforcement assistants	Assistance to law enforcement officers in carrying out their duties, informing senior-ranking leaders of all crimes and misdemeanours of which they have been informed, investigation of offences, the Labour Law and the Foreigners' Code when ordered to do so; usually referred to as 'the other police force', they gather all types of information in this capacity.

Most local administrative authority employees work for government departments. The royal police officers work for the National Defence Authority and the national police and local authority officers work for the interior ministry. Some officers and assistants work for different ministries, such as the rural affairs ministry and the finance ministry. This situation makes them subject to double monitoring: from the judicial authorities and from their managers.

The general responsibilities of the local administrative authorities are:

- Maintaining public safety and order within the remit of the local authority; establishing groupings, associations and newspapers.
- Managing elections, organizing the work of communal and district courts, supervising professional trade unions, and hearing social disputes.
- Overseeing the work of independent professionals, and monitoring the activity of roaming salespersons travelling on public roads.
- Managing the import of weapons, ammunition and explosives, and monitoring their circulation, carriage, deposit, sale and use.
- Monitoring the content of notices on advertisements, boards, and panels.
- Issuing hunting permits and passports.
- Monitoring prices and regulating the sale of alcoholic drinks.
- Monitoring the production of recordings and other audio-visual materials.
- Recruiting persons for compulsory military service.
- General organization of the country in a state of war.

### 4.3. Electoral organization and performance

The electoral systems used in the four local authorities are outlined below, as well as the outcomes of the electoral systems and of recent election campaigns.

#### The municipality of Agdez

The electoral system is based on the single member district system (individual voting system - First Past The Post (FPTP) and considerations of ethnicity and tribal interests. The electoral system, however, is not the main instrument that determines the outcomes of elections. Candidates are not elected for their political party programme or their political orientation. They are rather chosen by the Tribal Council, which obliges everyone within the area to vote for its candidate in the elections. The municipality of Agdez comprises three communes, and is divided into 11 electoral districts: three in the centre, five in Agdez Elkasr and three in Aslim. The elections

usually give rise to a series of disputes and challenges, but these are purely verbal and are not brought before the courts. The electoral system has a negative impact on how election campaigns are run, resulting in a disproportionate distribution of seats for any one party. Another consequence is that the council leader does not have sufficient independence from the council. Election campaign resources are divided into two areas: party resources, distributed to candidates at the beginning of the campaign with a limit of MAD 2500 for each candidate; and the candidate's personal resources. The districts in Aslim are a special exception, however, as the Tribal Council finances its candidates, who are elected almost unopposed in all three districts. The main issues covered by the local election campaign are the services sector, administrative management, and how to increase income and build partnerships. It is clear that issues on the local administration agenda have no bearing on the election campaign programme, but new priorities emerge, such as education and waste management, which have no relation to election campaign issues.

### The commune of Krama

Because of the rural nature of the commune of Krama, and in accordance with Moroccan election law, the FPTP system is used for local elections. The commune is divided into 13 electoral districts. These districts differ in size, area, and number of voters. Residents in the district of Krama Centre are from different tribes as it is a semi-urban area, but residents of the other districts mainly belong to a single, specific town or tribe. There is a lack of interest in taking part in the elections, possibly engendered by the election campaign. There is a lack of trust and a clear lack of interest in a system that perpetuates the election of candidates from a small number of families in particular districts and that does not give any priority to youth involvement. Moreover, there is the continuing phenomenon of bribery and selling votes for money or essential foodstuffs. The election campaign is an opportunity for candidates to make promises, and an opportunity for voters to make financial gains. Election promises are an important factor in voting, as votes for candidates based on their election promises account for some 30 per cent of the votes. These promises are often related to specific personal interests, such as employing a son or a relative.

### The commune of Essaouira

The individual vote method (FPTP) was used for the most recent community council elections in the commune of Essaouira. At the 2003 election there were over 35,000 residents in Essaouira, and an electoral list was used. At the most recent election, the commune was divided into 31 electoral districts with 79 polling centres. Most were of different sizes with varying populations and electorates. They were not divided according to specific criteria, so some districts had 200 voters whereas others had over 2000. The political parties and the electoral system did not affect the composition

of the communal council and offices. Nor did it affect the choice of leader. Instead, the council was formed and duties were distributed by agreement between those who run the economy in Essaouira, as control over housing, tourism and cultural assets remains the overarching aim of those competing for council seats. After the election, political parties no longer had a presence in the life of the council. The state contributes to financing elections in accordance with the terms set out in a decree of the Ministry of the Interior, but the ruling party relies entirely on funding by its leader, a local businessman who also finances the party at the provincial and national levels. It is clear that the funds spent on some election campaigns far exceeded the legal budget limit. The programmes of national political parties are barely mentioned in local election campaigns, which instead focus on issues that are a priority for local residents. The most important issues in Essaouira are sewage treatment, the regeneration of the old areas of the city, the improvement of some marginalized neighbourhoods, employment, cultural and sports activities and social support.

## Martil

The FPTP system is used in Martil. The electoral divisions of the city of Martil are not mentioned in its assessment report. One of the results of the FPTP electoral system is a disproportionate distribution of seats to any one party taking part in the election. Another result is that the leader is not independent of the council. Political parties are financed by lobby groups in the private sector, especially during elections. Sometimes, specific individuals have to be nominated to protect the interests of these groups. The following emerged as the main issues of concern for candidates in the most recent elections: health, employment, education, infrastructure (water, electricity, roads, etc.) and hygiene, attracting investment and tourism. These issues are of both local and national concern.

## 4.4. Political party systems

Several political parties are active in the four areas. The parties represented in the four councils are shown in Table 4.4. The report for Martil does not provide this information and mentions only the presence of opposition parties and supporters.



**Table 4.4.** Political party representation in Morocco

	Municipality of Agdez	Commune of Krama:	Commune of Essaouira	Commune of Martil
Socialist Union of People's Forces (Union Socialiste des Forces Populaires) USFP	02	02	02	*
Independence Party	02	01	03	
People's Movement (Parti Populaire)	02	-	-	
National Democratic Party (Parti Nationale Démocrate)	02	01	01	
National Rally of Independents (Rassemblement National des Indépendents)	01	08	-	
Front of Democratic Forces (Front des Forces Démocratiques)	02	-	01	
Party of Social Movement	-	-	-	
Party of Progress and Socialism (Parti du Progrès et Socialisme)	-	-	12	
Justice and Development Party (Parti de la Justice et du Développement)	-	-	02	
Covenant Party	-	01	01	
Unified Socialist Party (Parti Socialiste Unifié)	-	-	-	
Constitutional Union Party	-	-	03	
Alliance of Liberties Party	-	-	02	
Civic Forces Party (Forces Citoyennes)	-	-	01	

\* This information was not included in the Martil report.

Activists in these political parties are not bound by the party's manifesto or by its political orientation. Membership of a specific party changes whenever the personal interests of voters clash with those of the other members of the party. This is also the case with blocs formed during or after the election campaign. They are created to guarantee the necessary quorum for voting in the municipal council, and to make decisions that are consistent with the private interests of members of the bloc. These blocs hold on to their seats but do not show any opposition or provide any support for their members.

Generally, it could be said that in all areas in which the assessment was carried out, there was no clear understanding of the role of political parties in local democracy. Political parties have no effect on the performance of the leader of the municipal council, the elected council or the local administration. Instead, there are individuals who have the freedom to criticize and oppose the ruling majority but do not suggest alternative policies or programmes that could be discussed at council sessions. Political parties<sup>xxx</sup> must provide a programme, statutes and written internal rules which determine the party's programme, and in particular its foundations and the aims that the party has adopted in compliance with the constitution of Morocco and the requirements of the law. The statutes determine rules concerning the running of the party and its financial and administrative organization. Its internal rules determine, in particular, how each of the party's organs is run and the terms and formalities of the meetings of these organs.

Political parties must be organized and run according to democratic principles that allow all members to take part effectively in the running of its various organs. Its statute must also state the proportion of women and young people who must be involved in running the party. Each political party must also have organizational structures at the central, provincial, regional and local levels. The method of choosing and recommending party candidates must be subject to different electoral consultations based on democratic principles.

#### 4.5. Elected officials

The elected councils<sup>xxxi</sup> are responsible for organizing the municipality's affairs. The term of elected councils' mandate and of their election are determined in accordance with the provisions of the law regulating elections. The number of members of the communal council to be elected in each municipality is determined by decree, based on the terms and conditions prescribed by the electoral law. The communal council elects a leader and several representatives to make up the council office from among its members. Its members are elected for the term of the mandate of the communal council. These elections are held within 15 days of the election of the communal council, or on the date that the communal office stops performing its duties for any

reason. In all circumstances, the council meets following a written invitation by the relevant local administrative authority, meeting the requirements of a legal quorum, and chaired by the oldest member present. The youngest member present, who must be proficient in reading and writing, is responsible for taking the minutes of the council session. The session is attended by the relevant local administrative authority or its designated representative. In this session a chair and deputies are elected using a single-name secret ballot system. For the voting process to be valid, it must be carried out in secret, using a transparent box and non-transparent ballot papers, and envelopes that bear the local administrative authority's stamp. In the first round, a candidate may win any of these elected posts by absolute majority of the members.

Unlike in parliamentary legislative elections, in which candidates from each party are normally chosen by the provincial or national office of each party, elected representatives in local elections do not usually represent a political view or a particular party. They are elected as individuals and mainly supported for their ethnicity, and may later be compelled to change their personal party allegiances without taking into consideration whether they support or oppose a political party.

The national or provincial office of a political party cannot interfere during local elections, as candidates are chosen by active local parties by the decision of members at the local party office. This usually involves picking the person closest to the people, who has the greatest ability to earn their trust, and who normally offers to help them. The help of the Tribal Council is usually sought as a force for pressure in the municipality of Agdez and the commune of Krama, as it is the only body able to guarantee the nomination of a specific person and ensure their unanimous victory unopposed.

The duties of the leader of the communal council are.

- S/he is considered to be the municipality's executive power. The leader administers and represents the municipality officially in all aspects of civil, administrative, and judicial life. S/he administers and oversees the interests of the municipality in accordance with the laws and regulations in force.
- The leader presides over the council's sessions, with the exception of the specialist session devoted to reviewing the administrative accounts and voting on them. In this case, S/he attends the session and leaves when the votes are cast. The council elects, by a majority vote of the members present, and without discussion, a chair for this session, who must not be a member of the office.
- The leader implements the council's resolutions and makes the necessary arrangements to this end, overseeing the monitoring of their implementation.
- The leader represents the municipality before the courts unless the case is

brought against her/him personally, in her/his capacity as the representative of a third party, or as a partner or shareholder, or if the leader's spouse, parents or sons are directly involved in the case.

- Leaders of the communal council, in accordance with the law, carry out the duties of the judicial police in the municipality, the specific duties of the municipality's administrative police and the specific functions conferred by the legislative and regulatory texts and applied to leaders and pashas, with the exception of matters which remain the prerogative of the local administrative authorities.
- The leader of the communal council carries out the duties of the administrative police in the fields of public health and hygiene, public safety and road safety; S/he does this by making regulatory decisions and allowing, ordering, or preventing them through individual police measures.
- The leader of the communal council is considered a civil status registrar. S/he may delegate this function to her/his deputies, and may also delegate to officers at the communal council in accordance with the law on civil status. S/he ensures that the terms stipulated in the applicable laws and regulations are complied with by witnessing the authenticity of signatures and the consistency of copies of documents with their original copies. S/he may delegate these tasks to the municipality secretary, the heads of departments, and relevant authorities in accordance with the laws and regulations in force.
- The leader of the council may, automatically and at the expense of those interested in the matter, and in accordance with terms stipulated in the applicable decree, work to implement all measures to ensure road safety, security, and the protection of public health.
- The leader may, when necessary, ask the relevant local administrative authority to use law enforcement in accordance with the applicable law, to ensure compliance with her/his decisions.
- The leader of the communal council manages the communal office. The leader is considered the line manager of council employees, and is responsible for making appointments to all posts in the communal council. S/he also manages the work of official, temporary, and casual employees in accordance with the terms stipulated in the applicable laws and regulations.

The council carries out a series of specific tasks entrusted to it by the state.<sup>xxxii</sup> This covers specific duties, such as: socio-economic development; funding, taxes, finances and communal property, including preparing and approving the budget; developing the geographic area; managing local public utilities and facilities; public health, hygiene and the environment; social and cultural work; and facilitating cooperation and partnerships.

Other duties entrusted to it by the state are: setting up and maintaining schools; establishing basic educational institutions, clinics, and health and treatment centres; carrying out tree-planting programmes; improving and maintaining natural recreation areas in the municipality's geographic area; creating and maintaining small and medium-sized water facilities; protecting and restoring historic sites; protecting the cultural legacy and looking after natural sites; setting up and maintaining qualification and professional training centres; training employees and elected representatives at the communal council; and setting up infrastructure and facilities for the benefit of the municipality.

The communal council also carries out a series of advisory duties. It expresses its views and offers suggestions to the state, and other legal persons subject to the general law, on works that must be undertaken to stimulate the municipality's economic, social, and cultural development, and whether such works go beyond the scope of its powers and exceed the means available or made available to it. It carries out preliminary checks and expresses its opinion on all projects to be carried out by the state, any municipality, or other public body within the municipality if their completion will result in liabilities for the municipality or affect the environment. It expresses its views on policies and designs for the preparation and development of the area, and on the plans that delimit the area belonging to the municipality. It also gives its views on projects and plans for development, whenever this is required by the laws and regulations in force or by the state or other public bodies.

Local residents have expressed a view that there is insufficient information available regarding the specific work of the communal or municipal council. Opinions in this respect vary between those who consider the role of local residents to be limited to voting, and those who believe that elected officials are chosen by the people, who must consequently accept the outcome of this choice. There are also those who believe that the election process is a complete sham, and that everything is planned in advance, and thus that there is no need to think about the outcome of the election or how matters will be run within the council.

## 4.6. Processes and practices

### Election administration

The Ministry of the Interior, locally represented by the local authorities, is responsible for organizing and monitoring elections. Both the Electoral Code and the decrees of the Ministry of the Interior include terms and conditions concerning the organization of elections, from setting up electoral registers to announcing poll results and creating communal election councils. To this end, administrative committees and decision-making committees are set up. Judges are also appointed to rule on electoral disputes.

Article 1 of the Communal Charter defines communes as territorial units within the provisions of public law that enjoy legal personality and financial independence. They are divided into urban and municipal communes. Municipalities are created and abolished by decree. The main town of a rural municipality is determined by a decision of the minister of the interior. The name of the municipality/commune is changed by decree and at the suggestion of the minister of the interior after consultation with the concerned communal council or by its suggestion. Elections are organized in Moroccan municipalities every six years, a time period which may be extended. The Electoral Code determines the terms and conditions for the organization of elections, such as setting up electoral registers, nominations, election campaigns and the election of councils. It also specifies the type of poll in communal elections and the size and composition of communal councils.

Article 4 of the Electoral Code defines voters as male or female Moroccan nationals of 18 years of age who are resident in the municipality. It thus does not give foreign residents the right to take part in elections. In recent years, elected office and nominations have been shared equally between all social groups, but a share or quota for women's representation was allocated for the 2009 communal elections. The law thus required a 12 per cent representation of women in the composition of the elected councils. The Electoral Code also provides for the settlement of election disputes related to each stage of the election process.

The four reports showed that no complaints or allegations of forgery or fraud have been reported to the election administration. The right of everyone to participate in the voting process without discrimination is guaranteed, with consideration given to those with special needs to help them in the voting process in accordance with the rules of the Electoral Code. Monitoring by civil society groups and international organizations has taken place in the city of Martil, although no mention was made of their numbers. In the municipality of Agdez, the National Observatory for Election Monitoring, the community network for election monitoring, the Harat Tamaskalat Association for Development, the Advisory Council for Human Rights, INDA and the International Election Centre monitored the election. These organizations wrote reports and produced recommendations, with respect to which no progress has thus far been observed.

#### 4.7. Voter participation

The voting age was reduced to 18 for the last elections in 2009, with the aim of increasing the participation of young people. However, this group largely decided not to take part in the election. There were few awareness-raising programmes by political parties and CSOs, and there is a lack of trust in the political process among young people. Furthermore, political parties only took action shortly before the

elections took place, which makes for very weak awareness of political participation in the areas studied.

Like other parts of Morocco, the four reports recorded very low levels of membership of political parties. This is due to a lack of trust in party political work, and the inability of political parties to win over members and convince them to adopt their ideas. This, in turn, is largely the result of their programmes being unrealistic, their reliance on flashy slogans and their lack of internal democracy. In addition, the same leaders hold the same positions for long periods of time, so that new, young leaders who might be able to translate residents' concerns into fresh ideas and realistic programmes lack the opportunity to do so.

Discussions on local democracy necessarily entail talking about the participation of all components of the community in the democratic process. An important indicator of this is the participation of women in elections. Advanced societies give women room to play their full role in building a democratic society through their effective contribution in elections. Morocco is considered to be a country that has effectively adopted the participation of women in different aspects of social, economic, political, cultural and intellectual life. This provides an opportunity for the growth of a balanced society that can keep up with the requirements of modern life, and the demands of human development in the 21<sup>st</sup> century.

In this context, the issue of women's participation in elections is of particular importance to Moroccan society. Morocco considers this participation to be a right guaranteed by law (in the constitution and the Electoral Code). Women can join decision-making bodies through nomination or election. In such cases, elections are not a goal unto themselves. Instead, they are a means through which women can acquire a status in decision-making institutions, which ensures that the energies of Moroccan men and women are well engaged to achieving development, equality and social justice. In spite of this, women's participation in elections remains poor, at a rate of no more than 12 per cent. A number of rights organizations are demanding that this rate be raised to one-third.

In general, women's participation in the election process through voting and nomination is considered an important indicator of the development of Moroccan society. Although women have the right to full equality with men and to exercise their constitutional right to vote and be nominated, even if women were to take part in elections in equal or similar numbers to men, this would not necessarily translate into their proportional representation in elected bodies. Legal equality may not provide a solution to the problem of representation for women or eradicate discrimination against them. What matters here is that elections are an indicator of civilization, and women's participation in the elections gives them real democratic substance.

## 5. Participatory democracy

### 5.1. The concept of participatory democracy

Participatory democracy is not only the ideal model for modern politics, but it is one that can be achieved. Local democracy is at its most effective when citizens are able to express views on and discuss the future of their town, the municipality is able to work towards achieving its goals, and the political system can take the expectations of its citizens into consideration. Like representative democracy in Morocco, participatory democracy suffers from its limited mechanisms for interaction, and a lack of mechanisms appropriate for the specific conditions of Morocco, such as the high illiteracy rate. In addition, away from the main towns, and in the villages in the areas run by the councils in this study, the percentage of local residents who speak Amazigh rises in proportion to those who cannot speak Arabic or even colloquial Arabic.

Municipalities need support from the state budget. Even if they can meet the basic or essential needs of local residents, they do not have the financial resources needed to ensure their self-sufficiency. Communal and municipal councils in Morocco have little contact with local residents or the groups with which they have only non-institutional relations. Local councils limit their work to providing services and meeting the development needs of local residents, and they disregard the importance of the political aspect and of managing local affairs.

