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## NORTH AFRICAN REGIONS AND CITIES: Awaiting their own spring

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**T**he revolts that took place early this year in Egypt and Tunisia, which in both cases triggered the fall of the regimes, launched a transition period in which an attempt is being made to reestablish the political and juridical order of both countries. Throughout this complex constitutional process many elements must be taken into account.

The framework for the discussion regarding the reform of the States of Northern Africa and their democratic transition is a process that was already under way in some countries in the region. The popular revolts have also hastened reforms in Algeria and Morocco, where certain changes were already taking place. The transition to democracy opens up a complex periods which should replace existing dictatorships with new, more democratic and inclusive, regimes in which the political, economic, and administrative decentralisation of power toward administrations closer to the needs of the territory, municipalities, and regions could be key in assuring the success of this new stage. It is a long road on which many questions still remain to be answered. How should the constitutional process be organized? How will power be distributed in this new stage? What roles can the different actors who make up the State play? And how

to pose a question that thus far has gone unnoticed: Is it possible to move toward democracy without also posing a decentralisation of power toward the territory and the citizenry, precisely the places where the demands that have brought about the regime changes were born?

To advance on this path it will be necessary to approach a structural problem that is common to the whole group of northern African countries: the scant interest of their historic leaders in promoting local and regional governance in order to improve “public services delivery, foster the consolidation of the State and of peace, develop democratic representation”<sup>1</sup> from the closest area of performance. This is why, despite appearing to be a marginal issue, the role of local and regional governments in the democratic configuration of the States of Northern Africa is relevant not only because it is the physical space (municipalities and regions) where the protests are born and fueled, but also because often the same authoritarian and repressive dynamics of the central power have been reproduced at the local level, not allowing the necessary margin of authority for the inclusive development of the territories.

**The transition to democracy opens a complex period/chapter that should establish new, more democratic and inclusive, regimes in which the political, economic and administrative decentralisation of power towards administrations more in touch with the needs of the territory, which could then be key elements in assuring the success of this new stage**

**Discussion regarding territorial reality and political decentralisation continues at present to be very limited; perhaps the question is even being evaded in the face of the difficulties in the constitutional process itself and the current undefined quality of the actors who are playing a role in it (transition government, political parties, local elites...)**

**This new stage presents an opportunity to incorporate the local and regional dimension in the new European strategy in the Southern Mediterranean and to foresee from the start mechanisms of support for local and regional governments**

1. According to the UNDP definition.

## Decentralisation and Arab democracy?

Beyond the reasons that originally motivated the revolts, the demonstrations and protests have been aimed primarily at the representatives of central power and, more concretely, toward the highest leaders, Ben Alí in Tunisia and Mubarak in Egypt. Nevertheless, local and regional governments were excluded from the process at first. This can only be seen as paradoxical when you take into account that most of these administrations were nothing more than the extension of the central State into the territory. Not in vain, in the case of Tunisia, did the principal revolts originate in peripheral cities in the interior of the country such as Sidi Bouzid or Kasserine, and often right on the steps of the city hall. It should not be forgotten, moreover, that Mohammed Bouzizi, who set off the spark that ignited the revolt, burned himself up Bonzo-style before the headquarters of the governor, the symbol of central power. But once the dictator was deposed, local administrations lost no time in taking their place at the core of the polemic.

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In Tunisia, the first problems regarding territorial administrations soon arose. On February 3, the transition government appointed the first governors of the 24 governing bodies or regions of the country (*muhafazat* in Arabic). This was an issue of vital importance: in the midst of the post-Ben Alí period, the legitimacy and competence of the governors would be especially important, as they are in charge of promoting those changes in the socio-economic development of the territory that the Tunisians had been demanding in the preceding months. Of the 24 appointees, 19 continued to be high-level members of the Ben Alí regime, and of the official party *Rassemblement Constitutionnel Démocratique* (RCD). Thus, in numerous cities, the population rejected the appointment of the new governor with ties to the RCD, considering it necessary in this transitional stage to be offered compelling guarantees in order to establish a climate of confidence between the administration and the citizens. In the end, ten of them were replaced with technocrats with no known political affiliation (in Beja, Bizerta, Gabes, Gafas, Debili, Sidi Bouzid and Siliana, among others).

