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# THE STATE OF REFORM IN THE ARAB WORLD 2008

THE ARAB DEMOCRACY INDEX

The first annual report on the state of democracy in the Arab world is based on data gathered into the Arab Democracy Index covering three key dimensions: the constitutional and legal texts; public opinion and impressions; and the actual behaviour patterns of regimes in power, based on their performances on the ground, and documented reports regarding the way central authorities exercise their power. Measurement is based, therefore, on monitoring performance and behaviour rather than just examining intentions and theoretical criteria, like legislation and rules.

This report is edited by the Palestinian Centre for Policy and Survey Research and coordinated by the Arab Reform Initiative. It is the result of a close collaboration between ten different institutions selected by ARI, some of which are members of the Initiative. The report reflects one of the main objectives of ARI, namely to nurture Arab research capacity and promote a home-grown vision of reform and of the priorities as defined from the region.

[www.arab-reform.net](http://www.arab-reform.net)

Edited by The Arab Reform Initiative  
and The Palestinian Center for Policy and Survey Research

**The Arab Reform Initiative  
The Palestinian Center for Policy and Survey Research**

# ***THE STATE OF REFORM IN THE ARAB WORLD 2008***

## ***THE ARAB DEMOCRACY INDEX***

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// The Report is based on field work conducted in the eight countries surveyed: Algeria, Egypt, Jordan, Lebanon, Morocco, Palestine, Saudi Arabia, and Yemen.

The original data by country Findings for the indicators by country in Annex 1) Main Findings in Annex 2)

The distribution and weights within the index by country in Annex 3) as well as the overall report are available on the website [www. Arab-reform.org](http://www.Arab-reform.org)

// Opinions and findings in this report do not represent necessarily the views of the member institutes and centers of the Arab Reform Initiative.

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*\*Arab Democracy Index Master Sheet  
folded inside*

*// About The Arab Reform Initiative*

ARI was founded in 2005 based on the prevailing consensus that the Arab world is in need of reforming its social, political and economic systems and on the belief that the way challenges are met depends on who produces the knowledge and formulates the issues. The Initiative's priority is to mobilize Arab research capacities to generate knowledge by those who are the prime targets of reform, nurture and promote realistic and home-grown agendas for democratic reform, foster public debate and produce recommendations for policy leaders. The Initiative promotes a comprehensive vision of reform that integrates the interaction between the political, economic, societal and cultural spheres and raises awareness in the Arab region about successful transitions to democracy in other parts of the world.

With members and partners in more than 15 Arab countries, ARI holds a unique position that allows it to draw on a broad network of scholars and activists to grasp the diversity of situations among countries of the region and produce a combination of country specific and comparative and transversal research. The Arab reform Initiative is an independent organization with no ties to any specific country or any political agenda related to the region.

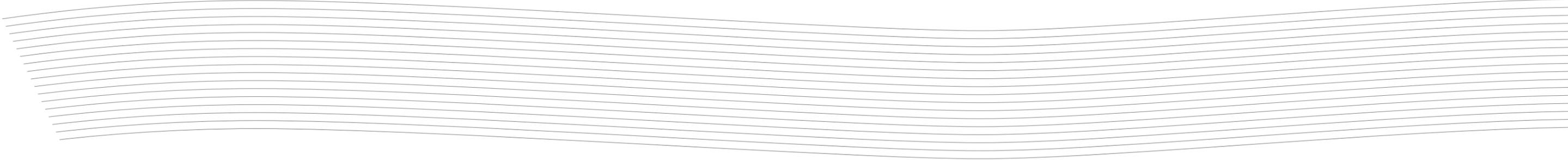
*// How We Work*

ARI's work agenda and strategic orientations are decided by a Plenary composed of the directors of its 15 institutional members. The ten Arab member institutes are spread across the Mashreq, the Maghreb and the Gulf and work in partnership with four European and one American centers.

Priority areas for work are selected according to the concerns and priorities of the region's key stakeholders and are designed to support local initiatives by citizens and policy leaders.

The Initiative puts great care in protecting its independence, particularly in its fund-raising policy, applying strict criteria such as the diversification of sources (Arab and international) and the principle of "no strings attached" to donations.