### 5.2. Local authorities and participatory democracy

Local democracy administration in Morocco differs from other forms of local administration in four main ways: its openness to citizens, its fairness in dealing with them on the basis of equality, the transparency of its organizational structure and procedures, and its response to the needs of citizens.

#### Openness

Field studies carried out by the research teams in the four areas covered by the local democracy assessment showed that over 50 per cent of residents were not aware that council sessions were open to citizens, or that announcements were made and there were means for informing citizens of the time and topic of open sessions. Nearly as many as 47 per cent were unaware that announcements were posted at the headquarters of the municipal council and that invitations to attend these sessions are sent to interested parties, such as community leaders and social activists.

This lack of awareness is attributed to several factors, the main ones being: the insufficient effort made to spread information about citizens taking part in local



decision-making; women being unable to obtain information from the authorities or from their spouses; dates not being set for council meetings far enough in advance; lack of consistency in the means used to communicate with residents given the specific nature of the area; the failure to take into account the high rate of illiteracy, and so on. Participation in the council's open sessions and its activities by local residents is almost non-existent. Most residents do not consider attending or participating, not believing it to be worthwhile or part of their role. The timing of sessions is also incompatible with the activities and occupations of residents, particularly women. Although the sessions are legally open to the public, this is not the case in practice because of a lack of interest on the part of citizens and those with local interests, and the belief that the citizen's role ends with voting and choosing their representative. Relations with the local authority remain solely confined to obtaining administrative documents from it.

### Fairness/ equality

A large proportion of local residents have no trust in the political and party systems. Many consider elections and their outcomes, the municipal council and its decisions, to be parts of a system that serves to exclude some social groups, especially women, young people and the disabled. The results of the field studies in the Municipality of Agdez and the Commune of Krama were unanimous on this point. In Martil, the research revealed that exclusion and marginalization are largely based on economic and social grounds: those living below the poverty line, the unemployed or those who find it hard to fit into the socio-economic structure of the town are likely to be marginalized. They are also likely to see those responsible for managing local affairs as ineffective at resolving local issues. This generates feelings of injustice, which may also be expressed as a type of exclusion and marginalization.

The report on the commune of Essaouira shows that women, who have 13 per cent of the seats, and those of Amazigh origin are relatively well represented in the municipal council. This has not been achieved through a concerted political campaign to foster better representation of traditionally marginalized groups in the city, however, but is the result of particular characteristics of the current council, such as the electoral system, the election campaign and agreements with the parties concerned. For example, there was no mention of specific programmes or policies for targeting specific groups. In fact the only programme that seemed to target marginalized groups concerned the privileges and facilities offered to foreigners to settle or invest in the city, and such programmes are typically supported by bodies external to the council.

## Transparency

In terms of transparency, citizens can access certain municipal documents as stipulated by the law. These documents typically relate to budgets, administrative accounts, minutes of sessions and announcements of professional competitions and examinations. The municipal council of Essaouira is in the process of developing other tools for citizen outreach, such as the use of modern information and communications technology (ICT) and the creation of a community website detailing its organs and programmes. All four reports confirm that there is very limited transparency. This is due to several factors, including the prevalence of clientelism, bribery, nepotism and private interests. In addition, the interests and choices of residents are not always consistent with the interests of the local authorities and political blocs represented in the municipal council.

## Responding to citizens' needs

The needs and problems of the residents are as diverse as the areas covered in the study. Despite this plurality, there is agreement and consensus over the dissatisfaction of residents with the municipal council's services. These are characterized by poor infrastructure (roads, clinics, waste management and a lack of lighting on most roads), and high taxes levied without consideration for the standard of living of residents. For example, despite the payment of annual taxes, waste disposal services do not cover all areas of the municipalities. This is in addition to the widespread use of clientelism in the procurement of certain services, and delays in the implementation of certain codes or laws to the detriment of citizens. Given these circumstances, and their negative effect on the management of the areas, as well as of human and financial resources, the exclusion of poor and marginalized groups from accessing certain services is considerable. This goes some way to explaining why citizens often resort to CSOs to overcome some of their difficulties. These organizations sometimes replace the role of the municipality when it comes to campaigning for hygiene, health, awareness-raising, and so on.

## 5.3. Civil society, the private sector, international organizations and the media

Statistics on the number and types of civil society organizations in Morocco differ, with numbers ranging from 20,000 to 30,000. There are also many different approaches to understanding the evolution of social and development activities in Morocco. One approach splits this development into three stages or generations.

## First generation

The first generation are bourgeois elitist aid associations, which include the major associations at local and national level. Their members consist of the owners of major companies and holders of senior management positions. They do not aim to change society, but do own considerable resources that mainly assist with providing school supplies, glasses for children with eye problems and equipment for disabled people. Some of these groups still exist and work through what are known as *iftar* banquets during Ramadan.<sup>xxxiii</sup>

## Second generation

The second generation emerged at the beginning of the 1980s. These groups are linked to local elites and are known as provincial groups (Fez-Saiss, High Atlas, Rabat Al-Fatah, Abi Regreg, etc.). These large groups have benefited from the continual support of the public authorities and from the centre, which has given them the status of ‘associations with a public benefit’. These provincial groups do not differ very much from the first type, although they have greater powers than the former and more support from the authorities, as evidenced by the ease with which they obtain premises and financing for their activities. These groups have been able to involve the local rural and urban elite in the political change that Morocco has experienced.<sup>xxxiv</sup>

## Third generation

These are development organizations concerned with social and economic development work. This sector has grown massively since the beginning of the 1990s, and it is from within this sector that the idea of leveraging the abilities of local residents emerged. This sector also includes international cooperation organizations and a number of donor agencies, which have started to look for partners that are close to local residents, so that they may act as a link between these institutions and local residents’ groups. Local residents are invited to participate through their groups in decision-making, and implementing and running development projects. These groups enjoy considerable independence from the public authorities, and have the skills to address issues such as combating poverty and exclusion.<sup>xxxv</sup>

All these factors have contributed to the creation of a number of organizations with the objective of meeting basic needs, in areas such as health and hygiene, eliminating illiteracy, education, training, protecting the environment and fostering income-generating activities. Further associations have emerged to support small contractors and solidarity groups, as have others supporting specific groups in society (children, women, young people, etc.). In addition, a new type of association is emerging concerned with political awareness-raising, human rights and transparency, as well as associations that seek to expand the scope of their intervention to create integrated development among the population.<sup>xxxvi</sup>

CSOs and associations carrying out activities in the four areas studied include non-governmental organizations (NGOs), international and national organizations, and local trade unions. The following is a breakdown of these associations.

#### a) The municipality of Agdez

Type of association or organization		Total number
Local associations	Development associations working in the municipality (Agdez and Aslim), primary education, Afaq Association for unemployed people, Draa Afaq Association, Federation of the Al-Saqi Association, parents' associations, cultural groups, sports associations, student societies, unions (association of Tamaskalat arrondissement, and society for Draa association), women's groups.	22
National NGOs	Moroccan Society for the Promotion of Local Initiatives, Moroccan Association for Development and Solidarity (AMSED)	02
International NGOs	Belgian cooperation, French association, Japanese cooperation, US Embassy	04

#### b) The commune of Essaouira

Essaouira has seen a growth in the number of associations; more than 400 associations are registered there in various fields. The main associations are social and cultural, as well as neighbourhood groups, educational associations, parents' associations at educational establishments, sports and professional associations and groups that work on disability issues.

#### c) The commune of Martil

Martil has more than 102 associations, but only 10 of them work on a permanent basis. The work of these associations comes under different fields: cultural associations, cinemas, theatres, parents' associations, cooperatives and professional associations (for fishermen, market traders and farmers, etc.), comprehensive development associations such as the northern forum and 'Initiatives', sports associations, environmental associations, associations for women, children and young people and the unemployed, neighbourhood associations and associations for social work.

**d) The commune of Krama**

Name of association	Date of establishment	Type (aims)	Number of members			Location
			M	F	Total	
Wadi Kir Association	2002	developmental	01	08	09	Krama centre
Akham Amqran Association	2004	developmental	0	11	11	Krama centre
Al-Kheir Association	2000	developmental	0	09	09	Takrirat
Krama Women's Association	1998	developmental	11	0	11	Ksar EL-Kabir
Aghram Akhtar Association	2004	developmental	02	11	13	Ksar EL-Kabir
Ayt Asaid Amro Association	2002	developmental		09	09	Ayt Asaid Amro
Lahri Association	2006	drinking water	0	09	09	Lahri
Talhereit Association	2006	drinking water	0	09	09	Talhereit
Mukor Association for Water	2006	drinking water	0	11	11	Mukor
Mukor Zantouar Association	2001	developmental	0	13	13	Mukor
Upper Kir Association	2001	developmental	0	13	13	Titanali
Moulay Ali Ben Omar Association	2006	agricultural	0	31	31	Krama Centre
Titanali Cooperative	2005	agricultural	0	11	11	Titanali
Sidi Ali Abu Rish Cooperative	1992	agricultural	0	11	11	Krama Centre
Farmers' Cooperative	1999	agricultural	0	11	11	Krama Centre
Umm Esaad Cooperative	2006	agricultural	0	07	07	Krama Centre

This diversity, however, does not hide the fact that community work faces a number of difficulties, including:

- The lack of a comprehensive view by state bodies and local municipalities on the role of associations in development,
- Technical difficulties impeding transparency in the financing of non-governmental associations and their recourse to foreign financial resources, which are not subject to financial audits.
- The absence of a legal framework to manage the qualitative participation of associations in sustainable development efforts.
- A lack of sufficient human and material resources; most non-governmental associations lack experience and professionalism in administrative and financial management, and in the formulation, implementation, monitoring and assessment of projects.

Contributions or grants can legally be made by municipalities or communes to associations either as a unilateral procedure or through an agreement between the two institutions. The unilateral procedure denies the association its status, and subjects it to the will of the local municipality. If the agreement takes the form of a contract, however, there is scope for discussion between the participants, each of which has specific interests. This also constitutes a recognition by the public authority of the association's status.<sup>xxxvii</sup>

The nature of the work carried out by civil society associations and organizations means that they often have a difficult relationship with the organizations that fund their activities. CSOs provide services to residents which have no financial return, and therefore most of their funding comes from co-contracting associations. These contracts resemble agreements to assign the provision of services to a third party. The way in which they are funded is also similar to a commercial agreement. Thus, the associations lack the ability to challenge the pressures from local authorities that ask them to provide aid and, at the same time, the same institutions that provide their grants monitor the areas in which they are spent, to ensure that they are not used for other purposes.

The above situation, however, is still relatively rare. Among the institutional partnerships, we find nothing that promotes local community movements or smaller communal structures (neighbourhood committees, district councils, etc.), or that assesses them methodically and allows them to participate officially in local administration, particularly in the process of preparing and implementing communal budgets and development plans. Obstacles to furthering the role of CSOs include.

- The lack of a legal framework for extended participation. The Communal Charter of 1976 differs from that of most other countries in that it fails to mention public participation. The charter does not provide a legal framework within which associations may try to use institutional forms of public participation.<sup>xxxviii</sup>
- Elected representatives usually consider development associations a tool for political competition and therefore attempt either to control them, by attaching them to a political person or an individual, or to marginalize them.
- Existing partnerships with associations flow in two directions: support and opposition. In general, local councils remain sceptical about local NGOs, particularly those that deal directly with residents. The voting system based on electoral districts has put an end to the development of close partnerships, as most urban and rural locally elected representatives do not wish to see any activists compete with them in their spheres of influence. They therefore resist any attempt to open up to social activists, regardless of their far-reaching impact in the locality.<sup>xxxix</sup>

In spite of the difficulties that have marked the relationship between local municipalities and local development associations, partnerships with foreign NGOs seem to fare better. This may be because these relationships are less conflictive, particularly in the case of those organizations that offer skills that are absent from an area, accompanied sometimes by considerable material resources that help develop the local municipality. However, these types of partnership also face a number of difficulties that impede their development.

- The lack of a specific legal framework that determines the rights and obligations of parties in a partnership. Many initiatives fail as there is no common legal authority on which the project partners may rely for their project to succeed. However, the absence of an appropriate legal framework is not necessarily a bad thing, so long as the state is able to follow up current partnership pilots, and to draw lessons from them.
- The creation of ad hoc partnerships, that is, partnerships for untested, limited processes, either for political gain or for considerations other than achieving a developmental goal or project.

#### 5.4. Processes and practices: Forms and methods of citizen outreach

The local authorities, and the various elements of civil society in the four areas studied, limit their means of citizen outreach to announcements at the municipal council and personal relationships with individuals in their neighbourhood, kinship ties, the distribution of publications, consultative meetings, focus groups, and a presence at public shows and fairs. The mosque is used by local associations to inform citizens of decisions, particularly in rural areas.

## Citizen outreach

The results of the field studies highlighted the presence of pressure groups that monopolize the decision-making process, and the exclusion of women, particularly those who are illiterate, by not giving them access to information, thereby preventing them from participating in decision-making. Moreover, consultation is limited to temporary issues, mostly with associations chosen by the local authorities. This leads to a lack of regular contact with citizens and a serious lack of information available to them about how local affairs are managed, with information available only at the municipal town hall.

## Opinion polls and citizens' initiatives

A common thread in all the reports is that opinion polls and popular initiatives are not used as mechanisms for discussing problems within the municipality. Nor are they part of the decision-making process relating to the policies implemented to manage public affairs or budget setting and spending.

It is clear from the evidence presented above that participatory democracy suffers from a lack of diversity in communication mechanisms, and that the mechanisms currently in use are not adapted to the situation in Morocco. This situation is characterized by a high rate of illiteracy, provincial centres that are far from other districts but nevertheless controlled by the same local authority, and a high incidence of local residents who speak Amazigh and who do not understand standard Arabic—or even colloquial Arabic. This shows the extent to which these institutions are unable or unwilling to use various media to communicate with citizens, and require material support to adopt the use of these media, as well as ongoing human resource training. Residents view the failure to provide appropriate communication mechanisms as a calculated attempt to keep citizens at a distance, and to promote a unilateral decision-making structure, without consideration of the views and needs of local residents.

## 6. Conclusion and recommendations

Numerous recommendations and observations are made in the four reports. In order to ensure maximum accuracy and openness, recommendations are listed here as they appeared in the report for each municipality, even though some of them are rather general, and some are impractical. The recommendations are as follows.

### 6.1. The municipality of Agdez

All the recommendations made in the report focus on a key point that was confirmed by all the groups covered in the field study: the lack of a single strategic plan for the municipality of Agdez. Such a plan would ensure appropriate activities for all



stakeholders, but within the scope of a single programme that would cover all the procedures and projects of these groups. These recommendations are divided into three groups according to the timescale required to complete each one.

*Short-term* recommendations focus on the need to set up a framework to include each component of civil society, social and political, in the electoral process and for the municipal council to organize awareness-raising campaigns to encourage residents to take part in political activities in general, and the election process in particular. In addition, citizens must be allowed to take a greater role in decisions regarding the organization of local affairs within the municipal council.

The *medium-term* recommendations focus on a review of political and social departments and how they operate at the local level, in particular with respect to political parties which are neither monitored nor supported by national and provincial offices, to ensure the continuity of their activities. To ensure greater representative and participatory democracy, it is essential to create means of communication between the local authorities and all other local actors, mainly local residents.

The *long-term* recommendations focus on the need to effect changes to the law governing local elections and the Communal Charter. Changes to the law governing elections include raising the educational level of candidates, using a list system in local elections, adding to and implementing criminal laws on combating bribery, and amendments to the timing of local elections to ensure that they are conducted at a time when the big numbers of Moroccan migrants, living and working in foreign countries, are back in the country for their annual visits, to ensure that no group in society is excluded. Recommendations focused on altering the Communal Charter include the need to support municipal council resources for performance monitoring to foster greater representation of associations in the municipality and their participation in decision-making, and to promote good governance in managing local affairs.

## 6.2. The commune of Krama

Recommendations are broken down according to their timescale.

### Short term

#### a) Nationally

- Support representation of offices outside the area and provide them with the necessary equipment.
- Make use of the youthful human resources available in the area.
- Promote real decentralization.

**b) Locally**

- Coordinate with various key actors to assess the previous stage.
- Clarify Develop a strategic plan for the municipality.
- Guide the use of available resources.
- Create a communication department within the municipality.
- Work to provide information that everyone can access (create a website/local newspaper).
- Benefit from the experience of neighbouring areas.

## Medium term

**a) Nationally**

- Promote and enforce the new provisions in the Communal Charter from 2008.
- Promote and enforce the new provisions in the Family Code.
- Support and boost the capabilities of civil society.
- Review the fiscal code concerning taxes imposed on local municipalities, so that they take local conditions into consideration.
- Create forums for young people.
- Create councils to represent children.

**b) Locally**

- Ongoing training for employees at the communal council.
- Support and boost the capabilities of communal councils.
- Engage unemployed manual labourers to take part in carrying out local development projects using simple technical methods.
- Provide a basic infrastructure for residents (roads, electricity, water, etc.).
- Get citizens to participate, as individuals and as institutions, in the building and monitoring process.
- Ensure transparency and fairness in the distribution of services.
- Benefit from traditional experiences of consulting on local communal affairs and develop them.

## Long term

### a) Nationally

- Review development policies in the area.
- Review the Communal Charter in a way that allows for greater participation by all key actors.
- Review the Electoral Code in a way that allows for the creation of homogeneous and competent local councils.
- Review electoral divisions in a way that allows for the creation of homogeneous electoral districts.
- Review the Political Parties Code in a way that allows for the formation of strong political parties to get out of the current Balkanized situation.
- Review the Public Liberties Code in a way that grants the power to establish associations to the Ministry of Justice or the Ministry of Social Development instead of the Ministry of the Interior.
- Review the Fiscal Code concerning taxes imposed on local municipalities so that it takes local conditions into consideration.

### b) Locally

- Ensure the participation of all groups and sectors of the community, particularly young people and women.
- Develop civil education programmes, aimed at residents in isolated areas in particular.
- Set up defined and binding standards to determine the size of electoral districts.

## 6.3. The commune of Essaouira

The recommendations in the report on the urban commune of Essaouira are as follows.

### Short term

- Prepare a socio-economic development plan.
- Set up a strict regime that allows the local commune to collect the temporary rents that are owed to it.
- Create tools to connect citizens and activists.
- Authorize the ruling administrative structure to manage human resources and communal interests.

- Promote the role of the commune secretary.
- Strengthen the consultative role of the council through every member, regardless of their political position.
- Promote the role of political parties through training and mobilization.
- Involve and strengthen the capacity of CSOs, enabling them to contribute to decision-making concerning the commune.
- Include modern technology in managing the commune's affairs.
- Approve participatory and developmental approaches to preparing, implementing and assessing the commune's budget.
- Invest in the skills of members and in their experience of commune administration.
- Set up a programme to train and strengthen the capabilities of employees and members, for their benefit.
- Make communal buildings more accessible.
- Delegate the management of some sectors (wholesale markets, stations, abattoirs).

## Medium term

### a) Infrastructure

- Rebuild the sewage network and make it accessible.
- Refurbish some residential neighbourhoods, and meet their basic needs.

### b) The social sphere

- Relocate the residents of neighbourhoods earmarked for demolition.
- Look after individuals with special needs by applying clear standards.
- Look after women and young people by creating free areas for training and coaching.