In fact, the 264 Tunisian municipalities are still traversing a very delicate situation following the contesting of almost all their representatives (who also had ties to the Ben Alí regime). This has even led to the departure of some political representatives and, above all, to an important loss of municipal revenues, which have fallen 70% with regard to the two

first months of the previous year.<sup>2</sup> In the face of this alarming situation, which entailed the risk of paralyzing municipal activity and placing at risk the delicate balance in the provision of minimal public services, in April the Tunisian government decided to dissolve the municipal councils and designate temporary representatives.

In Egypt, the first changes introduced into the Constitution and endorsed by the citizens on March 18, 2011, centered at first on modifications to the electoral process and the way of electing the President. But important decisions were also made outside constitutional reform, which affect the local level: on June 28, the Administrative Justice Tribunal of the State Council order the dissolution of the municipal councils of all the Egyptian governmental jurisdictions. This involves 1,750 councils with 54,000 members, the majority of whom belongs to the dissolved National Democratic Party (NDP). In this way the Tribunal met one of the demands of the January 25 revolution. The destitution of the councilors leaves Egyptian municipalities under the control of unelected local executives and provincial officers until such time as elections for new councilors are held.

In both cases, therefore, similar decisions are made for the purpose of transmitting a message of a total split with the previous regime. This provisional situation will have to be resolved once

legislative elections have been held, but it supposes a slowdown in the functioning of the city halls deprived of elected representatives with a legitimate license to make decisions. Or, what could be worse, in the event that the new leaders wished to delay local elections even longer and postpone the debate on decentralisation, this would lead to the depoliticisation of municipal life. This could place at risk the advance of democracy to the nearest level of citizenry. Even so, this is still a first step toward inclusion of the role of city halls and their political power in the territory in the framework of the discussion of the constitutional process both in Tunisia and in Egypt.

Finally, and despite the opacity in Libya of territorial reality and the interactions between central power and local and regional agents, it seems clear that the armed revolt has arisen precisely from the tribal forces originating in the regions of the country that have traditionally been disenfranchised by Colonel Gaddafi. It was in the city of Benghazi, in the Cyrenaica region, a territory that the Gaddafi regime always had trouble controlling, where the uprising began in mid-February. The new Libyan constitution, in order to be consistent with the spirit of the revolt, will have not only to reflect reality and recognize "tribal loyalty" but also to foresee a new distribution of power that will be representative of the

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2. According to estimates elaborated by the Tunisian Ministry of the Interior.

forces in the territory and faithful to the social and political role these forces have played over the centuries.

### Local and regional authorities in the reform processes

In the case of the other two countries in the zone, which have not to date undergone a regime change, certain reforms that were already underway have been accelerated by the reinforcement or acceleration brought about by the revolts in the neighboring countries. In the case of Morocco, these changes are so far-reaching as to include the modification of the Constitution. It is a process of opening up to a slow democratic transition that also foresees a certain decentralisation of central power and greater attention to citizen demands through accord procedures that will incorporate local and regional governments, as well as agents of civil society.

Hence, in Morocco, both the social mobilisations and the political reforms carried out throughout 2011 had a local and regional dimension from the outset. The disturbances and confrontations were greater in peripheral cities (Tangiers, Tetuan, Larache, Chefchaouen, Sefrou, Marrakesh, and Guelmin), some of which have a long record of protests and conflicts in the past few years. The death of five persons in the February 20<sup>th</sup> demonstrations in Al-Hoceima, and the inability to react on the part of the authorities even led to the resignation of two high authorities in the region. Fatima Saadi, the President of the Communal Council of Al-Hoceima, and Mohammed Boudra, the President of the Taza-Hoceima-Taounate region and Co-President of the Euro-Mediterranean Assembly of Local and Regional Authorities (EMRLA or ARLEM in French).