Support is provided primarily by member institutes, private foundations and corporations as well as individual contributions from Arab citizens concerned with reform.



## Foreword

Bassma Kodmani \*

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The Arab Democracy Index is the first endeavor by an Arab institution to produce an audit of the status of democratic transition in selected countries in the Arab World based on reading and comparing key indicators.

A major gap that affects Arab societies is the absence (or scarcity at best) of reliable data through which ordinary citizens can be informed of the realities of their country and its environment. Arab citizens therefore build their vision of reality based either on information produced by foreign institutions when they know how to access it, or on what they intuitively believe to be the reality. Citizens therefore understand but are not able to measure change. They tend to assess progress (or regression) from a narrow and subjective angle based on their personal experience and have no means at their disposal to understand what differentiates their country from a neighboring country.

With this report, the Arab Reform Initiative seeks to provide a specifically Arab evaluation of change in the region and to play a leading role in the battle to win free access to information as a basic right for citizens.

In most cases, assessing democratic change amounts to measuring if and how political systems are exiting from authoritarianism, if the opacity and lack of accountability of public institutions is reduced, if human rights violations are diminishing, or if censorship and other forms of restrictions on freedoms are waning.

The 36 indicators built in this report (out of the initial 40 developed for the Democracy Index) provide a tool to measure change over time and to compare situations among different countries. No point of departure is fixed as a reference against which to measure change. This first report will serve as the reference against which change will be measured in the following years.

Indicators are fraught with drawbacks. They seem to put all countries in the same boat while we know that these have different histories and political systems, and that the pace of change is dependent on the characteristics of each society. But indicators are useful in that they set standards based on universal criteria. Arab countries often plead their specificity and point to the informal, traditional mechanisms of participatory governance they use, to argue that

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democratic practices in their political systems are more developed than they appear to be. Yet, when it comes to economic and financial issues, they do not hesitate to undertake the necessary legal and institutional reforms in order to respond to the universally agreed criteria of a liberal economy and meet the requirements of the global market so as to attract foreign investments; or to express their readiness to sign a code of conduct introducing rules for greater transparency on the use of Sovereign Wealth Funds.

Following this rationale, it is legitimate to evaluate political situations against internationally accepted standards and norms.

Finally, ARI's Arab Democracy Index falls short of capturing some complex phenomena which are decisive to understand the political realities of Arab countries. The three qualitative analytical pieces included here go some way in shedding light on these realities. But transition processes require multi-track monitoring and analysis of key issues such as the relationship between the business community and the government as well as the role of the private sector as a player in the reform process; the composition and evolution of the security sector and the potential for reforming it; women's visions of reform and their aspiration; or the changing strategies of political movements and the experiences of dialogues and coalition-building between various ideological currents which are underway in several countries.

These and other fields of reform are studied through specific research projects and policy papers conducted by ARI's network of researchers and published in its different publication series.

This report brought together a large team of Arab scholars, field workers, statisticians and polling experts from different countries who worked closely to implement a common methodology, under the leadership of the Palestinian Center for Policy and Survey Research. ARI hopes that the Arab Democracy Index will contribute to fostering an informed debate on whether and how the Arab world is transitioning towards democracy, and on the major areas of concern for its citizens.

\*Executive Director, Arab Reform Initiative

# Introduction

*Khalil Shikaki\**

Is there a link between the absence of democracy on one hand, and social and economic underdevelopment with an increase in violence, on the other? The debate is ongoing. Some propositions support this premise, while others oppose it based on the belief that democracy has a positive impact that encourages “moderation” among groups sidelined from legal and political participation, such as the Islamists. What is beyond doubt, however, is that the overwhelming majority of the Arabs want democratic systems that allow them to hold their rulers accountable, actively participate in the decision-making process, and bring about change. Our interest in gauging the democratic transition process emanates from our conviction that any failure to respond to the people’s will would be tantamount to marginalising them, and weakening their ability to deal with the internal and external challenges that face the Arab world.

In order for us to closely monitor the democratic transition process, and actively contribute to its rapid progress in the Arab world, based on accurate and diligently gathered data, we should use an objective and sensible mechanism to measure this progress, its significance and its sustainability. This report monitors the status of democracy in eight Arab countries, namely Egypt, Morocco, Saudi Arabia, Jordan, Palestine, Lebanon, Algeria and Yemen, by gathering and analysing around forty major indicators relevant to the democratisation process. Many of the main indicators have sub-indicators covering related political, economic and social fields.