### c) Sport and culture

- Create sports and cultural spaces.
- Contribute to the training and support of sports and cultural associations.

### d) Economy

- Encourage small and medium-sized investments and encourage contractors.
- Regulate professions.
- Create commercial markets/ a weekly market.

## e) Tourism

- Organize the tourism sector and its structure.
- Monitor prices in institutions and tourism facilities.
- Create medium-sized tourism projects.

## Long term

The long-term recommendations include recommendations at the national level.

- Give broad powers to local authorities.
- Roll back the scope of traditional powers and start a new stage of judicial monitoring.
- Prepare affirmative laws and measures to increase the participation of women and young people in managing communal affairs.
- Promote the role of the provincial office for accounts and the need for provincial councils to adopt prior audits for budgets prepared by communes and municipal councils.
- Approve an administrative system focused on the results of managing local authorities.
- Give wider powers to the secretaries of communes.
- Recognize the need for local authority employees to have graduated from specialist schools and institutes of administration.
- Support the idea of genuine decentralization in drawing up the development policy for local authorities.
- Review the Communal Charter and election laws.

## 6.4. The urban commune of Martil

The recommendations fit into the following timescale.

### Short term

- Invite the urban commune to improve citizen outreach by setting up an external communication system using modern technology, to ensure that citizens are aware of the commune's activities and to publish and circulate information and documents.
- Invite the urban commune to implement and strengthen cooperation and partnerships by empowering it through skilled and specialist human resources.

- Invite associations to strengthen the capacities of their staff by setting up internal training programmes.
- Invite associations to improve their communication with citizens and their participation in providing its programmes.
- Create initiatives to raise the level of confidence of citizens in local authorities, political parties and electoral processes, by organizing forums to assess the results of the work of the current commune. Gauge their views on the new voting system, which will be implemented for the first time in the commune during the upcoming communal elections, and involve them in setting up election programmes.

## Medium term

- Through the local commune council, create a mechanism to institutionalize citizen participation (e.g. local consultative councils), build trust among them and other local actors, particularly CSOs and private sector institutions, and allow more transparency in local public policies.
- Improve coordination and cooperation between local actors, to achieve aims, avoid the waste of abilities and opportunities, and reduce disputes.
- Work to improve local development planning in Martil, like that prepared by the city's urban commune in 2006 with support from the Moroccan urban forum; prepare a strategic plan for the city with participatory processes in its preparation, approval, implementation and monitoring.
- Work to improve coordination with local actors, the local authorities and national actors (local and national programmes).
- Get the private sector to support local development programmes more effectively and with greater transparency. There must be communication regarding this between citizens and the media.
- Political parties must review their working methods and relations with citizens in order to overcome the limitations to the work they do, and to keep abreast of local affairs and improve their contribution to local decision-making.
- Provide better working conditions for the opposition on the council by enabling it to receive documents and information, and work towards including its views whenever this is in the public interest.
- CSOs must create a framework for joint work, relying on a vision that is consistent with local affairs, with the purpose of developing their capacity to influence local public policies.

## Long term

- The central authorities and in particular the Ministry of the Interior must review the legal framework regulating the work of local authorities in order to increase their powers and reduce the extent of tribal control; and to strengthen systems of remote monitoring of the decisions and activities of local authorities.
- Review the role of the provincial councils in terms of accounting issues and strengthening their powers to improve mechanisms for the remote monitoring of local authorities.
- Strengthen the legal framework that regulates local elections to ensure provisions that criminalize in clear and strong terms the use of money to buy protection and votes.
- Improve equality between the sexes in the right to political participation by raising the quota allocated to women in the next local elections; consider how to organize this and how to provide the necessary legal wording to be included in laws regulating local election processes.
- Carry out public opinion polls before making amendments that prejudice any key aspect of local democracy, such as changing the voting system or the powers of the council.

## 6.5. Proposals for an executive programme and monitoring methods

The results of the field study showed that there are shortcomings in the application of the principles of local democracy as demonstrated by the lack of a participatory programme and of a single perspective held by partners concerned with managing local affairs. A participatory strategic planning framework is needed to manage local affairs. This will require a clear programme of action built on coordination and openness between the relevant institutions, as well as public involvement.

There is no off-the-shelf, one-size-fits-all model for fostering local democracy. Developing democracy at the local level is an ongoing process that needs to be appropriate to the specific location and its stage of development. The formation of a committee of all local actors concerned with local democracy remains one of the most successful means of monitoring and measuring the progress of local democracy development. This committee should be made up of those directly concerned with local democracy, and those who work in this area on a daily basis. This will make it easier for the committee to follow and monitor the situation. This will enable regular six-monthly or annual reporting on the progress made in both representative and participatory local democracy. The committee must remain in direct contact with local citizens, given that this is a pivotal part of the democratic process as a whole.

Finally, the committee should be an independent board composed entirely of local actors, whose key task is the democratic assessment of local authorities through:

- Preparing studies on the democratic situation in the municipality.
- Suggesting solutions and alternatives to further local democracy.
- Analysing the budget based on real and qualitative estimates.
- Setting out a clear plan to support local democracy in the municipality.
- Preparing regular reports on democratic practice in the municipality.







# Local Democracy in Yemen

First Steps Towards Fully  
Fledged Local Governance





# Local Democracy in Yemen: First Steps Towards Fully Fledged Local Governance

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## 1. Introduction

The establishment of democracy and cooperatives through local councils is considered one of the achievements of the Yemeni revolution. This was confirmed in Law no. 4/2000 concerning local authorities in the Republic of Yemen, which led to the creation of local authority bodies on the basis of financial administrative decentralization, based on the principles of a specific form of decentralization that combines the appointment of some members of local authority bodies with the election of most members of the authority. This law is designed to increase public participation in decision-making, and to improve the management of local affairs in the fields of cultural, social and economic development. The full powers of these councils authorize them to propose programmes, plans and investment budgets within their local authority area, and to perform their role in implementing development plans and programmes. In order to test how successful local democracy is in practice, four Yemeni governorates were chosen in which to carry out a State of Local Democracy (SoLD) assessment. The assessment was carried out in four districts, that is, one district in each governorate. This report aims to give a realistic picture of the extent of local democracy in Yemen, to diagnose its strengths and weaknesses, and to offer recommendations to help develop and promote local democracy and democratic institutions. The aim is to create a better and more sustainable development adapted to the needs of the local community. This chapter presents the salient points of the report.

## 2. A general overview of the Republic of Yemen

This section presents a general overview of the Republic of Yemen in terms of its geography and related factors, population structure and social relations, the socio-economic and financial structure of the municipalities, and social development indicators. Understanding the local context is a key preliminary step in assessing the issues related to local democracy in Yemeni society.

## 2.1. Geography and spatial features

The Republic of Yemen is a sovereign Arab-Islamic state, with an area of 555,000 km<sup>2</sup>. Its currency is the Yemeni rial (YER). The Republic of Yemen consists of 21 governorates, including the municipality of the capital. The State of Local Democracy assessment programme was carried out in four districts of four governorates: the district of Ma'een in the municipality of the capital, Sana'a; the district of Al-Makula in the governorate of Hadhermout; the district of Al Sheikh Othman in the governorate of Aden; and the district of Al-Qahira in the governorate of Taiz.

### The capital, Sana'a

Sana'a is the capital of Yemen, and the seat of government. Historically, the city was known as 'Sam', and it is believed to have been founded in biblical times by Shem, the son of Noah. The city is famous for its ancient architecture and is a UNESCO world heritage site. It has a population of 1,747,834, distributed over 19 parliamentary electoral constituencies and 10 local districts. The district of Ma'een is located in the west of the city. It has 100 quarters and is mostly occupied of buildings of modern design. Its population is diverse, with a mix of residents from all the governorates as a result of rural to urban migration. Ma'een is a district with a high population density, which continues to increase as a result of internal migration from other governorates.

### The governorate of Taiz

The governorate of Taiz lies between the green valleys and plains that cut through the Hajariya Mountains, Mawiyah, Shara'ab and Habashi Mountain, and includes the ruins of ancient cities overlooking the Red Sea (the city of Mokha and Thabab). It is the governorate with the largest population, estimated in 2004 to be 2,393,425, and covers an area of 10,677 km<sup>2</sup>. It contains 23 local districts, 234 villages, 2200 small or sub-villages, and 14,000 *mahla* (neighbourhoods) It is divided into 39 electoral constituencies for parliamentary elections and 488 electoral districts for local elections.

The district of Al-Qahira is one of three districts in the capital of the governorate of Taiz. It contains two electoral constituencies for parliamentary elections. The district covers an area of 17 km<sup>2</sup> and has a population of 146,856, according to 2004 statistics. Of these, 76,727 are male and 70,129 are female, divided between 23,088 families. The district's population has risen by 6.6 per cent over the past 10 years. This is primarily a result of internal migration from the countryside to the city by jobseekers or for university study. The poverty rate in the district is 16 per cent. The size of the population below the age of 15 is around 58,972, the number of residents older than 65 is around 5,708.

## The governorate of Aden

The governorate of Aden is located on the coast of the Gulf of Aden, approximately 363 km from Sana'a. Since ancient times it has been famous as an important international port, and its strategic importance grew after the opening of the Suez Canal in 1869. At one time it was the second most important port in the world. To the north and the west, the governorate of Aden is bordered by the governorate of Lahij, to the east by the governorate of Abyan and to the south by the Gulf of Aden. Its coast extends from the area of Qa'awa in the west to Al-Alam in the east. The governorate covers an area of 750 km<sup>2</sup> and is divided into eight local districts. At the time of the 2004 census, the population of the governorate of Aden was around 589,419. The annual population growth rate is 3.77 per cent. Its population constitutes 3 per cent of the total population of Yemen.

The district of Al Sheikh Othman is located in the area linking the Aden Peninsula and the Little Aden Peninsula (district of Al-Bariqa). It has its main centre in the city of Al Sheikh Othman. It has a population of 117,803, of which 65,120 are male and 52,683 are female, according to 2007 estimates in the Aden *Annual Statistics Book*. At the time of the 2004 census, there were 105,333 residents, of which 58,227 were male and 46,120 were female. The SoLD report estimates that 34.9 per cent of families live below the poverty line.

## The governorate of Hadhermout

The governorate of Hadhermout is located in the eastern part of Yemen, on the coast of the Arabian Sea, around 794 km from Sana'a. The residents of the governorate make up around 5.2 per cent of the total population of the country. Hadhermout has 30 local districts spanning 193,032 km<sup>2</sup>, which makes it the largest governorate in the country by area. According to the 2004 census, it had a population of 1,028,556, and a population growth rate of 3.08 per cent per annum. Al-Mukala City, the governorate's capital, is situated on the Arabian Sea and is the biggest city in Hadhermout.

Its large area and varied climate offer different activities for its residents, from fishing and trading opportunities on the coast of the Arabian Sea, to the Ghail Bawazeer springs, the inner Hadhermout valley, and the date forests and apiaries in Douan. Historically, the population of Hadhermout has been active in the spread of Islam in Asia, particularly in South East Asia, through their trading in those areas. Hadhermout, which in ancient times was called Al-Khaisa and Bandir of Sheikh Yaqoub, is also famous for its mosques and schools, as well as the Koranic schools of Tarim, the forts and gardens of the city of Say'oun, and the skyscrapers of the city of Shabam. The district of Al-Mukala is known as the bride of the Arabian Sea, and is the capital of the governorate of Hadhermout. It is a tranquil city that has

an international airport and a seaport and tourist infrastructure. The city has three ancient quarters: Al-Mukala, Al-Sharj and Al-Dais, and new neighbourhoods in the nearby suburbs, such as Fouh Waroukab. Urban development stretches for more than 30 km over the coastline at a width of between 2 and 5 km. It has public parks and promenades on the coast, and public squares which are used for public meetings and celebrations. The city has over 210,000 residents, of whom 65 per cent are male and 38 per cent are below the age of 15. Most residents work in commerce, fishing and related industries, and professional trades. Some work in local government.

## 2.2. Demography, social structure and social relations

The census in Yemen is a relatively modern phenomenon, which began in the 1970s. Estimates prior to the census indicate that by 1950 the population of Yemen had reached 4.3 million, rising to 5.2 million in 1960, 6.3 million in 1980 and 12.2 million by 1988. The 1994 census estimated the population at 15.8 million and the most recent census, in 2004, put the population at 19.7 million.

The assessment process provided a clear picture of increasing population growth in particular districts and governorates. Local reports on the districts showed that there is considerable internal migration, in particular from the countryside to the city. In addition to what is found in Taiz, as mentioned earlier, the same situation can be found in the district of Ma'een, a district with a high population density which continues to expand as it receives many of the migrants moving within the country from neighbouring rural governorates. As a result there is a growing need for public services and programmes to match this expansion. The situation is largely the same in the districts of Al-Mukala and Al Sheikh Othman.

Internal migration from the countryside or other governorates has a huge impact on social relations in the cities. People are attracted to the city by many factors, principally stability, the availability of basic services such as education, health, electricity, water and a good infrastructure, and job opportunities in the building and tourism sectors, as well as in other commercial activities.

No religious or ethnic minorities were reported in the studies of the four districts. The report on the district of Al-Mukala showed that, except for a group of residents known as 'immigrants returning from Africa' who were originally from Hadhermout, there are no racial or religious minorities in the city. The remainder of the dwindling Indian community has naturally integrated into the community and no longer constitutes a separate ethnic group. Nor do they have specific needs of their own. The report for the district of Al Sheikh Othman confirmed the same situation, showing that there is a high level of racial and religious homogeneity in the district and thus no need to consider the needs of minorities. There are few disputes, conflicts or

clashes between residents in the district, and there appear to be neither privileged nor oppressed minorities, nor rich and privileged elites. However, disputes that disturb the peace do occur, especially over land ownership, and can sometimes turn violent, particularly when proceedings in the relevant courts are slow and complicated or favour one party over another.

Although all citizens were reported to be of the same race and religion in the district of Al-Qahira in Taiz, there is a group of residents from the marginalized 'Akhdam' group. There are also some people from this social group in the district of Ma'een, thought to number around 6000. The Akhdam are not marginalized by the government or the law, but they do suffer from social and class marginalization as well as isolation as they have different physiological characteristics to other population groups. Their features are closer to African features. They are considered inferior by Yemeni society, hence their marginalization. The government, some civil society organizations (CSOs) and some international organizations have in recent years set up programmes to include them in society, but this group has no access to the corridors of power. This does not, however, mean that there are serious disputes or conflicts, and the Yemeni Constitution stipulates the equality of citizens in rights and duties, without discrimination or exclusion. This group now has its own local organizations and rights associations, and is involved in political parties. According to a 2007 report on human rights and democracy in Yemen by the Yemeni Observatory for Human Rights, the Akhdam population is estimated at around 800,000, and is spread throughout Yemen. They typically live in small houses and huts built from tin sheets in isolated neighbourhoods and parts of cities.

### 2.3. Municipal socio-economic and financial base

#### Employment and commerce

The local reports state that there is diversity in the types of job and profession held in the districts in which the assessment was carried out, such as trade, industry, fishing and specific professional occupations. The report on the district of Al-Qahira refers to the most important economic and commercial activities of the district, such as the import and export trade, wholesale and retail, contracting, real estate offices for the purchase and sale of land and buildings, gold trading, banking and treasury work, food, the handicraft and leatherwork industries, the manufacture of doors and windows, embroidery, antiques and *jambiya* daggers, and various service-based activities. In Al-Qahira, the commercial sector holds sway over all other economic activities, and subsequently has an effect on the division of the local community between rich and poor.

The report for the district of Al Sheikh Othman in Aden shows that there the

focus is on the commercial wholesale and retail sector. There are also some small laboratories, workshops, and markets, all of which are licensed to practise their trade by the district administration. The report for the district of Ma'een mentions a variety of economic activities for its residents, as the district is located in the capital city and has a high population density. Many migrants from other governorates also live there.

In the district of Ma'een, there are about nine large official markets for different trades, such as *qat* souks,<sup>xi</sup> fairs, centres, commercial banks, restaurants, hotels, and telephone and Internet shops. In terms of industry, there are a number of factories manufacturing cement and gneiss bricks, commonly used in Yemen, and crushers. The Shemlan factory produces bottled mineral water. In the district of Al-Mukala, on the Arabian Sea, the fishing industry is the most important economic sector in the city, providing economic activity ranging from fishing, marketing and refrigeration to manufacturing and export. There is also a commercial sector and a public sector.

## Poverty and living standards

With respect to the standard of living, a very large proportion of Yemenis can be classified as poor, defined as having insufficient income to meet a minimum set of basic human needs, such as food, shelter and health care. United Nations reports have shown that the percentage of Yemenis living below the poverty line is increasing, and that this is particularly prevalent in rural areas. A United Nations Development Programme (UNDP) report on food prices in Yemen stated that the percentage of poor people who are unable to meet their nutritional needs had risen to 20 per cent since January 2007. At the same time, the percentage of Yemenis living below the poverty line had increased to 54 per cent. This rise reversed all the gains made in reducing poverty in the period between 1998 and 2006.

Poverty in Yemen may be considered one of the biggest challenges to its socio-economic development. It has consequently become a key focus area for the government, civil society and donors. Poverty is no longer limited to a lack of income, but now includes further dimensions such as access to education, health care and other basic social services. Poverty in Yemen is closely linked to poor economic performance and specifically the internal and foreign challenges that the economy faced in the first half of the 1990s. This led to a series of economic difficulties, including the lack of a public sector budget, a negative balance of payments, high inflation, a decline in foreign currency reserves and a decline in the purchasing value of the national currency, in addition to administrative and organizational disorder. In addition, the rate of population growth, at around 3.7 per cent, is one of the highest in the world. There was no improvement in the poverty rate until 2000, when it fell to 53.5 per cent, which is still considered very high. According to specialist international organizations, Yemenis are among the poorest people in the world. Yemen is ranked among the 30 poorest countries in the world.



## Crime

The prevalence of crime varies from one district to another. In the report for the district of Al-Qahira, the number of cases recorded by the different authorities varied. The security administration responsible for statistics reported 160 cases, whereas the district security administration reported 120 cases. The difference in crime statistics is explained by the fact that police stations send information directly to the security administration for the governorate without submitting it to the district security administration, as there are no statistics departments in the districts. The role of local authorities in dispute management is limited to referring disputes to the competent judicial authorities.

A rate of less than one violent crime per 1000 citizens was recorded in the four areas studied. There were cases of murder, manslaughter due to the mishandling of weapons, theft, coercion and various assaults. Human rights organizations monitor cases of murder, manslaughter and attacks on human rights, in addition to the officially reported cases. In Taiz, 424 corruption cases were reported to the public prosecutor in the past three years. Judgements or decisions were made in 358 of these cases, and 66 cases have been postponed.

The district of Al Sheikh Othman report mentioned that the study team encountered real difficulties in obtaining accurate and disaggregated information on rates for violent crime, domestic violence, human rights violations and political violence. Officials argued that for reasons of confidentiality this information should not be made available or circulated beyond its authorized scope. Nonetheless, through in-depth research the study team derived the information set out in Table 5.1.