Moreover, not many days after the March 9 speech in which the Moroccan King, Mohammed VI, announced a constitutional reform, the Consultative Commission on Advanced Regionalisation, whose President is Omar Azziman, the former Moroccan Ambassador to Spain, published its report.<sup>3</sup> The document, commissioned by the King himself in January 2010, proposes a new division of the country into 12 regions (instead of the current 16) and the attribution of new competencies to the Regional Councils. Nevertheless, this report, initially presented as a response to the need to offer a solution to the Western Sahara conflict that would be favorable

to Rabat's interests, leaves this question aside and proposes a new, purely technocratic, division of territorial competencies, with no significant advance in the political autonomy of the regions. This does not keep the proposals contained in the report from going on to form a part of the "reform package" announced by the King and voted in by the people this past July 1<sup>st</sup> in the constitutional referendum. In this way, the proposal on regionalisation included in the report represents the culmination of the always-postponed reforms on the distribution of competencies among the *Walis*, representatives of the central government in the territory and regions. The latter will see a broadening of their technical competencies but the *Walis* continue "to safeguard the fulfilling of the law and the interests of the State".

In the case of Algeria, in the face of the first uprising and the risk of "contagion" of the revolts in neighboring Tunisia, President Abdelaziz Bouteflika presented a package of reforms among which were included the opening up of the discussion on the role of municipalities and the *wilayas*. The

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Algerian national people's Assembly approved a new municipal code with a minimum of discussion and with few substantive advances but which is followed by a period of votes to modify the statute of the *wilayas*, the true symbol of power of the State over the territory the reform of which began over 10 years ago. This reform will come to a conclusion in the fall following a period of consultations with a range of local actors that will allow for a more global reform whose objective is to define a better distribution of territorial power.

The citizen revolts and protest movements have thus precipitated the discussion of the configuration of the current State model in the north of Africa. In this way, be it in Tunisia, where a new constitutional process is under way, or in Algeria, where the regime is holding on, some changes have already taken place that point to a role for local and regional governments and their participation in the reform process.

### What debate on the model of the State?

In truth, in the current constitutional process, the dynamic and the discussion about how to move toward a democratic transition that will involve the local powers is essentially an internal one, in Tunisia and Morocco in particular. In Tunisia, the question of regionalisation as a means of bring balance to

3. <http://www.regionalisationavancee.ma/DefaultFR.aspx>

territorial disparities is generating a certain debate and performance on the part of the government. The new minister of regional development has expressed his desire to change the trend of investment in regional growth: 80% of the resources will now be directed toward the rural areas in the interior of the country, and 20% to the richer coastal areas, the opposite of what had been done in the Ben Alí period. This debate and work is concentrating primarily on economic investment and the improvement of living conditions but to date the institutional dimension of this process of regionalisation has not been addressed.

It is to be expected that once the legislative elections have been held, efforts will focus on preparing local and regional elections. This cannot happen, however, until the model of the State and the role that local and regional governments will play in it has previously been discussed. Still, a debate of this nature runs the risk of dragging on. In the worst of cases, it could take as long as two years to hold local elections, and

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the risk this entails would be a lack of political articulation with the territory and of institutional mechanisms able to meet the challenges that have in part caused the revolts.

In Morocco, following the validation of the modification of the Moroccan constitution, the reforms taken up in it with regard to the new regional councils must be launched. The constitution of a new Parliament following the legislative elections programmed for November of this year will allow all the laws to implement the reforms specified in the new Moroccan constitution to take effect. The issues that should be prioritized are the new organic law of the Chamber of Deputies as well as that of the Chamber of Advisors. Nevertheless, the renovation of the Chamber of Advisors should take place before the elections to the regional councils (programmed for late 2012 at the latest, according to the July 30<sup>th</sup> speech of the Alauí King). This will require an organic law to determine the carrying out of regional elections by universal direct suffrage, and to define the powers attributed to the regional councilors and the sources of financing of the regional councils.