Different endeavours compare international and regional data, using various methodologies. A report published by the United Nations Development Programme (UNDP), in 2004, mentions 60 different indices, projects or reports based on gathering quantitative data relevant to political change. The most important of these is the “Human Development Report”, which UNDP has been publishing, since 1990, on education, health and per capita income. Likewise, Transparency International has been publishing, since 1995, a report regarding the status of corruption, based on public opinion surveys, data and the general impressions of businesspersons and analysts in around 180 countries. These two reports, however, do not directly address the political dimension of democratisation, as does the comprehensive report, “World Governance Indicators”, published by the World Bank, that covers over two hundred countries and regions. It gauges governance from six different angles: political participation, political stability, government performance, the rule of law, organisational framework and corruption. In a similar vein, the Freedom House report measures change related to accountability, civil freedoms, the rule of law and fighting corruption.

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Freedom House defines “freedom” based on two criteria: political rights and civil freedoms, and gives each individual country a score ranging from 1 (the best), to 7 (the worst, or “not free at all”). Another report by the German Bertelsmann Foundation addresses democratic conditions (political participation, the rule of law, stability of democratic institutions, ability of the state to spread its control over its entire territory and political and social complementarity), as well as conditions of the market and the administration. Finally, the Global Integrity Report classifies countries based on a variety of indicators, including civil society, the media, elections, government accountability, the administration and civil service, monitoring efforts and the performance of organizations, fighting corruption and the rule of law.

Despite the fact that some of these reports, like the World Bank’s indicators, provide a large collection of data, many of them are based on non-objective mechanisms, like group, individual or public impressions, or depend on examining procedural political processes, like reviewing laws and constitutions. On the other hand, the Arab Democracy Index goes further than the above reports in two aspects: it takes into consideration both impressions and patterns of behaviour, and measures their impact on the citizens’ daily lives. It revolves round the centrality of the notion of citizenship, instead of political authority, and thus takes limited steps towards the social and economic impact that changes in the country’s political system have on people’s lives.

Data gathered for the Arab Democracy Index covers three different dimensions: the constitutional or legal angle, public opinion and impressions, and actual behaviour patterns of regimes in power, based on their performance on the ground, and documented reports regarding the way central authorities exercise their power. Measurement is based, therefore, on monitoring performance and behaviour rather than just examining intentions and theoretical criteria, like legislation and rules. Though intentions can be good, the performance could be poor; this is why we focus on the means and practices associated with democratic transition, and on public opinion’s assessment of these practices.

Researchers find it difficult to generate documented results based on available international mechanisms, not just due to their different methodologies and principal reliance on impressions, but also because of the contradictions inherent in some of their findings. For example, the Human Development Report of 2007-2008 places Saudi Arabia at the top of the eight Arab countries covered by this study, and Morocco and Yemen at the bottom of the same list. Transparency International’s 2007 report places Jordan at the top of the list, followed by Morocco, then Saudi Arabia, with Yemen again at the bottom. Freedom House’s report, for its part, divides the eight countries into two groups: those that are partially free, namely Jordan, Morocco, Lebanon, Palestine and Yemen, and those that are not free, i.e., Algeria, Egypt and Saudi Arabia. The World Bank report gave Jordan, Morocco and Saudi Arabia a better score than Lebanon, Egypt and Algeria, and placed Yemen and Palestine at the bottom of the list. The Bertelsmann Foundation’s report gave Lebanon the best position, followed by Jordan, and placed Saudi Arabia and Yemen at the bottom of the list; finally, the Global Integrity Report for 2007 puts Jordan at the top, and Lebanon at the bottom of the list.

The Arab Democracy Index measures the level of democratic transition based on four different values or principles: strong and accountable public institutions, respect for rights and freedoms, the rule of law, and equality and social justice. We are aware, however, that we cannot directly measure these principles and values, which is why we developed measurable indicators for each of the above values. For example, the rule of law relies on eight major indicators, including the extent of the judiciary’s independence based on constitutional and legal texts, and the availability of various means by which citizens can hold the authorities accountable, such as alternate legal systems like state security courts; these are two indicators on which precise empirical data can be easily gathered.