**Table 5.1.** Crime statistics for the district of Al Sheikh Othman in Yemen

Type of crime	No. of cases	Type of crime	No. of cases	Comments
Minor deliberate offences	126	Attempted murder	9	At the city police station only
Murder	2	Cases of theft	37	
Injuring pedestrians	47	Drinking alcohol	75	
Road accidents	82	Rape	5	
Adultery	2	Accidental injury	2	
Indecency	2	Domestic violence	18	
Theft of public funds	4	Theft by coercion	3	
Pickpocketing and theft	11	Fraud	13	

*Source:* Criminal Research Department, the governorate of Aden.

The crime statistics for 2007 in the report for the district of Al-Mukala are shown in Table 5.2.

**Table 5.2.** Crime statistics for the district of Al-Mukala in Yemen

No.	Type of crime or offence	No.
1	Murder	-
2	Attempted murder	1
3	Theft	370
4	Rape	4
5	Damage to public property	18
6	Deceit and fraud	29
7	Resisting the authorities	5
8	Attacks on land	68
9	Threats	25
10	Attacking a citizen	15

According to the crime statistics for Yemen, firearms were the main weapons used in criminal acts in 2008. Firearms were used to carry out more than 6000 crimes in the different Yemeni governorates. The large increase in the prevalence of weapons in Yemen is worth noting. Government efforts to curtail the widespread practice of carrying arms in cities include the passing of a law that bans the bearing of arms, and initiatives such the Interior Ministry's arms buy-back scheme. However, there is clearly an urgent need to raise awareness about the dangers of carrying weapons and its consequences.

### Local authority finance

With respect to local authority budgets and the level of funding, measures for the preparation of plans and local budgets are regulated by the Local Authorities Act no. 4/2000 and its executive schedule, along with the financial schedule for local authorities and its amendments. Article 129 of the Act and article 246 of the executive schedule stipulate that each administrative unit must have an independent annual budget and plan appropriately to cover anticipated income and expenditure for the financial year. The articles also set out measures for the preparation of draft budgets for administrative units. For example, the assessment team in the district of Al-Qahira in Taiz set out the district's resources and income for 2007 as follows.

- Local income from funds that are collected in the districts: 27 different types generate up to YER 105,245,925.
- Central support, that is, the central financial support allocated annually to the district: around YER 29,706,236.
- Joint public resources, which are levied and raised centrally in the name of cooperation for local councils and local development funds: around YER 4,703,886.
- Joint resources, which are resources raised in districts for the benefit of the whole governorate: 28 types, of which the district gets a 25 per cent share of around YER 67,146,403.

The report for the district of Al-Mukala in Hadhramout stated that the annual budget for the district is a combination of local income, joint income, joint public income and central support. However, the level of central support given to the district by central government is low in comparison with the local and joint income that the district receives directly. There is a significant difference between the amounts received and the actual income earmarked for the council. The district's low level of income is due to the absence of a clear policy on collecting revenues, in accordance with the provisions of the Local Authority Act and the Cabinet Decree. The local councils' annual conference considered the problem of poor income collection and resolved to give local tax and revenue collectors 5 per cent of the amounts they collect as an incentive to collect more funds. However, this resolution has yet to be implemented. According to the investment programme for the district of Al-Mukala, the cost of projects in 2008 was YER 422,419,000, distributed between different service sectors.

## 2.4. Social development indicators

The socio-economic and development indicators for Yemen examined in the four reports found the following.

### Unemployment and poverty

Academic research and statistics estimate that the unemployment rate in Yemen in 2008 was between 27 per cent and 35 per cent of the workforce. The percentage of families living below the poverty line was 34.9 per cent. A survey carried out by the World Food Programme (WFP) in mid-2008 on the effect of rising food prices on poor families in Yemen stated that these families have to spend 65 per cent of their income on food. A 2006 WFP report stated that Yemen is suffering from a high rate of food insecurity, and that over one-third of the population suffers from chronic malnutrition. According to this report, the number of people suffering from hunger rose from 4.2 million in 1990–1992 to 7.1 million in 2001–2003. The percentage of

people suffering from malnutrition rose from 34 per cent to 37 per cent over the same period.

### Infant mortality rates

A report issued by the Rights, Freedoms and Civil Society Organization Committee of the Consultative Council showed that the infant mortality rate (of children aged under five) has risen to 100 deaths per 1000 births. According to the report, this is one of the highest rates in the world. The report states that only half of children in Yemen are able to access health services (children under 15 constitute 45.7% of the total population of Yemen).

Yemen was more recently ranked 43rd out of 130 countries in terms of the increase in infant mortality in children under five, with a rate of 111 deaths per 1000 live births. In a 2006 UNICEF report on the state of children in Yemen, the infant mortality rate was 82 deaths per 1000 live births. The number of live births in 2004 was 826,000. It follows from this that the number of deaths of children under five was between 67,700 and 91,700.

### The rise of illiteracy in society

A report prepared by the Supreme Council for Educational Planning showed that the number of illiterate people aged 15 and over was 5.5 million, of which 67.1 per cent were women. It also showed that most illiterate people live in rural areas. The report ascribed this to several reasons, the main ones being poor services in the countryside, a lack of enforcement of basic compulsory education, the spread of poverty among women, particularly in the countryside, the limited number of centres to eradicate illiteracy, the limited amount of financial resources approved for this purpose, the failure to promote strategic programmes with specific time frames, and the absence of an effective role for the media role in raising awareness.

## 3. Representative democracy

This section presents an assessment of the state of representative democracy in Yemeni society by examining the national and legal framework, the electoral system and its performance, the system of political parties, elected representatives, election administration, voter involvement, citizen views on democracy, services provided and the economic situation.

### 3.1. National and legal frameworks

Local elections are organized every four years pursuant to article 13 of the Local Authority Act. This was amended to every three years under Law no. 25/2002.

Parliamentary elections are organized every six years, and presidential elections every seven years according to legislation. However, the terms of the first elected local councils were extended to six years for the period 2001–2006. Moreover, the current term of the local councils elected in 2006 was recently extended for four additional years, as it was decided that local elections should be held to coincide with parliamentary elections, which were recently postponed for a period of two years.

The constitutional provisions that govern the organizational structure of local democracy and elections are contained in article 146, which stipulates the following: ‘Administrative units have legal personality. They may have elected local councils which are elected freely, directly and equally at the level of the governorate and the district. The law determines the manner of the nomination and election of local councils, their system of work, financial resources and the rights and obligations of their members’. There are no electoral laws that provide for the representation of women, such as allocating them seats or using a closed list system, despite demands to this effect from women’s unions and a number of CSOs. There are no laws to raise the levels of representation of less advantaged groups, such as those with special needs or young people. Nor are there any measures aimed at ensuring their equal participation in local governance institutions. The constitution provides for equality between citizens: ‘All citizens are equal in public rights and duties’. Everyone may participate, and whoever obtains a majority is the winner. Generally speaking, political parties do not nominate women, young people or those with special needs. The General People’s Congress Party and the Socialist Party have put women forward for elected councils, however, albeit within a limited scope. In the light of this situation, there is a need for laws to compel parties to have women represented as candidates and in elected councils. CSOs also need to spread awareness among citizens of the importance of the role of women in elected councils, and women must put themselves forward for election and demand their rights, provided these are not excluded by law.

The position of the law on naturalized foreigners voting in local elections is regulated by article 3 of the Elections Code, which stipulates: ‘Each citizen who has reached the age of 18 has the right to vote, with the exception of naturalized persons who have not completed the legally stipulated period following their acquisition of Yemeni nationality’.

Election disputes are initially dealt with through agreement and conciliation. If this is not possible, the courts decide the matter. The Taiz report mentions that electoral disputes have not been referred to the courts. Electoral disputes that arose during local elections concerned the electoral district, individuals voting in locations other than their assigned polling centre, registration-related disputes—such as repeated voter registration and the registration of minors—the registration of some citizens

outside of their electoral district, disputes related to ballot papers and examination procedures (not clearly marked, or marks given for more than one candidate) or votes being cast on behalf of an absent or deceased person. The report for the district of Al Sheikh Othman mentioned that some election disputes were dealt with in court. Some political party leaders participating in the elections mentioned problems concerning the registration of some soldiers at centres outside their electoral district, with the intention of influencing the majority in some districts, and problems concerning the registration of minors in some electoral registers, as well as attempts to forge votes. All these issues were resolved through the courts or the intervention of local and international observers. The Electoral Code stipulates the procedures for bringing appeals and complaints, the authority which will hear the issue, and the time period within which it must be brought and heard.

### 3.2. Electoral system design and performance

The local authority system divides Yemen administratively into 21 governorates, including the municipality of the capital and the governorate of Raymah, which were created in 2004. The governorates are divided into 333 local districts, which are further divided into 2200 neighbourhoods and quarters, in addition to 36,986 villages and 91,489 small villages and hamlets. There are also 5620 local electoral districts, or 'polling centres'. Each polling centre has a number of ballot boxes specifically for men and others specifically for women, with around 350 to 500 voters for each box to reduce crowding on polling day. Yemen has 301 parliamentary election constituencies.

The electoral system used for local elections is the First Past The Post system. This system gives priority to the larger political parties in that they win most of the seats at the expense of smaller parties. Smaller political parties are underrepresented and unable to win any seats. Some parties call for the electoral system to be changed. Others argue that the level of awareness of voters, their confidence in programmes, the level of services provided and party credibility are more significant factors.

Many of those interviewed stated that the boundary overlaps between local and parliamentary wards had created a number of problems, and also a lot of confusion for voters. Voters may, for example, go to vote for candidates in other districts, even during the parliamentary election. There is a need to review the division of voters into electoral wards in the local councils.

The electoral system is still a subject of discussion between the ruling General People's Congress Party and the opposition grouped into the so-called Joint Meeting Parties. The opposition is demanding the use of proportional representation, and this has led to a delay of two years in both the local and parliamentary elections.

### 3.3. The system of political parties

The constitution refers to the Yemeni political system as being based on political and party plurality for the purpose of a peaceful and mutual exchange of power. The Political Party and Organizations Act determines the necessary rules and procedures to form political parties and organizations and to carry out political activity, as well as the obligations that parties must meet to register. Statistics show that 46 political parties were established within a few months of reunification. Given the tensions that arose between the People's Congress Party and the Socialist Party (partners in power at the time), the law was not implemented until the law's executive schedule was issued after the civil war in 1994. Pursuant to it, a political parties and organizations committee was formed in 1995. This compelled all parties to be registered. There are currently 22 registered political parties that take part in local election campaigns: the General People's Congress Party, the Yemeni Congregation for Reform Party, the Yemeni Socialist Party, the People's Nasserite Unionist Organization, the Arab Socialist Baath Party, the National Arab Baath Party, Al Haq Party, the Federation of Popular Forces Party, the Nasserite Democratic Party, the People's Nasserite Reformation Party, the National Democratic Front, the League of the Sons of Yemen, the Yemen League Party, the National Social Party, the Democratic Union of Popular Forces, the Unionist Popular Liberation Party, the Liberation Front Party, the People's Democratic Party, the Popular Unity Party, the Yemeni Unionist Congregation, the Democratic September Organization Party and the Green Party.

Some of these parties are rivals in elections, whether presidential, parliamentary or local. Local elections often receive a lot of interest from political parties, which make promises to voters in order to secure their votes. This matter was raised during the local democracy field assessment, particularly regarding the basic manifestos of each of the main parties. The majority of responses showed that most manifestos focus on: improving education, expanding vocational educational, reducing poverty and unemployment, dealing with the water crisis, interest in health services and granting more powers to local councils. These issues are common across manifestos due to their importance to citizens.

In their visions for local administration, the political parties are largely consistent. All political parties confirm the need to extend the financial and administrative powers of local councils to enable them to manage the development of services and local affairs, and all insist that heads of governorates and districts should be elected. On 17 May 2008, governors were elected through an electoral board made up of all members of local councils in the governorates and districts, as well as the heads of local councils in districts. Subsequently, amendments were made to some articles of the Local Authority Act, and it was this matter that led the opposition parties to boycott such elections, as they feel that governors must be directly elected by citizens.

The principles that govern the local funding of political parties are defined in article 17 of the Parties Act, which sets out the sources of funding for political parties. The resources of political parties and organizations consist of:

- a. Contributions and donations from their members
- b. Aid allocated by the state
- c. Income from investments of funds in non-commercial fields (under this article, investing the party or organization's funds in publishing newspapers, or running a publishing house or printing works is not considered commercial if the main aim is to serve the purposes of the political party or organization.)
- d. Gifts and donations.

The internal democracy of political parties is subject to their statutes and internal rules. There are variations between different parties. The assessment showed that this matter may also vary from one governorate to another. The report for the district of Al-Mukala states that there was a difference between political parties in the city and their relationship to the leaders of the central organization in Sana'a, with respect to the level of subordination and independence in their political positions in the city, and in the governorate in particular. This difference is reflected in the management of their affairs, in the amount of democratic freedom within local organizations, and subsequently in the performance of the local management of public services and elected local councils.

The report for the district of Al-Qahira in Taiz states that the People's Congress and the Nasserite and Socialist parties nominate their candidates by secret ballot, the candidate receiving the most votes being approved to represent the party in elections. Some people believe that candidates are nominated based on their popularity and influence. For independent candidates, much depends on their popularity and ability to compete. Some respondents stated that party officials at the national level were involved in approving or vetoing candidates chosen locally, but the majority said that there was no interference by the central party leaders in this matter and this was confirmed by interviews with party candidates. The candidate assessment process and decision-making as to their suitability for nomination by political parties can also take place through local referendums in the districts, which are designed to find out how popular a potential candidate is and how acceptable their conduct and dealings with others are.

The Al Sheikh Othman report states that democratic political parties practise internal democracy by voting for their members in the various party secretariats, as well as for the party leader. Members are nominated for both national and local elections. Figure 5.1 shows how Al Sheikh Othman candidates are chosen for local elections.



**Table 5.3. How candidates are chosen for local elections in Al Sheikh Othman, Yemen**

Subject	Responses by the leaders of opposition parties taking part in elections	Responses from members of the elected local council
How to choose candidates for local elections	According to popularity, suitability and ability	By sitting with the heads of centres and consulting people in society and cultural meetings
Is there a role for the national level in making the selection?	Yes, candidates are presented to the senior leadership for their approval, and any objection to nominees based on good reasons is considered	This is done through consultation with officials and supervisors (on a national level)
Principles of funding parties locally	Party funding is centralized and not local	There is no government funding, it is dependent on the party's ability

In general, it may be said that the choice of candidates for local or parliamentary elections varies from one party to the other based on their statutes, as well as their own internal and contextual considerations. The composition of the party leadership, on the other hand, is decided at party conferences, which are held locally and nationally, and at the party's general conference, at which the party leader and senior leadership are chosen.

Some people believe that the party system has no effect on the performance of the local council leader in the district, as he is appointed centrally by the government, by the majority party, and must consequently implement his party's policies and instructions. In addition, as the local council has its own system, based on the Local Authority Act and its executive schedules, it has little influence on the performance of the local council leader. Other respondents feel that there is a gap between the appointed council leader and the elected members who want to achieve development in the district. At the same time, others believe that the relationship is based on monitoring by the party of the work of the local council leader, by representatives in the local council. Any deviation or mistake made by the local council is corrected

during its regular meetings.

### 3.4. Women's political participation

Women have a good presence in Yemeni public life, even if on many occasions this presence does not reach the level sought by women and CSOs working on women's issues. However, a quick overview of women's political participation shows us that it has significantly declined. In 1990, there were 11 women in parliament, whereas by 2003 this number had fallen to just one. Controversy abounds on the issue of allocating specific seats to women, that is, implementing a quota system. There were 22 women candidates in the local council elections for governorates in 2006, and 125 women candidates in the local council elections for districts. Women won seven seats in the governorates and 31 seats in the districts.

In Al-Qahira, one woman was nominated among 26 candidates in 2001 and 2006. She was a member of the General People's Congress Party. In the governorate of Taiz, there are six female local council members in rural and urban districts, representing the General People's Congress Party. In the district of Al Sheikh Othman, the current council has 26 members, but only one woman (from the Congress Party). The number of male candidates outnumbers women, who represent no more than 5 per cent of candidates. There are no women in leadership positions in any of the political parties. In the district of Ma'een, one female candidate was put forward for the Green Party but she was unsuccessful. The local district council in the district of Al-Mukala in Hadhermout has 26 male members, in addition to the head of the council. The 26 seats are divided as follows: 14 members from the Yemeni Congregation for Reform Party bloc, seven members from the Congress Party bloc and five independent members. A total of 79 candidates competed during the last elections, including only one woman who was unsuccessful.

Most of the women encountered during the assessment process stated that the low levels of women's political participation are a result of a number of factors, such as perceptions of a woman's role in society, how families perceive women who work for political parties and women's economic status. For these reasons, allocating seats to women would be a positive measure, as it would give them a greater opportunity to take part in decision-making.

### 3.5. Elected local officials

The local district council has a leader and a general secretary. The latter is elected by council members, whereas the former, the unelected head of an elected council, is appointed by a cabinet decree based on the nomination of the local authorities minister. There are conditions stipulated in article 83 of Local Authority Act no. 4/2000 and article 72 of the executive schedule of the law that have to be met when

appointing the general secretary of the district. In some cases, these conditions are not complied with. The relationship between the elected local council and its appointed leader is governed by the Local Authority Act and by the executive schedule of the powers of the local council and the powers of its leader. The law clarifies that the leader of the local council exercises his powers and duties under the supervision of the local council. He is responsible to the local council for the exercise of his duties and powers, according to articles 70 and 190 of the executive schedule of the Local Authority Act.

With respect to the powers of the local council concerning the monitoring of executive bodies, and in accordance with the law and its schedule, the council is responsible for monitoring and supervising the work of executive bodies, and has the right to question and hold the leaders of executive bodies to account and to withdraw confidence from them. When it meets about the progress of the work of these executive bodies, the administrative board must submit a detailed report to the council setting out the positive and negative aspects, and the measures taken to resolve problems. The council also has the ability to investigate and obtain information about the work of executive bodies, through monthly reports and specialist committee reports, as well as through the committees created by the local council for fieldwork, in order to see how service-based works are progressing. However, the power to appoint, dismiss and promote administrative employees in local authorities is not subject to the powers of elected councils, as employees are directly managed by and accountable to the Civil Service Ministry.

It is worth noting that local councils in the governorates have powers to monitor the implementation of policies and measures in order to recruit staff for local administrative bodies within the governorate, although the implementation of policies and employment fall under the power of the civil service bureaux in the governorates. These bureaux work under the supervision and monitoring of local councils in the governorates. The Civil Service Ministry is responsible for monitoring their performance. According to the Local Authority Act, the leader of the district is the direct head of all civil servants working in the district, with respect to the performance of their work, duties and obligations. S/he has the authority to propose their appointment, transfer and promotion, to refer them for investigation or disciplinary action, and to administer fines, in accordance with the provisions of the law and the regulations in force. The power to appoint employees at the level of the whole governorate belongs to the governor, according to the provisions of article 43 of the Act.

### 3.6. Election management

The constitution stipulates that an unbiased and independent supreme committee is

responsible for managing and monitoring general elections and polls. Article 19 of the Electoral Code stipulates that the Supreme Committee for Elections will have nine members, who are appointed by a decree of the president of the republic from a list of 15 names nominated by a majority of two-thirds of the members of the House of Representatives. The members of the supreme committee must be independent in order to ensure impartiality. In turn, the committee creates supervisory councils in the governorates, main committees in the districts, and secondary committees and voting committees in electoral districts and centres, according to the powers granted to it by law to form and monitor committees.