At this point in time, the debate regarding territorial reality and political decentralization is still very limited; it could even be that the issue is being evaded in the face of the difficulties of the constitutional process itself and the current ambivalence of the actors who play a role in it (transitional government, political parties, local elites...). In this sense, as an agent external to the process, the European Union could attempt to exercise some influence on issues that are decisive in the middle and long term. If the changes introduced are limited to mere formal changes or are restricted by the need

for greater economic investment to compensate for territorial disparities, the basic problems that affect society, such as representation, justice, or local sustainable development, will still remain.

### Where is European cooperation?

The European Commission has chosen to participate in the dynamics undertaken by each one of the countries immersed in reform processes or in transition. Cases in point of this participation are the support for the project of Moroccan regionalisation, the decisions adopted to give economic support to the most disadvantaged regions of Tunisia, or the improvement in the living conditions of the distressed neighborhoods of the metropolitan area of Cairo in Egypt. The Commission has given political and economic backing to the lines established in each country with regard to these issues, though in no case is it a question of support for institutional reform, but only of economic support for concrete measures decided upon by the transitional governments.

Moreover, in the Communiqué on an "Association for Democracy and Shared Prosperity in the Southern Mediterranean"<sup>4</sup> which presents the reorientation of its priorities on the heels of the events of this year in Northern Africa, the Commission points to the role that should be played not only by European institutions, political parties, and civil society, but also by local and regional European governments by insisting on the need to "reinforce all those public institutions that can consolidate change". Nevertheless, reform is oriented more toward civil society, which has a new specific instrument, while local and regional governments are relegated to the use of the current instruments of the European Neighborhood Policy, instruments that do not allow local and regional authorities to benefit from them (with the exception of cross-border cooperation and the TAIEX instrument for the development of institutional capacities).

But this new stage poses an opportunity to incorporate the local and regional dimension in this new strategy with the Southern Mediterranean and foresee mechanisms of support to local and regional administrations from the start. For this to happen, the ample experience of European decentralized cooperation can be taken into account. This supposes, therefore, a challenge not only for the countries that are immersed in these processes of transition toward democracy but also for such other actors as European local and regional governments that extend cooperation to their regional counterparts (be they local and regional governments or agents of civil society) who, to date, are surprisingly absent from the debate.

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4. <http://eur-lex.europa.eu/LexUriServ.do?uri=COM:2011:0200:FIN:ES:PDF>

With the exception of a few visits and occasional operations (led by French local and regional representatives through such networks as *Cité Unies France* and the European Regional Assembly), there has not been a clear or coordinated response beyond a symbolic and rhetorical support for the processes of democratic transition. This presents a unique opportunity for decentralized European cooperation also to rethink its own on-the-ground strategy, as its results have not had enough impact to promote substantial changes. In the case of Spain, Autonomous Communities and Municipalities have valuable experience owing to their active participation in the process of democratic transition, which could be of great use for their counterparts. This cooperation, arrived at by consensus and coordination with their own States and with their Northern African counterparts, could contribute, once the constitutional process has prevailed, to the celebration of municipal and regional elections, in the mid term, above all, when these new democratic authorities are able to move forward on their own. This is a time for not abandoning these local and regional governments and for assuring their role in the new configuration of their own States, and avoiding falling once again into a rhetorical discourse on local and regional governance in Northern Africa that, to date, despite the millions of euros invested in it, has not become a reality.

### **The ideal moment**

This year, like none other since the Northern African independences, is turning out to be decisive for the region. The political shifts, the reforms introduced, and the perspectives for democratic transition add up to a key moment in which the role of all the political, economic, and social actors should be recognised and ensured. It is important for a debate to take place and an internal consensus to be reached on the distribution of territorial power so that then they can be reflected in the new Constitutions, allowing for greater vertebration in each country.

Consisting, as Northern Africa does, of countries with plural societies, it is an ideal moment to recognise these realities and articulate them institutionally. In this way, local and regional authorities will be able to increase their role in the new democratic configuration of the States of the region so as to nourish demands for greater liberty, representation, and justice by the citizenry.