Quantitative data enable us to understand developments pertaining to a particular value. As for the final numerical score given to each country individually, the aim is not to pass judgement on that particular country, but to allow the reader to compare its performance to others.

This annual report is organized in four sections: Methodology, Findings, Analytical Studies, and Conclusion and Recommendations. The Methodology looks at the reasons why we chose this particular set of eight countries analysed in this report, and describes various indicators, their weight and considerations behind their selection, as well as various sources of information we relied on to obtain the data used in this Index. It addresses the concept of democracy and the reasons why we focussed on the transition process; reviews various classifications used in the index, like those of the means and practices, and the principles or values of democratic transition, and describes all indicators related to them. Finally, the Methodology explains how best to read this Index, and reminds the reader that the aim behind giving each country a score is not to simply describe conditions at present, but to serve as a mechanism for comparison that allows the measurement of change over time.

The second part looks at the detailed and comprehensive results of the Index, values and indicators, and addresses each country's results separately. The findings show that all eight countries are at the embryonic stages of democratic transition. While the Index's overall score stood at 508, the most advanced in this regard (Jordan) received 609 points, and the least advanced (Saudi Arabia), 363 points.

The third part includes three analytical contributions regarding the transition to democracy, using the index's findings. Basma Kodmani's paper considers the progress already achieved in the field of reforms in the Arab world, and the nature of the challenges at play, illustrating her text with examples from Egypt, in particular. One of the problems that reforms face, she notes, is that its prime mover as well as prime target are one and the same, namely a ruling elite that allows only a limited amount of formal constitutional, legal and other formal reforms which it offsets by constraining practices. The local and international focus on terrorism-related issues, she says, has weighed heavily on the democratic reform process, and economic pressures have rearranged the citizens' priorities, shifting their attention away from their rights. Rami Khouri's paper focuses on the Arab Mashreq, and uses examples from Jordan, Palestine, Lebanon and Syria. Khouri believes that although there were a number of non-political reforms in the past few years, the democratic aspect of reform was marginalised in the process. He believes that the main impediments are the armed conflicts in the region, the sharp ideological contradictions inherent in them, political competition, complications resulting from foreign interventions, the ruling elites' insistence on holding onto their privileges, and their opposition to genuine and serious reforms. For his part, Abdallah Saaf uses similar examples to distinguish styles of reform that are available across the Arab world, and makes reference to the progress achieved in the legislative field, countered by entirely contradictory practices on the ground. Saaf also refers to progress achieved in the economic field, which nevertheless fails to have a positive impact on the political reform process. He expects some limited progress in the future coming from within the regimes in power, as a result of local and foreign pressure, but without rising to the level of a democratic transition.

The fourth part contains a list of general and specific recommendations. While general recommendations are based on the Index's overall results, the specific ones rely on the results of individual countries. The report includes four annexes containing a description of the indicators and the manner of their calculation, detailed results from each country's indicators, the Index's main results and values, and figures showing the results of each country's indicators, values and principles.

There is no doubt that the quantitative methodology used in this report poses a number of problems, for there are significant and indicative aspects of the political process that are difficult to adequately quantify or measure, and Basma Kodmani's paper refers to some of them. Some might also think that the importance of the different indicators used varies considerably, for not everything that can be counted and measured is actually worth counting and measuring. Another problem relates to the significance of the final scores awarded to each country, and to the Index as a whole. It is only normal for a measurement to start at a given point, though this point's nature is not all that significant since what is important for us is where this point actually stands in comparison to other countries, and how much there was progress or regression from it the following years. This comparison with other countries, however, poses another problem since it raises a question about the wisdom of classifying countries whose political and social systems are fundamentally very different. Since there is no comprehensive answer to this question, we tried in this report to compensate for this shortcoming by including good quality analytical articles.