During the local democracy assessment exercise, responses varied regarding the management of local elections by the Supreme Committee for Elections and polls during the election process at the local level, with respect to the first stage, registering voters, and to the second stage, nominating, voting, raising voter awareness and approving election results. Some respondents felt that these committees are made up of political parties and merely perform the role asked of them. There have been occurrences of the registration of minors on the electoral registers, or of voters from outside the electoral district. This is a general problem in all districts of Yemen, and one of the points of dispute between different parts of the political spectrum. Some respondents feel that any faults in the electoral register are due to the political parties and their representatives on the committees. Recently, the Supreme Committee for Elections set up committees of teachers to deal with the registration process after some parties (the opposition bloc Joint Meeting Parties) refused to hand over the names of their candidates to committees. However, this move caused a level of dissatisfaction in political circles. Through a television interview with one of its members, the supreme committee stated that members of the committees made up of teachers often breached the law with regard to the registration of minors and repeated registration. Around 165,000 people have been registered in breach of the law by such committees.

### 3.7. Voter participation

The spread of new ideas about democracy has led to an increase in the rate of participation in elections. According to statistics, the number of those eligible to vote or registered on the electoral registers was around 9.25 million in 2006, of which around 5.35 million were male and 3.9 million were female. The Supreme Committee for Elections is responsible for raising voter awareness, as stipulated in law, and it provides information on the importance of elections, how to vote and the importance of registering to vote. This information is disseminated through television, radio, the official press and theatres. Some CSOs also take part in raising citizens' awareness through posters and meetings, and political parties also play a part by competing to hold meetings with citizens. Special measures are taken by political parties to help voters with special needs to exercise their right to vote, including the elderly and the physically disabled, such as facilitating their

transport to polling stations and their participation in the voting process. There are also teams to welcome voters and help them with the voting process.

One of the tasks of election management is selecting suitable locations at which the greatest number of voters can easily participate. The Elections and Referendum Law takes into consideration the special needs of blind people and of the illiterate. Article 100(b) stipulates that the disabled, the blind or those unable to distinguish between signs or point them out may seek the help of a voter they trust to register their vote on the ballot paper. This is with respect to secret ballots, when the head of the committee hands each voter a ballot card for them to register their vote in secret behind a curtain set up for this purpose in the election hall. The voter then puts the ballot card in the ballot box in front of the chair of the committee, its members and the candidates or their representatives, without any of them being able to see how it has been marked.

The law is designed to ensure that the correct procedures are followed so that everyone has the right to take part in the electoral process on an equal footing and without discrimination. Each citizen whose name is registered on the electoral list and who has a polling card, an ID card, or an official document bearing their picture and which establishes their identity, is entitled to vote and elect whoever they believe is suitable. The law also sets out penalties for anyone preventing a citizen from exercising this constitutional and legal right. It is worth mentioning here that the law has made the issue of registering and voting in elections an optional rather than a compulsory matter.

With reference to participation in the local election process and the number of individuals registered on the electoral register, the report for the district of Al-Qahira in Taiz states that there were 75,145 people on the electoral register for the local elections in 2006. The total number of voters was 44,755, that is, nearly 60 per cent of those registered to vote. The number of people aged over 18 and eligible to vote in 2006 was 87,288. Consequently, the proportion of voters to those eligible to vote was 51.2 per cent. The participation rate in parliamentary elections in 2003 was 75 per cent of total registered voters, a difference of 16 per cent from the participation rate in the most recent local elections. This is in spite of the rise in the number of people registered in 2006 on the previous election. The difference in the participation rate between male and female voters in the local elections was 6.54 per cent, with a higher rate of male participation. The women's participation rate has remained constant for many years, which calls for awareness-raising among women and in society at large with respect to the importance of the role of women in political participation and decision-making.

The report for the district of Al Sheikh Othman states that the number of persons

both eligible and registered, according to the local council's statistics for 2006, was 38,662, of which 22,071 were men and 16,591 women. Of these, 20,639 voted: a turnout of 53 per cent. This rate is largely similar to the participation rate in national elections. There are no specific statistics for the number of men and women voting. This is a clear shortcoming in the local council's statistics for 2006. In the district of Al-Mukala, the report states that according to the list of voters registered in 2006, there were 84,000 voters in the city. An 8 per cent rise was noted in the number of registered voters compared to those registered in 2002. The report for the district of Ma'een stated that the number of people registered on the electoral register was 112,055, of which 71,361 were men and 40,694 women.

## 4. Participatory democracy

This section assesses the state of participatory democracy with respect to the local authorities, civil society, the private sector, the international community, the media and methods of citizen outreach and citizens' initiatives and polls.

### 4.1. Local authorities and participatory democracy

Opening up the workings of government to citizens is a key feature of improving public participation. However, this is not common in Yemen, where local council sessions are still closed, council discussions are rarely publicized, and sessions of the House of Representatives have only recently been televised. In general, the relationship between the voting public and local councillors is weak, with poor communication regarding the council's meetings, activities, programmes and policies. There are occasional meetings between individual members of the elected council and the public, or some forms of communication at gatherings (*qat* parties) or through public programmes on the radio and television. Citizens communicate their views on matters concerning local administration by communicating with the member who represents them in their local district, going to the headquarters of the local council, and other unofficial interactions between members of the council and citizens, such as through the press.

In terms of council documentation, citizens can view the Local Authority Act and resolutions passed at council sessions through various traditional media. In governorates and districts, there are very few websites for local councils to communicate with citizens. The local council's powers are limited to monitoring the implementation of employment policies and ensuring that they are carried out properly. The process of recruiting employees is carried out by the civil service office in the governorate, under the supervision of the local council for the governorate. The results of the selection of candidates for posts are announced in the official press.

Citizens are also allowed to view documents concerning the local authorities such as those related to geographic, physical, population, economic and social data, and those that are in the public interest, including plans and budgets for public projects. There are also documents that the administration keeps confidential or which are not made available for public scrutiny. The rules and regulations enforced by the local authority to ensure transparency in the discussion and approval of the local budget apply solely to the local council, and limit it to obtaining regular reports about the level of budget implementation.

Rules and regulations enforced by the local authority to ensure transparency in the general decision-making process, and other processes concerning tenders and purchase agreements, are outlined in the executive schedule of the Local Authority Act and the Tenders Act. This is done by establishing what the project is, setting up a feasibility study and then announcing it in the press for three days, and determining all terms and the time and place of the ‘opening of the envelopes’ by the tender committee, in the presence of bidding contractors and the manager responsible for receiving offers. The technical evaluation committee then considers the offers and makes a decision. The contractor whose offer is accepted must inspect the project site before signing the contract. The contract is then signed by the head of the local council and a committee is formed to hand over the site to the contractor.

With regard to the rules and procedures for receiving and dealing with the concerns and complaints of citizens about municipal services and other local authority duties, there are no specific complaints departments for citizens or complaint boxes. Nor are complaints recorded in special registers. Instead, they are referred to those concerned to deal with according to their powers, and depending on their importance. There are a large number of complaints and it is therefore difficult to list them all.

## 4.2. Civil society, the private sector, the international community and the media

As part of the assessment of participatory democracy, the research team analysed the level of partnership and cooperation between local officials and CSOs, and political party leaders and the private sector. A key element of the success of a local authority in managing its community and ensuring its progress is its ability to effectively partner and cooperate with a varied team of actors and bodies. In Yemen there are over 6000 CSOs and associations. They contribute within specified boundaries alongside the local authorities in drawing up and implementing local policies. However, they do not interfere in the assessment of the local authority’s general policies, and the extent of their participation is delimited by the local authority. Most CSOs focus mainly on charity work, such as helping the poor and funding small projects. At the same time, a small number are active in areas such as the protection of human rights, and

awareness-raising, education and training.

In terms of private sector partnerships, the study found no real or permanent partnerships with local authorities with the aim of contributing to providing services or meeting citizens' needs. However, the private sector may sometimes contribute towards building a school, setting up a university, repairing classrooms, or coordinating the distribution of aid to the poor during Ramadan. In reality, however, although private sector involvement is praised and welcomed by both the government and the people, it remains minimal and is somewhat lacking in organization.

Partnerships between a local authority and CSOs aimed at contributing to providing services or meeting citizens' needs are almost non-existent, with the exception of a few charities set up in coordination with the local authority to distribute aid to poor families during Ramadan or, for example, at the beginning of the school year. Again, this cooperation is officially encouraged and welcomed, but the process of distributing this aid is sometimes criticized as being ineffective and poorly managed.

There are no private sector companies providing water or electricity. On the whole, public services have yet to be privatized and are provided by the state. The report on the district of Al-Mukala found that the private sector plays a major role in development by creating job opportunities through industrial and commercial projects, and in the contracting sector. The private sector also contributes to sustainable development by supporting civil society institutions. It has provided support for the health and education sectors, and played a prominent role in dealing with the flood disaster that affected the city in October 2008, through the local aid committee which was set up by the chamber of commerce. Emigrants are also considered to be central to the city's development, through the role they play in charitable associations and bodies, and the support they provide to educational and health institutions, which train students, and fund training, qualification centres and model schools in the city. Investors mainly support local development projects through the local or central authorities in the governorate. The private sector, however, complains that the local authorities restrict private sector involvement in trade, cleaning services and the provision of water and electricity. There are also constant complaints about the random imposition of taxes and fees, and the bureaucracy in state departments.

It is clear that local authorities should support and encourage investment programmes, and create bridges of cooperation and trust between them and the private sector. Such partnerships would benefit citizens and also contribute to reducing the costs borne by the local authority.

In terms of local authorities' relationships with non-governmental organizations (NGOs), meetings are held to improve cooperation and partnerships with the local authority, although these are not held regularly. NGOs carry out numerous



social activities, particularly for women and children, but there do not seem to be clear programmes on which they can coordinate with the local authority, especially concerning disputes which may lead to violence. In sum, it may be said that real development, the improvement of society and overcoming its problems cannot be brought about without joint efforts of all social actors. This necessitates contributions from and full partnerships between the three main actors: the state and its institutions, including local authorities; CSOs and NGOs; and the private sector. Most of the activities of international organizations are focused on the capital, although this does not mean that their activities do not reach other governorates as there are many organizations that continue to work actively in more than one field, and in more than one area of Yemen.

In terms of media involvement, there are 162 print media outlets in the country, according to a report in the official *Al-Jamburiyya* newspaper's democracy supplement in June 2008. These fall into three groups: state-run newspapers, principally *Al-Thawra*, *Al-Jamburiyya* and *14 October*, party political newspapers and independent local newspapers. There are also the official state radio and television stations. The law does not allow the private ownership of audio-visual media. The local press has a great degree of independence at the margins and is consequently seen by citizens as the main source of accurate news. The local press is able to criticize the government as the editors of these newspapers are independent of the government authorities and their media. The local press also plays a key role in allowing citizens to voice their complaints to various government bodies. Each local newspaper allocates a special page for complaints and criticisms of the authorities, although local authorities rarely respond to such complaints.

### 4.3. Forms and methods of citizen outreach

One way of providing public information to citizens is by the distribution of printed materials, such as newsletters, periodicals, and so on. Most of the local council members interviewed during the assessment stated that this method is used one to three times a year, although some stated that these methods are not used at all. Some administrative bodies in local councils have direct contact with the public through regular meetings, in the media and on opinion programmes on the local radio. A number of citizens stated that they use one of these methods between one and three times a year, others commented that they used it more than three times, but some said that they did not use this method at all.

Other means of communication used by local authorities and mentioned by respondents include holding public fairs, mentioned only in the governorate of Aden, and the use of scheduled programmes in the local media. The use of communication with the public via email and the Internet varied between occasional use and no use.

Other means of communication were also mentioned such as unofficial meetings with citizens, but there were no detailed statistics on their frequency. With respect to consulting the public on local matters, some local authority members said they use consultative meetings once to three times a year, whereas others said that they do not use them. Some members said that they do not use social gatherings, whereas some in Taiz said that they had used them one to three times a year, and the answer was seven times in Aden. Most people agreed that they do not use referendums, although some said that they have used them one to three times. The methods by which the public contributes to decision-making can be summarized as follows: (a) focus groups on specific issues: most said that they do not use them although some said that they had used them one to three times; (b) public workshops: some said they had used them one to three times, whereas others said that they had not used them; and (c) other methods, such as carrying out studies or surveys to determine public opinion: most said that they did not use them.

## Citizen outreach

This section analyses the partnership between local officials and civil society leaders, their feelings about the requirements for effective local governance, and the best means for cooperating on social problems and making use of available opportunities. The local authorities use assessment methods as part of the process of citizen outreach, mainly through social forums and meetings and gatherings in public squares as well as *qat* parties for men. These are considered the most effective and efficient methods. Consequently, parts of these public meetings are scheduled according to the local council's plans, including responding to urgent social needs outside the agenda of the local council's work.

CSOs are not involved in the local authorities' assessments, but they meet from time to time with groups of residents, at meetings and social gatherings and in public open forums, and communicate through publications, which is considered one of the most effective methods.

Some of the main obstacles that prevent specific groups from participating in such meetings are the following.

- For cultural and social reasons, women cannot participate in public places, particularly in social gatherings where *qat* is chewed and events which are dominated by men.
- Widespread illiteracy means that citizens do not generally take part in these meetings.
- Economic pressures mean that the majority are busy earning a living throughout the day. This has a major effect on awareness of the importance of participating

and communicating with local councils.

- A number of members of local councils refrain from participating, and some lack the experience to raise awareness of the importance and role of local councils.
- The local authority is unable to provide good services to people, which increases the fundamental hopelessness felt by citizens, and increases their lack of confidence in the value of the decentralized system generally.

## Referendums and citizens' initiatives

Referendums are generally not used. Some larger meetings are held, in which major questions are formulated by the local authority. These meetings do not coincide with the regular elections, as they are carried out as part of the monthly or annual programmes of the local council. There is no voting at these meetings as they are only consultative. The voting public do not have the right to put forward issues for votes and referendums. Referendums only take place on matters linked to changing or amending articles of the constitution.

Nor have any polls been conducted on social problems or issues, either locally or nationally, because the voting public, their political parties and CSOs do not take the initiative of putting forward difficult issues for referendums.

### 4.4. Citizens' views on democracy, political parties, the services provided and the economic situation

Some citizens describe democracy as being an extension of public participation and the peaceful exchange of power, the rule of the people by the people; others view democracy as a form of anarchy. The majority merely believe that it is better to have it than not to have it. A clear majority of citizens stated that they were satisfied with the level of democracy in practice, although this was qualified by an acknowledgement that it was still weak and needed more growth and development. Others expressed their dissatisfaction. With regard to citizens' views on political parties, some stated that their presence was a good thing, provided that each political party's ultimate aim was to serve the nation and not fall prone to tricks and political arguments. At the same time, others believe that political parties are simply self-serving bodies that work against the interests of citizens, or that only serve the interests of their leaders and founders, without any concern for the citizens who support them.

Most citizens said that they had met candidates in their area many times after they had been elected, whereas others said that they had not met them at all. With respect to the level of satisfaction of citizens with the services provided, most stated that basic services were limited to paving roads and carrying out a number of sewage projects. The opinion polls conducted for this study found that citizens were dissatisfied

with the local council's provision of services in general as these are too limited. Nor was there a general belief that council members are capable of catering for the sheer variety of needs among their constituents, given that satisfying most of these needs is beyond the powers of local councils. There were some complaints about the provision of specific public services, such as street paving, with some citizens complaining about the poor quality of the work and the supervision by engineers. Most of these complaints centred on changes in the water level, that pavements were raised above the level of shops, or that contractors failed to comply with specifications and terms, and were left to carry out the work as they wished with no supervision or accountability. In addition, most recently paved streets do not last more than 18 months before needing to be repaired. Another common complaint related to sewage problems. Citizens find that despite frequent complaints to the local councils, their material resources are too limited to resolve sewage problems. This sometimes makes it necessary to resort to using funds from other projects.

Most citizens believe that the economic situation is extremely bad and getting worse. The security situation was seen as acceptable, although some stated that this was also deteriorating. Corruption was regarded as widespread in most districts and was not limited to breaches of the law and regulations, such as taking bribes and theft, but sometimes extended to abusing people's human and political rights.

## 5. Findings and recommendations

Although limited to an analysis of only four municipalities within four governorates, the assessment process and its reports provide a good understanding of the overall state of local democracy in Yemen. This is despite the difficulties and obstacles faced by the field assessment teams, such as:

- The delay in the responses from some local councils dealing with the assessment-related issues.
- A complete lack of any detailed information on the socio-economic aspects of the areas of the study.
- The diversity, number and difficulty of the questions for the target groups.
- Inexperience and a lack of documentation about democracy and dealing with self-assessment in modern Yemen.
- The non-availability or difficulty of obtaining accurate data and information on key issues such as land ownership disputes (e.g. the number of legal cases concerning violations relating to the ownership of land, the number of cases each year, the rate per 1000 citizens).

There was also a lack of information on cases of domestic violence, sexual assault, human rights violations and political violence. Cases of this type are rarely reported or discussed by local officials because of their sensitivity and for cultural reasons. Nor were the assessment teams able to obtain information on cases of financial and administrative corruption, because of the lack of transparency on such matters and due to the poor computer systems in some local authority bodies and institutions in the districts.

Despite these obstacles, this unique self-assessment exercise enabled the team to produce a set of indicators and conclusions, which give a clear indication of the state of local democracy in Yemen in a reasonable, unbiased and professional way. It has also helped to provide a set of constructive recommendations that are designed to develop democratic institutions and practices in the country.

## 5.1. General indicators

- Yemen is hampered by acute differences in the economic and educational levels of its citizens and in their average incomes. This ultimately leads to disparities in livelihoods, the aspirations of its population, how they manage their lives, and their views and positions, which in turn affects the level of democratic awareness, Yemen's level of development, and consequently the level of public participation in the management of public affairs.
- The population of Yemen has more than doubled since 1975, and the 2004 census reported a rate of population growth of around 35 per cent since the 1994 census.
- The unemployment rate continues to grow each year. This aggravates the poverty of those who are already poor. This also undoubtedly reflects negatively on the level of participation in the democratic process. The unemployment rate in Yemen in 2008 was between 27 and 35 per cent of the total workforce.
- There has been a noticeable fall in female participation in public life and political activity, as well as the ability of women to obtain equality of opportunity and play a role in representing and managing public interests, including at the local level.
- There is a noticeable weakness in education at different levels, particularly at the pre-school level (nursery) and for adults. The illiteracy rate among adults in Yemen in 2003 was 29 per cent for men and 70 per cent for women. This is clearly a huge gap, and requires far greater efforts to eradicate illiteracy in general and female illiteracy in particular, including adopting special programmes for the education of young women.
- In many districts there are only a few specialist doctors and medical staff, and

only a small number of health centres and units.

## 5.2. General findings

- There are election laws regulating local elections, determining when they are held, and guaranteeing all citizens the right to participate without discrimination or exception.
- The Local Authority Act determines the size of the local council in governorates and districts and leaves the task of drawing up local boundaries to the Supreme Committee for Elections, which requires legal provisions and measures to be developed, including the fair division of residents into local districts.
- The First Past The Post electoral system gives the greatest chance of winning to the larger parties at the expense of smaller parties and independents, and also limits women's opportunities for suitable representation. It is thus subject to criticism by the opposition and some CSOs.
- The leader of the district (the head of the local council) is appointed centrally without an election. Election to this post should be provided for in the Local Authority Act.
- There are legal provisions regulating the relationship between the appointed head of the council and the elected council. These determine their powers and duties. The regulations stipulate the work of the council and how it should make decisions.
- There is democracy inside some political parties, particularly the larger ones, with candidates being selected by secret ballot, while others are selected based on the results of an evaluation process. This level of democracy does not exist in other parties.
- Election disputes between parties tend to focus on issues such as the electoral system, election management, electoral registration, voting and selection. Consequently, the supreme committee should be given powers in this respect and the role of the courts in settling these disputes should be strengthened.
- According to the constitution, the political system in Yemen is pluralist and party-based, but there is a need to promote this through effective steps and measures.
- There is a law that determines and monitors the sources of party funding, but in practice this law is not complied with.
- In the past two local elections there were far fewer women candidates than male candidates, and the number of women registered on the electoral registers was also smaller.

- In May 2008, elections were held for the head of the municipality of the capital, Sana'a, and its governors. This was done not directly by citizens, but using a system of indirect election, that is, through an electoral board comprising members of the local council of the governorate, and heads and members of local councils in districts located within each governorate. The election of governors was boycotted by the opposition (Joint Meeting Parties) for this reason.
- The Supreme Committee for Elections is empowered by the law to manage local elections, but its formation and performance are still subject to criticism from various sectors.
- Presidential, parliamentary and local elections are subject to local and international monitoring; breaches of the electoral process are monitored, and this monitoring, particularly international monitoring, plays a key role in putting an end to breaches.
- Disputes and challenges submitted to the standing committee in the electoral district are usually dealt with and settled through agreement. If not, they are referred to the relevant court. Some citizens doubt that the courts are completely independent and unbiased, particularly concerning election disputes.
- The election registration, nomination, voting and selection processes need to be reviewed in order to develop and improve the entire elections process.
- There are laws that guarantee the right to participate in voting and that facilitate transport, in order to enable the largest number of people possible to take part in the election process. More procedures are required to ensure genuine compliance with the law that facilitates the right to vote for those with special needs, the disabled and the illiterate.
- By law, local council sessions are closed to the public, which contradicts the need for transparency and regular contact with the public.
- The local authority allows citizens to see some information and documents that are deemed to be in the public interest when necessary, but the means available for doing this are insufficient and impractical. More suitable means must be found.
- Transparency is limited to matters internal to the local council (between council members and the administrative board) when discussing and approving development plans and budgets and the decision-making process relating to tenders. The advertisement of local posts falls within the powers of the civil service bureau in each governorate, under the supervision of the local council of the governorate, with no clear role for the local district council in this regard.
- There is a lack of clear systems and procedures for receiving citizens' complaints

about services and other matters in the local authority. It is not impossible to list or count complaints or accurately measure how satisfied citizens are with services.

- A large number of local CSOs contribute to drafting policies and implementing them through indirect studies and recommendations, but their participation remains weak and limited.
- The most effective method of communication between the public and CSOs is direct meetings, followed by open forums, publications and newsletters.
- Among the reasons for the lack of citizen participation and interaction in civil society activities are poor awareness of the role of CSOs, poverty and the need to earn a living.
- Referendums and citizens' initiatives are not used because popular democracy is a relatively new phenomenon. Since referendums are a democratic means for dealing with public affairs, time is needed for the concept of local democracy to become embedded in Yemeni society.
- There are officially registered and non-registered cases of land disputes over ownership. This is a potentially incendiary issue, and local authorities need to start, with the assistance of judicial and security bodies, to deal with this matter more quickly.
- The rates for different kinds of crime and all forms of assault are rising noticeably in Yemen.

### 5.3. Recommendations

#### Short-term recommendations

1. Local authorities should develop databases that incorporate essential and comprehensive information and data about the districts. Such databases should be accessible and user-friendly so that all citizens and interested parties can consult them for all relevant purposes.
2. Increase trust and build bridges of communication between the local authority and citizens, by setting up a plan to communicate with citizens, to coordinate with the local media, and to carry out projects concerning citizens' problems and issues.
3. Promote the organization of training sessions and workshops, and provide members of the local councils with guidance handbooks so that they are able to exercise their monitoring roles in their local councils and districts.
4. Develop local financial resources and set up mechanisms to enable local councils to collect all their legal revenues, in order to cover the costs of implementing infrastructure projects in the districts.



5. Raise all cases of land ownership disputes with the judicial authorities for them to be settled in accordance with the law.
6. Continue to work to ban people from carrying weapons in cities through security campaigns and patrols, as well as the implementation of media and awareness-raising programmes to warn of the dangers of carrying weapons and mishandling them.
7. Enforce laws that guarantee the protection of the rights and freedoms of citizens from abuse by government bodies.
8. Set up new mechanisms for local authorities to consider, deal with, follow up and document citizen complaints.

## Medium-term recommendations

1. Create a real community partnership between local councils, CSOs and special development projects and funds, with the aim of reducing poverty and unemployment by setting up and implementing local strategies that include training and qualifications; offer concessional loans to set up small income-generating projects.
2. Take advanced steps to create a partnership between the local authority and the private sector for the latter to be able to contribute to developmental and service-related projects that meet the needs of society and encourage sustainable investment.
3. Work to speed up the implementation of the suggested amendments to the Local Authority Act, so that the head of the district local council is elected freely and directly instead of being appointed centrally.
4. Review the method of electing governors by a voting panel so that they are elected directly by the people.
5. Extend the powers of local councils and their bodies and invigorate them so that they are able to manage local affairs and meet the needs of the local community in order to increase the trust of citizens.
6. Carry out awareness-raising programmes in various local media, aimed at establishing local democracy and related values in the community, in order to raise the rate of voter participation in local elections.
7. Support mother and child centres with specialist medical staff, monitor maternal and infant health care requirements and set up programmes to reduce the rate of infant mortality.
8. Carry out educational programmes that aim to retrain teachers and develop their creative abilities; more care and concern for schools must be shown, sufficient

budgets must be allocated for their operation and building maintenance must be provided and monitored, thereby increasing interest in the educational process as a whole and creating more centres to eradicate illiteracy.

9. Combat corruption and its spread; local authorities should contribute to the reports of monitoring bodies and bring corruption-related cases to the supreme national body for combating corruption and the public financial prosecutor; work to raise awareness of the dangers of corruption and to spread a culture of naming, shaming and marginalizing those who are involved in and encourage corruption.
10. Tackle and put an end to the spread of unplanned residential developments and improve compliance with urban development plans.
11. Provide suitable roads and infrastructure to promote tourism in the country.
12. Pay special attention to the needs of families: births need to be organized at hospitals and health centres, different health care means must be provided, and programmes aimed at raising public awareness through the various available media outlets should be carried out.

### Medium- and long-term recommendations

1. Adopt legal methods to deal with interference in the delimitation of local and parliamentary district boundaries, and to prescribe the number of seats in local districts.
2. Introduce legislation to increase the representation of women in elected councils, through specific quotas or other affirmative action measures.
3. Make a decision on using an alternative to the First Past The Post electoral system, and provide opportunities for other political parties, independent candidates and women to obtain appropriate representation on elected councils.
4. Support the role of electoral management bodies (EMBs) in working to raise confidence in the neutrality and transparency of elections, and ensure that their work is overseen by observers.
5. Find legal methods to clarify and implement election procedures for managing and handling electoral complaints and challenges and the bodies responsible for receiving them, and determine which judicial bodies have the power to rule on these.
6. Carry out a review of the electoral register, its revision and reorganization, through approved committees that can remove the names of those who are ineligible by law.
7. Set up procedures for EMBs to monitor election campaigns and election

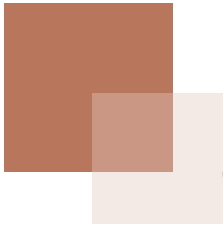
information; prevent the use of public money and public resources in election campaigns to ensure equality between candidates; increase monitoring during the progress of election campaigns, and take legal measures to deal with those who breach these rules.

8. Impose legal restrictions on the official or state media to ensure all candidates and political parties are treated equally.
9. Give consideration to penalties for election violations that are commensurate with the dangers posed; apply penalties for failing to count votes correctly.
10. Work to develop and improve voting and counting procedures to ensure free and impartial elections, and ensure that election observers are adequately trained.
11. Foster the role of CSOs in raising awareness of local democracy through long-term programmes in the various media available in order to contribute to creating a genuine democratic transformation.



# Appendices (1): Local Democracy Assessment Guide





# LEADERSHIP FOR LOCAL DEMOCRACY

## Local Democracy Assessment Guide

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### Overview

This *Local Democracy Assessment Guide* is designed to provide a means for specialists and those working in related fields to assess the quality and state of local democracy. This method consists of a questionnaire that forms part of a capacity building programme, which will be further developed following a set of assessments in the Arab world. This questionnaire focuses on two areas, which are considered the key pillars of success of local democracy in the contemporary world: representative democracy and participatory democracy.

**Representative democracy:** elections, political parties and elected officials.

**Participatory democracy:** civic engagement, non-governmental organizations (NGOs) and community-based organizations (CBOs) and consensus-oriented policymaking.

The mapping guide facilitates the evaluation of institutions and processes in both these areas of local governance. The format of the questionnaire is a series of topical worksheets that encourages users to

#### Purposes of the questionnaire

- To provide a practical resource tool to municipal officials, administrators, partners (such as non-governmental organizations), and civic leaders as they conduct self-evaluations of democratic life in their city;
- To identify the principal strengths and weaknesses of democratic life and to identify ways to further consolidate strengths and to rectify weaknesses;
- To identify the contributions that local or city-level democracy makes to the consolidation of democracy in democratizing societies;
- To stimulate further thinking on the ways to define and describe the best ways to structure and practise local democracy; and
- To give outsiders such as peer reviewers a tool by which to conduct independent and impartial evaluations of democratic governance at the city level.

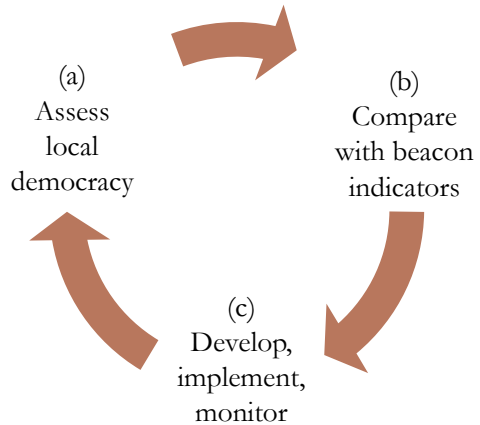
engage in a systematic analysis of the strengths of local democratic institutions and practices and of the most significant problems in each issue area, and to make recommendations for improvements.

The questionnaire seeks answers to the following questions.

- What are the elements of democracy that are currently excellent, satisfactory or failing?
- How effective have previous reform efforts been and what lessons could be learned from the past?
- What actions can be undertaken by city/local authorities and other stakeholders to develop and sustain more democratic governance?

### Steps and tips for using the guide

The guide is designed for use by practitioners of local democracy – public authorities and private civic leaders. It involves participatory research on their part, which relies on their close knowledge of local situations. Thus, the instrument should be used as a form of interactive questionnaire, together with the guidelines at the end of the guide that facilitate the cross-walks between findings about aspects of local democracy and recommendations for further enhancing its meaning and practice.



A common approach is to make the mapping exercise an integral step in the design of strategic objectives and future courses of action to improve the institutions and processes of local democracy.

The steps for conducting a comprehensive mapping of local democratic governance are:

- Completing the questionnaire, either by individuals or in teams, and comparing the results;
- Writing an assessment report that synthesizes the findings;
- Critically reviewing the report, discussing findings on which there is consensus among the evaluators and identifying points of contention; and

- Comparing the results of the research with other knowledge and creating a set of ‘beacon indicators’ that articulate strategic objectives for improving local democracy, together with an implementation plan to include monitoring of progress towards the indicators or objectives.

## 1. The city in context

Democratic governance takes place in a specific context of the historic, social, geographic and economic setting of each country and city/village. Certain features related to these settings must be either protected and further developed for community integration and democracy to succeed or dismantled because of their divisive/obstructive effects. In addition, the age and socio-economic status of the population and income/employment opportunities are important aspects as they affect good governance and democracy at all levels. This section seeks to identify both the positive and the negative features of the city in this context.

### 1.1. Geography and spatial features

- 1.1.1. a) In what ways do the city’s physical situation and spatial layout create features that give it a certain identity? For example, geography may intersect with human settlement patterns to define a city centre, determine the relationship between the centre and the periphery/suburbs, affect transport corridors, and create distinctive places, or it may have a strong bearing on the city’s economic opportunities or constraints.
- b) In what ways do the geographic context and human settlement patterns affect daily life and social relations?
- c) How, if at all, do human settlement patterns relate to the practice of local democracy?
- 1.1.2. a) How many public spaces such as parks, public meeting venues or other facilities exist?
- b) Are there guidelines and rules for managing public gatherings, protests and demonstrations, town meetings, or other major public events held in these public spaces? Please describe these places in the city and the implications of public activity in them for local democracy.

### 1.2. Demography, social structure and social relations, and the heterogeneity of the population

- 1.2.1. a) What is the current population of the municipality (total and by gender)?

- b) What is the change in population (decrease or increase) in percentage terms over the past 10 years? Please state the change in general, as well as distribution by gender.
  - c) What is the projected rate of population growth in the city for the next 10 years?
  - d) What proportion of population growth was a consequence of normal population growth and what proportion was due to migration into the city?
- 1.2.2.
- a) What proportion of the city's present population is under 15 years old? (Provide data by gender.)
  - b) What proportion of the present population is over 65 years old? (Provide data by gender.)
- 1.2.3.
- a) What are the principal home languages spoken in the city?
  - b) What groups speak the languages identified in 1.2.3 (a)?
  - c) What is the language policy envisaged and/or implemented by local government?
- 1.2.4.
- a) What are the principal identity groups (e.g. ethnic, religious, racial, etc.) within the population?
  - b) What are the estimated sizes of these groups in terms of proportion of the population?
  - c) Are any of the groups officially recognized by the national or city government, for example, for special preferences (such as affirmative action) or as indigenous groups?
- 1.2.5.
- a) What are the principal ethnic, racial and religious groups in the city?
  - b) Is any one group especially dominant in social and political life?
  - c) Are relations among any two or more groups especially troubled, contentious or antagonistic?
  - d) Are any groups marginalized from the rest of society (under-represented in economic or political decision-making)?
  - e) Are certain ethnic/racial groups considered substantially:
    - i) richer? (please describe);
    - ii) poorer? (please describe).



### 1.3. Socio-economic base and municipal finances

- 1.3.1. a) Which sectors of the economy and specific industries are most important to the city?
- b) How do economic patterns shape society, people's livelihoods and communities?
- c) What new patterns in economic development have emerged in recent years, for example, in response to globalization?
- 1.3.2. a) What are the patterns of employment, unemployment and income earning in the city?
- b) Is there a single manufacturer or economic sector that dominates?
- c) How many small and medium-sized enterprises are there in the city per 1000 people?
- d) What is the gender distribution of income earning through employment and / or small business ownership in the city?
- e) Are young women or young men (from 18 to 25) especially likely to be unemployed?
- f) What is the dependency ratio in the city?<sup>4</sup>
- 1.3.3. a) What is the rate of socio-economic inequality in the city (usually stated as a ratio between the number of people in the highest income segment and the lowest)?
- 1.3.4. a) What percentages of the city's population live above and below the poverty line for basic sustenance and food security? Please state poverty rates (poverty as defined as the lack of income or consumption to meet basic human needs of shelter, food and health). Please use, wherever possible, the World Bank 'poverty line' for the entire country of USD 1 per day in purchasing power parity terms.
- b) Please provide the poverty rate by gender, for young people (under 24 years of age) and for the elderly (over 65 years of age).
- 1.3.5. a) How does the city relate economically and socially to the adjoining rural areas?
- b) How many people who live outside the city commute to work there on an average business day?
- c) To what extent is the city's economy closely tied to the economic activity that occurs in surrounding rural areas?

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<sup>4</sup> The dependency ratio is the number of people (e.g. in an extended family) who live off a single wage or the work of a single individual. This ratio is seen as an especially good indicator of poverty and social stress.

- 1.3.6. a) How many cases of legal disputes over land/property tenure, utilization and access were registered in the past three years? (Please state number of cases for each year per 1000 inhabitants.)
- b) What efforts does the city government make to resolve/manage land conflicts?
- c) Were there significant land disputes that were not brought to the judicial authorities or other legal processes?
- d) What other organizations are involved in resolution/management of the land conflicts?
- 1.3.7. a) What was the level of violent crime such as assault, murder and rape in the city in the past three years? Please state number of cases for each year per 1000 inhabitants.
- b) What is the rate of non-violent crime in the city in the past three years? Please provide data on non-violent crime such as theft, fraud, burglary or larceny per 1000 inhabitants.
- c) How many cases of domestic abuse or sexual assault per 1000 inhabitants were reported in the past 12 months?
- d) How many cases of human rights abuses were reported in the past 12 months? Please state the numbers per 1000 inhabitants:
- i) officially reported by the authorities;
- ii) estimated or reported by NGOs.
- e) How many cases of political violence<sup>5</sup> occurred the past three years?
- 1.3.8. a) What is the overall annual budget of the city in terms of revenues and expenditures?
- b) What are the sources of city revenue?
- c) What share of its total revenue does the city raise by itself, for example, from local taxes?
- d) What share of the city revenue is received as subsidies from national or provincial sources of funding? Please state figures/percentages.
- e) How many cases of the evasion of city taxes were officially pursued in the past 12 months per 1000 inhabitants?

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<sup>5</sup> Violence due primarily to political competition, tension, political party rivalry, enforcement of party political 'no-go zones' and other campaign-related violence, violence during election events, or violent competition among groups over access to government resources.

- 1.3.9. a) How many instances of alleged corruption were investigated in the past three years?
- b) What was the outcome of such investigations?
- c) What mechanisms exist to prevent/curb corruption in city government? Please describe with examples.

## 1.4. Development and social indicators

In answering the questions below, please give data for the past three years.

- 1.4.1. What is the income per capita?
- 1.4.2. What is the infant mortality rate?
- 1.4.3. What is the number of doctors per 1000 inhabitants?
- 1.4.4. What is the number of kindergartens/nurseries per 1000 inhabitants?
- 1.4.5. What is the number of teachers per 1000 inhabitants?
- 1.4.6. What is the life expectancy?
- a) Male
- b) Female
- 1.4.7. What is the literacy rate?
- a) Male
- b) Female

## 2. Representative democracy

This section assesses the institutional infrastructure of local democracy. It examines political parties and other representative institutions, their functioning and effectiveness. It assesses the number of political parties, and their functional structure and representativeness at the local level, as well as the extent to which the electoral process is free and fair.

### Institutions

#### 2.1. National and legal frameworks

- 2.1.1. a) How frequently are local elections held?
- 2.1.2. a) How does the national statutory and administrative framework affect the conduct of local elections? Please summarize and review national

laws that establish local elected institutions and/or the processes for electing representatives to them.

- b) Please describe any constitutional provisions that directly address the institutional frameworks for local democracy or the processes for local elections.
  - c) To what extent are regional organization norms (such as the gender representation guidelines of the Southern African Development Community (SADC) in southern Africa) recognized and addressed in the relevant legislation?
  - d) Does national legislation specify the electoral system for use in local elections?
  - e) Does national legislation provide details on the size and structure of local councils?
- 2.1.3. a) Are foreigners eligible to vote in local elections? Please state provisions and restrictions.
- 2.1.4. a) What measures are taken to increase representation for disadvantaged groups, such as women, the disabled, young people or national minorities, and/or to ensure their inclusion or equal status in local government institutions?
- 2.1.5. a) How are electoral disputes handled?
- b) What electoral disputes have occurred in the past three local elections and how were these disputes resolved?

## 2.2. Electoral system design and performance

- 2.2.1. a) What electoral system applies at council level? (e.g., FPTP, List PR, etc.).
- b) What impact does the electoral system have on the structure of the political party system? Does it provide advantages to bigger parties or to smaller ones?
- 2.2.2. a) In the past three elections, how did the preferences of voters get translated into ruling majorities in city councils and in the election of mayors (where applicable)?
- b) Did the electoral system produce a disproportion in the allocation of seats of more than 5 per cent for any political party?<sup>6</sup> (If so, please provide the level of disproportional outcome.)

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<sup>6</sup> Disproportional allocation of seats is calculated by taking the proportion or share of the votes cast for a party out of total votes cast and the share of seats won out of the total seats available. If the disproportion is greater than 5 per cent, the electoral system is considered to have led to a disproportional outcome.

- c) Did the electoral system provide for transparency in the process by making clear to voters how their votes would be translated into seats in the city council?
  - d) Did the electoral system provide for accountability such that the voters had the opportunity to select among individuals campaigning for office?
  - e) Did the electoral system serve as a ‘mirror’ of the wide range of social diversity in the city, or does it tend to systematically exclude some important groups?
- 2.2.3.
- a) How does the electoral system affect the conduct of election campaigns?
  - b) Did the ways in which votes are translated into seats help determine how political parties and candidates pursued their campaigns?
  - c) How did the electoral system provide incentives for parties to target certain segments of the voting population, for example, by making ethnic or religious appeals for support?
- 2.2.4.
- a) What were the principal issues that differentiated parties and candidates in the past three local election campaigns?
  - b) Please list five key issues that are commonly raised in local election campaigns (e.g., education, water, etc.). How do these issues reflect the city’s agenda for governance?
  - c) Which of these issues are local/city-specific issues and which are more a reflection of national-level, interparty competition?
- 2.2.5.
- a) Is the city subdivided into territorial units, usually known as wards, for electoral participation purposes?
  - b) How do wards compare in terms of size and population?
  - c) In the past three years, how many disputes over the demarcation of wards have been brought to the attention of the electoral administration or judicial authorities?
  - d) Were there significant ward demarcation disputes that were not brought before electoral or judicial authorities?

## 2.3. Party system

- 2.3.1.
- a) How many and which parties are registered and actively campaign in local political contests?
  - b) Please provide a list of and further information about membership of the principal political parties.

- c) Which parties are represented in the existing city council? Please state the number of their representatives.
  - d) Please provide a brief description of the principal platform (plans, promises and issues for governance) of each political party.
  - e) Are there ethnic or religious parties? (If so, please describe how these parties define their basis of representation in ethnic or religious terms.)
- 2.3.2.
- a) How are candidates for local election contests chosen?
  - b) Do national-level party officials have formal or informal roles in approving or rejecting locally chosen candidates?
  - c) Within political parties, how are candidates vetted and decisions made on candidate eligibility?
  - d) What are the rules governing the financing of political parties at the local level?
- 2.3.3.
- a) In the past three elections, what proportion of party candidates were women?
  - b) In the past three elections, what proportion of party leaders were women?
- 2.3.4.
- a) In the past three years, has the governing majority in the city council changed as the result of councillors ‘crossing the floor’<sup>7</sup> to join other political parties or by political parties changing allegiances to produce a different majority coalition? (If this has happened, please describe how it occurred, how often and the effect this change has had on decision-making by the city council.)
- 2.3.5.
- a) What is the impact of the party system on the performance of the institutions of the mayor, council or other aspects of local authority?
  - b) Does the electoral system produce a strong-mayor system in which the mayor is fairly autonomous from the council or from political parties?
  - c) How many times in the past 12 months has the council been deadlocked (unable to reach consensus through bargaining) on a major policy issue because of disagreements among political parties?
- 2.3.6.
- a) Does the city council feature a significant opposition party or group of councillors?

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<sup>7</sup> ‘Crossing the floor’ means the defection of councillors from a party’s ranks to join another party, usually resulting in the creation of a new majority coalition within the council.

- b) Are opposition or non-governing parties able to put forward alternative policies and programmes and have their alternatives debated by the council?
  - c) Are opposition parties able to freely criticize and oppose the ruling majority?
- 2.3.7.
- a) Are there identity groups in the community—ethnic, racial or religious groups or those such as women, young people or the homeless—who are not represented in proportion to their estimated population size through formal channels of representation such as political parties?
  - b) If so, how have these groups organized outside the formal channels to represent their interests?

## 2.4. Evaluating elected officials

- 2.4.1.
- a) How is a mayor chosen?
  - b) Does the way in which the mayor is chosen lead to him or her being an executive mayor with authority over policy formulation and implementation, or is the post more ceremonial?
  - c) What rules exist for structuring the relationship between the mayor and the city council?
- 2.4.2.
- a) What are the mechanisms and processes for holding the mayor accountable to legislative powers such as the council or directly to voters between elections?
- 2.4.3.
- a) What orientation do newly elected and other council members receive on the roles, functions and operations of the city council? Please describe with examples.
- 2.4.4.
- a) Please describe briefly the size and functions of the city council and its internal decision-making procedures.
  - b) In the past three years, have there been public criticisms of the size of the city council from political parties or the media?
  - c) In the past three years, have there been significant public criticisms about the internal decision-making rules of the city council?
- 2.4.5.
- a) What are the powers and functions of the city council for overseeing the work of administrative agencies or appointed administrators?
  - b) Does the city council have investigative capacities for obtaining information on the work of city departments and agencies?

- c) In the past three years, has the city council exercised its oversight capacities to investigate or censure the operation of departments or agencies?
- 2.4.6.
- a) What are the methods for ongoing public evaluation of the performance of elected officials in between elections?
  - b) Does the city have a system in place for ongoing measurement of performance, such as yardsticks, benchmarks or targets on the delivery of local government services?
  - c) When performance measurements are not met, what procedures are in place for review of current practices and methods for improving performance?
- 2.4.7.
- a) What are the procedures for formal censure or recall of elected officials? Please describe with examples.
  - b) In the past three years, have the procedures for formal censure or recall of a city official been invoked?

## Processes and practices

### 2.5. Election administration

- 2.5.1.
- a) Please describe the overall administration of local government elections, from maintaining the electoral register to accrediting parties and candidates, designing and counting ballot papers, voter information and the certification of results.
  - b) Specifically, how and by whom is the electoral management body chosen and supervised?
- 2.5.2.
- a) Were outside observers able to monitor and fully assess the freeness and fairness of elections in the past three elections?
  - b) Among these, how many local, national, regional (e.g., the African Union), or international NGOs and official bodies are engaged in electoral observation?
- 2.5.3.
- a) In the past three elections, has the administrative framework for elections led to the conduct of free, fair and legitimate local elections?
  - b) Was the outcome of the election challenged by any of the parties or candidates that sought public office?
  - c) How many complaints or allegations of fraud or abuse were received by the electoral authorities?



- d) What electoral administration practices—in areas such as voter or candidate registration, ballot design, voting processes, precinct management, counting and verification processes, and election dispute management—have been identified as successful and which have been identified as in need of improvement?

## 2.6. Evaluating voter participation

- 2.6.1.
  - a) What are the voter turnout rates (ratio of actual voters to eligible voters) in local elections?
  - b) How do they differ from national voter turnout rates?
  - c) What is the minimum voting age?
  - d) Are there significant (i.e., more than 5 per cent) differences in the rate of voter turnout between women and men?
- 2.6.2.
  - a) Please describe voter information and education programmes in the city.
  - b) Are any special measures taken to help voters who may face additional barriers to participation, such as the disabled or elderly, during the elections?
  - c) What measures are in place to ensure equal access by all eligible voters to voting and electoral participation?

## 3. Participatory democracy

Overall, democratic local government could be characterized by four essential features: its openness towards the citizens, its fairness in treating them, the transparency of its structures and procedures, and its responsiveness to the needs of its citizens. This section examines these requirements for a functioning and effective system of participatory democracy at the local level.

### Institutions

#### 3.1. Local authorities and participatory democracy

##### Openness

- 3.1.1. a) What types of local government meeting, council meetings, hearings, and so on, were open to the public in the past 12 months? Please describe the ways in which the public has the opportunity to convey its views to elected representatives on matters of local governance.

- 3.1.2. a) What methods are used to inform the public about local government meetings that are open for citizens' participation?
- 3.1.3. a) Are the methods by which citizens can provide input to mayoral or city council decision-making widely publicized for the public?

### **Fairness**

- 3.1.4. a) What policies and programmes exist in the municipality to promote the inclusion of different interests, including those of identity and specific interest groups? (These outreach programmes may also be reflected in the responses to section 3.3. If these policies and programmes exist, please provide an illustrative example here.)

### **Transparency**

- 3.1.5. a) Which local government documents can citizens access and how?
- b) Does the city have a website for communication through the Internet to provide information about the city, its governance, its administration and its economy?
- c) Do citizens regularly use these technologies to access information or for other purposes?
- 3.1.6. a) What rules exist for ensuring transparency in discussing and adopting the local budget?
- 3.1.7. a) What rules exist for ensuring transparency in public decision-making and other processes (such as soliciting contracts for city purchases)?
- 3.1.8. a) How are vacancies in local government advertised? (Include method and period of advertisement.)

### **Responsiveness**

- 3.1.9. a) What types of system are in place to hear and address citizen concerns about issues of service delivery or other functions of local government?
- b) How many complaints about service provision were submitted by citizens in the past 12 months?
- c) How many complaints did local government act on in the past 12 months? What is the percentage of recurring complaints?
- d) What percentage of citizens is satisfied/dissatisfied with the provision of a service?

## 3.2. Civil society, the private sector, the international community and the media

Modern management of public affairs is increasingly taking the form of a public–private mix as the best strategy for success. This section assesses the extent to which city officials, political parties, civic leaders and citizens regularly work together outside official and electoral contexts to forge a common vision for the city, to engage in information sharing, consensus seeking and collaborative decision-making.

- 3.2.1. a) How many civil society groups are estimated to exist in the city?  
b) How many NGOs<sup>8</sup> are registered?  
c) How many community-based organizations (CBOs)<sup>9</sup> are active?  
d) In what ways do local NGOs and CBOs contribute to policy formulation and implementation?
- 3.2.2. a) How many public–private partnerships exist between the city and private-sector firms for delivering services or responding to community needs?  
b) Have these partnerships received praise or been the subject of criticism within the city, for example, in the council?  
c) Have these partnerships received praise or been the subject of criticism by external sources such as community groups or the media?
- 3.2.3. a) How many partnerships exist between the city and CBOs for delivering services or responding to community needs?  
b) Have these partnerships received praise or been the subject of criticism, for example, within the city council?  
c) Have these partnerships received praise or been the subject of criticism by external sources such as community groups or the media?
- 3.2.4. a) Do private corporations provide essential services such as water or electricity?  
b) Have these privatized arrangements received praise or been the subject of criticism, for example, within the city council?

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<sup>8</sup> NGOs are usually defined as associations, advocacy groups, charitable organizations, research institutes or other social service- or public good-oriented organizations. The concept of civil society is closely related, or forms of association among people in a democracy around common interests, beliefs or values.

<sup>9</sup> CBOs are more directly focused on very local-level issues in the areas in which their members live, with social service, improvement, and the enhancement of the neighbourhood-level environment the principal aims.

- c) Have these partnerships received praise or been the subject of criticism by external sources such as community groups or the media?
- 3.2.5.
- a) Is there a regularly scheduled meeting, a forum or other routine ways of communication and cooperation between the city and NGOs/CBOs?
  - b) Do NGOs and CBOs have programmes to resolve the underlying root causes of conflict that may give way to violence, such as systematic exclusion of population groups, gross inequalities, or patterns of discrimination in employment or other opportunities?
  - c) Are religious organizations active in social, humanitarian or charitable services?
- 3.2.6.
- a) Are international donors and international NGOs active in the city?
  - b) How much have international donors contributed to city-level programmes for development aid and/or humanitarian assistance?
  - c) How many international NGOs are active in the city?
  - d) What are the principal ways in which international actors such as donors and NGOs affect governance in the city?
  - e) Are there formal or regular processes or forums in which the international community is involved in policy formulation and decision-making in the city?
- 3.2.7.
- Please describe the structure, editorial arrangements and independence of the local news media.
- a) What sources of news do people go to for information on local affairs?
  - b) Are the principal sources of news owned and operated by the government?
  - c) Are the editors of the sources of local news editorially independent of government authorities?
  - d) Do the local news media have an ombudsman or other procedures for investigating and responding to allegations of inaccurate or irresponsible reporting?
  - e) In the past three years, how many significant allegations of government interference in the reporting of local news have occurred?
  - f) In the past three years, how many times have the news media been criticized by the government or the community for seriously inaccurate or irresponsible reporting?

## Processes and practices

### 3.3. Forms and methods of citizen outreach

Which of the following forms of citizen outreach were used in the past 12 months?		RATING please mark with X		
		Not used at all	Used 1 to 3 times	Used more than 3 times
<b>PUBLIC INFORMATION</b>				
3.3.1	Distribution of printed materials (leaflets, newsletters, etc.) to the public			
3.3.2	Regular media briefings			
3.3.3	Public presentations and exhibitions			
3.3.4	Scheduled programmes in the local media			
3.3.5	Computer-based applications, e.g. websites and email			
3.3.6	Other(s) - please specify			
<b>PUBLIC CONSULTATION</b>				
3.3.7	Consultative meetings			
3.3.8	Community forums			
3.3.9	Public surveys			
3.3.10	Other(s) – please specify			
<b>PUBLIC DECISION-MAKING</b>				
3.3.11	Working and focus groups			
3.3.12	Public workshops			
3.3.13	Other(s) – please specify			
<b>COOPERATIVE IMPLEMENTATION</b>				
3.3.14	Public–private or public–non-governmental partnerships			
3.3.15	Other(s) – please specify			
<b>OTHER(S)</b>				
3.3.16	Please describe other forms			

### 3.4. Evaluating citizen outreach

The concept of vision has become a useful pace-setter and framework for organizations and their members. This section evaluates the extent to which local officials and civil society leaders share a sense of common responsibility for governance and engage in thinking together about ways to advance joint action for addressing community problems or realizing opportunities.

- 3.4.1. a) Are evaluation and assessment methods built into the design of community outreach processes conducted by local officials?
- b) Is there a process for using the findings of the evaluation when introducing policy or other changes to improve local governance?
- c) Which forms and methods of community outreach have been evaluated as being especially effective, and which forms and methods have been evaluated as being less effective?
- 3.4.2. a) Are evaluation and assessment methods built into the design of community outreach processes conducted by NGOs and CBOs?
- b) Which forms and methods of NGO/CBO community outreach have been evaluated as being especially effective, and which forms and methods have been evaluated as being less effective?
- c) What are the rates of participation in community outreach processes?
- d) What are the principal barriers to citizen participation (e.g. literacy, apathy, access, time or culture)?
- 3.4.3. a) Does the city have a statement that describes its longer-term vision, goals and aspirations?
- b) Has the city conducted a community ‘visioning’ process by which alternative futures for the city are systematically designed and considered through a process of community consultation?
- c) Does the city have a charter or policy document that establishes a strategic plan for realizing long-term goals and aspirations through community outreach and engagement?

### 3.5. Referendums and citizens’ initiatives

- 3.5.1. a) Are referendums or direct ballot initiatives used to resolve difficult policy issues in the city?
- b) What are the procedures for drafting, presenting and finalizing referendum questions?

- c) Are referendum questions decided during normal elections or are special elections held?
  - d) What is the decision rule for the approval or rejection of a referendum question (e.g. 50 per cent, 66 per cent or higher)?
- 3.5.2.
- a) What is the procedure for citizens to organize and place referendum questions before the community?
  - b) Are there instances in which referendums are required by local, provincial or national legislation?
  - c) Are there instances in which referendums have resulted in major conflicts or disputes among social groups?
  - d) Are there instances in which referendums have successfully resolved major issues before the community?

## 4. From mapping to recommendations

The recommendations from the local democracy assessment are the most important part of responding to this questionnaire. Participants in the assessment process offer general and specific suggestions for enhancing governance.

### Six steps to derive recommendations

Below are tips for translating the findings of the assessment questionnaire into recommendations for improvements in local democracy.

- Identify the most urgent priorities for making improvements in democracy and craft recommendations that can help address these most urgent issues from an immediate, medium-term and long-term perspective.
- Isolate those aspects of democracy which city authorities and administrators can address on their own and those that require the involvement of other stakeholders (such as national or regional officials).
- Build on the strengths that are identified in the mapping and avoid focusing only on the shortcomings that the evaluation has brought to the surface or highlighted.
- Separate out problems that require major institutional change, those that involve personalities or individuals and those that can be addressed through policy change.
- Develop an approach to making recommendations that links systemic problems with an integrated effort to ameliorate them over time. That is, rather than developing a simple list of things that could be done to improve city-level

democracy, participants are asked to think through a strategy that first addresses why the problems have occurred and then comes up with a series of steps involving political leaders, civic actors and citizens.

- Sketch out a way in which these steps can unfold over a defined period of time (with the most critical concerns addressed immediately while at the same time developing a longer-term approach) and identify methods for monitoring progress on improving democracy.

## Short-, medium- and long-term options

Cities will appreciate recommendations that are grounded in the findings of the assessment and practice-oriented in their application. Recommendations should be feasible, that is, they should be clearly defined in terms of their duration, complexity, outputs and cost. In this regard, it may be helpful to separate out the recommendations in the following way.

### Short-term options

- Those steps or actions which are simple and low-cost, require few major policy or statutory changes and are immediately feasible in the current context.

### Medium-term options

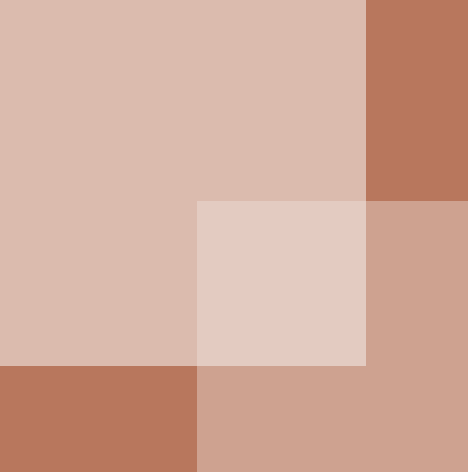
- Those steps which may require reforms of existing policies and laws, that require major administrative changes, or for which substantial resources will need to be rallied.

### Long-term options

- Those that involve significant reform or restructuring of city-level institutions, significant cost, obtaining national approval, or major administrative or financial reforms.

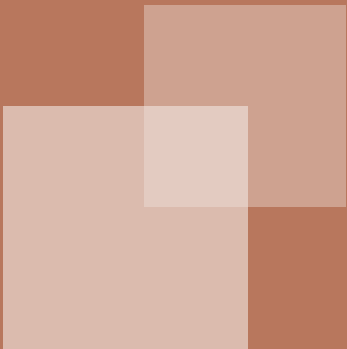


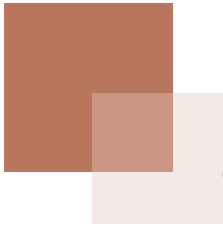




# Appendices (2):

About the International  
Institute for Democracy  
and Electoral Assistance  
(International IDEA)





## About the International Institute for Democracy and Electoral Assistance (International IDEA)

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### Our mission

In a world where democracy cannot be taken for granted, the mission of the International Institute for Democracy and Electoral Assistance (International IDEA) is:

**to support sustainable democratic change through providing comparative knowledge, assisting in democratic reform, and influencing policies and politics.**

In addressing our mission we focus on the ability of democratic institutions to deliver a political system marked by public participation and inclusion, representative and accountable government, responsiveness to citizens' needs and aspirations, and the rule of law and equal rights for all citizens.

### We undertake our work through three activity areas

- Providing comparative knowledge and experience derived from practical experience on democracy building processes from diverse contexts around the world.
- Assisting political actors in reforming democratic institutions and processes, and engaging in political processes when invited to do so.
- Influencing democracy building policies through the provision of our comparative knowledge resources and assistance to political actors.

### Our work encapsulates two key principles

- We are exponents of democratic change. The very nature of democracy is about evolving and adapting governance systems to address the needs of an ever changing society.
- We are supporters of change. The drivers of change must come from within societies themselves.

## Our programme

Democracy cannot be imported or exported, but it can be supported. And because democratic actors can be inspired by what others are doing elsewhere around the world, International IDEA plays an instrumental role in supporting their initiatives by:

### Providing comparative knowledge and experience in

- elections and referendums
- constitutions
- political parties
- gender in democracy and women's political empowerment
- democracy self-assessments
- democracy and development

### Influencing democracy building policies

A fundamental feature of strengthening democracy building processes is the exchange of knowledge and experience among political actors. We support such exchange through:

- dialogues
- seminars and conferences
- capacity building

### Assisting political actors in national reform process

As democratic change ultimately happens among citizens at the national and local levels we support, upon request and within our programme areas, national reform processes in countries located in:

- Latin America
- Africa and the Middle East
- Asia and the Pacific

### Seeking to develop and mainstream understanding of key issues

Since democratic institutions and processes operate in national and international political contexts we are developing and mainstreaming the understanding of how democracy interplays with:

- development
- conflict and security
- gender
- diversity

## Our approach

Democracy grows from within societies and is a dynamic and constantly evolving process; it never reaches a state of final consolidation. This is reflected in our work: in supporting our partners' efforts to make continuous advances in democratic processes we work step by step with them with a long-term perspective.

We develop synergies with those involved in driving democratic processes—regional political entities (the European Union (EU), the Organization of American States (OAS), and the African Union (AU) for example), policymakers, politicians, political parties, electoral management bodies, civil society organizations—and strategic partnerships with the key regional, international and multi/bilateral agencies supporting democratic change and different United Nations bodies.

Quintessentially, we bring experience and options to the table but do not prescribe solutions – true to the principle that the decision-makers in a democracy are the citizens and their chosen representatives.

International IDEA is an intergovernmental organization that supports sustainable democracy worldwide. International IDEA's member states are all democracies and provide both political and financial support to the work of the Institute. The member states include Australia, Barbados, Belgium, Botswana, Canada, Cape Verde, Chile, Costa Rica, Denmark, Dominican Republic, Finland, Germany, Ghana, India, Mauritius, Mexico, Mongolia, Namibia, the Netherlands, Norway, Peru, Portugal, South Africa, Spain, Sweden, Switzerland and Uruguay. Japan has observer status.

## **INTERNATIONAL IDEA**

**Strömsborg**

**SE -103 34 Stockholm**

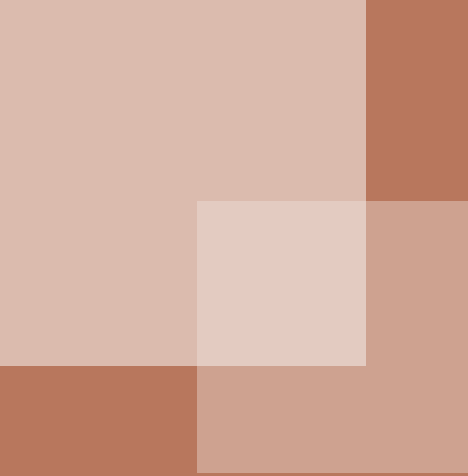
**Sweden**

**Tel: +46 8 698 37 00**

**Fax: +46 8 20 24 22**

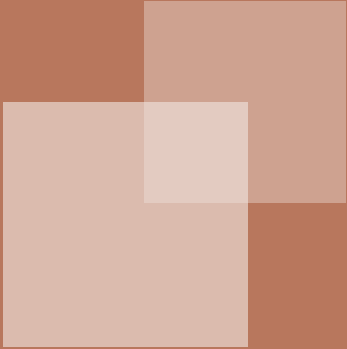
**Email: [info@idea.int](mailto:info@idea.int)**

**Website: [www.idea.int](http://www.idea.int)**



# Appendices (3):

About the local partner organizations in the four countries





## Jordan Al Urdun Al Jadid Research Center (UJRC)

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The Al Urdun Al Jadid Research Center (UJRC) is an independent non-governmental organization that works towards creating sustainable development in Jordan by encouraging and overseeing practical research, offering experience in the field of developing public policies and providing a platform for dialogue and capacity building by holding discussions, seminars, conferences and training sessions. The UJRC shares experiences and experts with a large number of institutions regionally and internationally. Its publications cover the work of its programmes and of the researchers with which it cooperates.

The UJRC was established in 1990 as an extension of the quarterly magazine, *Al Urdun Al Jadid* (1984—1990), which was registered under the Publications and Printing Law no. 10/1993. The UJRC runs a series of programmes on democratic development, good governance, parliamentary and election studies, strengthening civil society and increasing the political participation of women and young people. The election studies programme at the UJRC deals with municipal and parliamentary elections and all other electoral practices. Since 1993, the UJRC issued 20 publications on elections and parliaments. Thirty conferences, seminars and workshops have been organized, in addition to contributing to working papers for dozens of conferences related to elections in Jordan and elsewhere. The UJRC's main publications on elections are:

- Assessment of the Electoral Framework in the Hashemite Kingdom of Jordan, 2007
- Studies in Jordanian Parliamentary Elections, 1997 and 2002
- Jordanian Women and Elections, 1997 and 1999
- Contemporary Election Systems, 1995
- Towards a Suitable Democratic Election Law, 1998
- Election Laws: The Cornerstone of the Democratic System, 1995.

The UJRC is the general coordinator of the Arab Civil Network for Democratic Reform (ISLAH). It is a founding member of the Euro-Mediterranean Human Rights Network (EMHRN), the World Movement for Democracy, and the Arab Social Science Research (ASSR) network. In Jordan, the UJRC participates in many governmental and non-governmental committees, projects and initiatives.



## Egypt Parliamentary Think Tank (PTT)

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The Parliamentary Think Tank (PTT) is a consultative office specializing in parliamentary development. It does not belong to any political or party organization. It does not receive financial grants but works on a contractual basis. The office and its director, Dr Ali Al-Sawi, a professor of political science at the University of Cairo, works with a team of experts to provide technical support to members of Arab parliamentary councils and municipal/local councils, through research and training activities. The PTT has the following units:

### **Research unit**

The unit surveys and analyses aspects of parliamentary life and prepares studies in the following fields.

- The structure of parliamentary institutions (formation, powers, party map, work of committees, assessing performance, etc.)
- Legislative role, and assessing the quality of legislation.
- Parliamentary monitoring of the government's work.
- Information mechanisms and parliamentary information systems (traditional and electronic, and the relationship of deputies to electoral districts).

### **Training unit**

Organizes

- Workshops for deputies, including information on issues, presentations on public policies, draft laws and legislative issues.
- Training sessions for employees in the technical bodies of parliament and researchers on parliamentary work skills, in the field of parliamentary harmony, managing election campaigns and civil education.



## Arabization and information unit

### Works on the

- Translation of documents and books on international parliamentary pilots.
- Arabization of foreign parliamentary terms.
- Preparation of information files on parliamentary work.
- Provision and updates of parliamentary information through the website: [www.barlaman.org](http://www.barlaman.org)

## Consultancy and technical support unit

This unit works on the wording of legislation, policy analysis, and assessment of the institutional performance of parliaments and the law.

## Publications unit

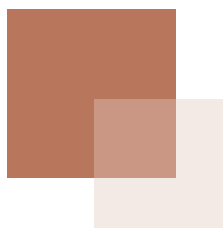
the PTT has produced many specialized publications, such as:

Prof. Ali Musa, *Parliamentary Analysis of Laws*.

Dr Karim Abdul Razzaq, *The Role of Parliament in Defence and Security Policies*.

Ms Marwa Rajab, *Parliamentary Structures*.

Prof. Hanan Ezzelarab, *Making Public Policy in the South African Parliament*.



# Morocco

## Moroccan Association for Solidarity and Development (AMSED)

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### **Date of establishment: February 1993**

**Institution type:** Public benefit non-profit organization

#### **Aims**

- Supporting the institutional capability of associations
- Taking dynamic local action on basic needs
- Training the administrative staff of associations
- Developing the skills of associations in the field of planning and managing development projects

#### **Tools**

- Providing technical support to get local residents involved
- Providing technical support to run and monitor activities

#### **Principles of work**

- Voluntary action
- Gender-sensitive
- Equality
- Sharing practical information and skills with partners

#### **Areas of expertise**

- Health and the environment
- Small companies
- Eradicating illiteracy and basic education

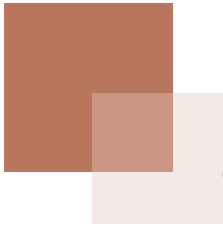
#### **Contact**

Telephone: +212 37 759352/53

Fax: +212 37 750098

Email: [amsed@iam.net.ma](mailto:amsed@iam.net.ma)

Website: [www.amsed.org.ma](http://www.amsed.org.ma)



# Yemen Human Rights Information and Training Centre (HRITC)

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The Human Rights Information and Training Centre (HRITC) is a private non-governmental and non-profit civil organization that is distinguished by its policy of complete neutrality, and non-affiliation with political parties. The HRITC is an academic institution that aims to support human rights in Yemen and the Arab world. It is committed to all the international covenants, treaties and declarations on human rights issued by the United Nations. It specializes in raising awareness of human rights through training activities and sessions, academic meetings, maintaining documentary archives and regular publications.

## General aims of the HRITC

The general aims of the HRITC can be summarized as raising awareness of human rights and supporting human rights concepts, providing information and documentary services in this context and training individuals interested in human rights in Yemen and Arab countries.

## The HRITC

- Has a consultative role in the United Nations Economic and Social Council (ECOSOC).
- Is a member of the International Federation for Human Rights (FIDH) (Paris).
- Is a member of the Habitat International Coalition.
- Is a member of the Coalition for the International Criminal Court.
- Is a member of the Arab Coalition for the International Criminal Court.
- Is a coordinator of the Middle East and North Africa (MENA) Network for the Prevention of Small Arms Misuse.
- Is a member of the Arab NGO Network for Development (ANND).

Headquarters: Al-Majaliya, Taiz, Republic of Yemen. PO Box 4535

Telephone: +967 4 216277, Fax: +967 4 216279

Email: [HRITC@y.net.ye](mailto:HRITC@y.net.ye) & [HRITC@yemen.net.ye](mailto:HRITC@yemen.net.ye), Website: [www.Hritc.org](http://www.Hritc.org)

Sana'a Branch: Al-Jazayer Street at the Intersection with Baghdad Street.

Telephone: +967 1 473603, Fax: +967 1 473604



# Appendices (4): Notes





## Notes

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- i. There were around 77 million people in May 2006, of whom 3 million were living abroad.
- ii. Data of the Central Agency for Public Mobilization and Statistics, April 2007, on the results of the census held in 2006.
- iii. Resolutions of the Governing Council, 1982 and 1983.
- iv. Report on projects implemented through individual efforts and public participation in the governorates in the financial year 2006/2007, the general secretariat for local administration, the planning and monitoring affairs sector (unpublished).
- v. It is worth mentioning that the most recent elections were delayed for two years for political reasons, perhaps the most important one being the call for a new law to be prepared on local administration. However, the law was not issued and the elections were held in 2008.
- vi. An urban area, considered a part of the city.
- vii. I.e. a big (mother) village and a number of villages associated with it in its geographical sphere.
- viii. An issue of interest is that these local councils, in spite of their minimal powers, are fully elected, unlike parliament itself, which has a number of appointed members but is considered the legislative authority.
- ix. This issue is still being considered by experts to improve the quality of members of the local popular councils. Many demand that the minimum level of education should be a school leaver's certificate, in the same manner as the People's Council Law which has been amended recently.
- x. One of the most popular proposals for developing municipalities, in addition to the condition of 'good reputation and impartiality', is to impose conditions on nominations, although there is no agreement on the detail of such conditions and how this would work in reality.
- xi. They are the New Wafd Party, the Tagammu Party, the Nasserite Democratic Arab Party, the Democratic Front Party, Al-Geel Party, Al-Ghad Party, the Free Republican Party, the Liberal Party, the Young Egypt Party, the Egypt 2000 Party, the Umma Party, Al-Takaful Party and the Green Party.

- xii. Political parties can nominate a candidate in the presidential election if they obtain the approval of 160 members of the governorate popular councils.
- xiii. 1988, 2002 and 2008.
- xiv. Report of the Egyptian Association for the Promotion of Democratic Development on media coverage of local elections, 2008.
- xv. An issue of interest is that the number of women winning in 2002 was very high with respect to the number of candidates; there were 1035 candidates, with a success rate of more than 80% out of the total candidates.
- xvi. Local Administration Law no. 43/1979, Articles 91, 93 and 104.
- xvii. Local Administration Law no. 43/1979, Article 2.
- xviii. Where blind people or those with disabilities wish to vote, the head of the polling committee will assist them. If the voter comes alone, the head of the committee hears their vote orally, the committee secretary confirms this on the ballot paper, provided that other committee members are not in the hall, and the head signs it and it is put in the box. If the voter is accompanied by another person, they may cast their vote orally or by delegating the other person. It is not necessary that this person is a voter, and the delegation is noted in the polling book.
- xix. To visit the website, got to: [www.montazaonline.com](http://www.montazaonline.com).
- xx. Analytical study carried out by the Forum for Development and Human Rights Dialogue by looking at a sample of 18 articles in Egyptian newspapers and magazines on corruption cases in municipalities in 2007.
- xxi. For example, one building in central Cairo, the Mugamma in Tahrir Square, deals with around half a million citizens daily and has more than 22,000 employees.
- xxii. See Festinger, Léon and Kartz, Daniel, *Les Méthodes de Recherche dans les Sciences Sociales* (Paris: Presses Universitaires de France, 1959); Thines, Georges and Lempereur, Anes, *Dictionnaire Générale des Sciences Humaines* (Paris: Editions Universitaires, 1988); and Mauss, Marcel, *Manuel d'Ethnographie* (1926 edn).
- xxiii. The contents of this paragraph are taken from El-Kawwal, Elham, 'Non-agricultural activity in the Moroccan rural community: The model of rural tourism in Agdez', Dissertation for a Master's Degree, Faculty of Literature and Human Sciences, Rabat, 2008.
- xxiv. Bellaoui, A., *Tourisme et Système Economique des Zones de Montagne au Maroc: Etat Actuel et Perspectives d'Avenir. Le Cas du Haut Atlas de Marrakech* (Marrakesh: Département de Géographie, Faculté des Lettres et Sciences Humaines, 2000).
- xxv. Bourgiya, Rahma, *State, Power and Society: A Study of the Constants and Variables in the State's Relationship with Tribes in Morocco* (Daar Al-Talia, Beirut, 1991), p. 183.
- xxvi. Local plants used in traditional industries and which are common in desert and semi-desert areas.
- xxvii. Boukich, Khalid, *Environnement et Développement Rural dans le Rif Central. Mémoire de 3ème Cycle en Aménagement et Urbanisme* (Rabat, 1999), p. 108.
- xxviii. Al-Qabila, Idriss Ouled, 'Moroccan issues', *Al-Hiwar Al-Mutamaddin*, no. 758 (February 2004).

- xxix. According to Law no. 04-36 concerning political parties.
- xxx. According to Law no. 04-36 concerning political parties.
- xxxi. According to Law no. 04-36 concerning political parties.
- xxxii. According to Law no. 78.00 concerning the Communal Charter.
- xxxiii. For more details, please refer to Chapter I, Book IV, Law 78.00 concerning the Communal Charter.
- xxxiv. Chaker, Aziz, 'Le développement social au Maroc entre l'administration publique et l'administration privée. Question sur la place et la réalité du tiers secteur' ONG et gouvernance dans le monde arabe. Colloque organisé dans le cadre du programme MOST (UNESCO). In partnership with IRD. CEDEJ.CEPS AL AHARAM, Cairo, March 2000, p. 2.
- xxxv. Moustapha Chadli, 'La société civile ou la quête de l'association citoyenne, publication de la faculté des lettres et des sciences humaines', Rabat, 2001. Series : Essais et Etudes no. 32, p. 25.
- xxxvi. Chaker, 'Le développement social', p. 2.
- xxxvii. Centre marocain d'études et de recherches démographiques (CERED), 'population et développement'. 1998, p. 393.
- xxxviii. Alkhaiti, M. and Ouaziz, M., 'Vie associative et dynamique locale, Perspective pour le développement par la bas', International conference on 'Région et développement économique'. Tomb 3, Rabat, Morocco, 19-20/10/1995, p. 216.
- xxxix. Abadi, Idriss, 'Role of Associations in Local Management', Contribution to a book *'What Community Participation in Reducing the Local Democracy Deficit?'* Communal Space, 2003 Roundtable discussions, p. 62.
- xl. Name of a plant with evergreen leaves; there are many different types of *qat* grown on short, medium and tall trees. It is mainly used in Yemen and some East and Southern African countries. The fresh green leaves are chewed for several hours. It has lots of colloquial names. It has lots of different spellings in the Latin script, such as *cat*, *catha*, *kat* and *qat*. For more information see: *Thaqafat Al-Qat Fil Yemen: Muqaraba Sociologiya* by Al-Zalb, Abdullah, *Thaqafat Al-Qat Fil Yemen, Muqaraba Sociologiya* (Sana's: Al Afif Foundation Publications, 2001)