It is important to note that this document is the outcome of a collaborative effort among a group of Arab research centres and universities, most of which are members of the Arab Reform Initiative. These centres collected initial data in their respective countries, and the Palestinian Centre for Policy and Survey Research, in Palestine, calculated each country's indicator scores based on this initial data. Although all participant centres adhered to a common methodology, in some countries a small number of indicator scores relied on the researcher's estimates, on those of the Centre's main researchers, or on the collective evaluation of the main working group. Similarly, certain centres were unable to collect sufficient data regarding a number of indicators, specifically four out of a total of forty, which forced us to omit them from this year's index. The fact that there were many data gathering centres, and discrepancies in the estimates and impressions, acted as a restraining element due to the nature of collective work. Finally, the working group had to eliminate Kuwait from this year's index due to the lack of sufficient information on a large number of indicators, although the Kuwaiti working group went to extraordinary lengths to access the missing data.

# Methodology

The Arab Democracy Index, which is at the core of the Arab Reform Initiative's Annual Report, monitors various indicators that evaluate issues relevant to the nature and performance of political systems. It reflects the extent and depth of changes that, together, could indicate the level of democratic transition in the Arab world. In this initial stage, the Index covers eight Arab countries, and there is every expectation that this number will gradually increase to include all countries in the Arab world.

The Index allows a numerical reading of forty different indicators chosen to reflect the democratic pulse of the Arab region, based on the prevailing democracy paradigm. Most indicators examine how close a country stands to the liberal democratic model of the nation state. This does not reflect the political or ideological preferences of those who designed the Index, or diminish the importance of theories that criticise this particular paradigm. It was rather our desire to work within the context of a common denominator that made us opt for this particular choice. Thus, since this liberal paradigm, associated with the classical vision of the nation state, above all has to do with the procedural aspects of democracy, and therefore reflects a minimum degree of the democratisation process we are hoping for, this paradigm becomes the closest option to the common denominator we seek. The forty indicators gauge four major values and principles relevant to the democratisation process: strong and accountable public institutions, respect for rights and freedoms, the rule of law, and equality and social justice. Neither does the Index's methodology overplay the use of the prevalent liberal paradigm; it reinforces the Index with indicators relevant to equality, justice and economic independence.

Data relevant to the forty indicators is collected annually. This means that a continuous review and calculation of these indicators enables the Index to closely monitor changes in the Arab political systems, from the point of view of their proximity to the above-mentioned democratic model.

This initial stage covers, as much as possible<sup>1</sup>, the period from early July 2006 to the end of June 2007, and includes Jordan, Algeria, Saudi Arabia, Palestine, Lebanon, Egypt, Morocco and Yemen. Only thirty-six out of the forty indicators were used, due to certain difficulties in gathering documented information relevant to the four remaining indicators<sup>2</sup>. This led the working group to suspend them in this year's report, though it will continue to look for ways to ensure their coverage in subsequent undertakings. Moreover, two out of four sections<sup>3</sup> of indicators relevant to education were suspended for similar reasons.

This Index is an extension of the experience in Palestine of the Palestinian Centre for Research and Studies, and the Palestinian Centre for Policy and Survey Research, for the preparation and publication of "the Palestine Democracy Index"<sup>4</sup>. However, the Arab Index's indicators were amended in a manner that better suits the comparative nature of this report, and more in conformity with

available methods of collecting and measuring information in different countries. The aim was also to allow for wide differences in the surveyed countries' size, resources, history and respective characteristics.

This Index has its own advantages, restrictions and limitations; it shows the status of democratic transition in the Arab world, and a number of important relevant details, in a quick and coordinated manner. It also gives the reader the opportunity to easily monitor change on a yearly basis, and to pinpoint obvious areas of political change or stagnation. The ability of the chosen indicators to monitor the process of democratic transition is no doubt limited, and a numerical score, to a certain degree, simplifies it and takes it out of context.

Many Indices monitor economic, social and political conditions. For example, Average per Capita Income is used to classify a given country on the economic development scale, in comparison with others. Similarly, the Average Price Index is used to measure the general increase in prices, and, by extension, the actual value of wages. In the same vein, the Democracy Index is an attempt to find a quantitative (or numerical) expression for the pace and direction of democratic transition, as part of the process of change in a given political system. However, since the nature of political transition is different from economic or other transformations, this Index relies on a larger number and variety of indicators to gauge democratic change. Different indicators use different measurement methods to ascertain whether conditions, in general, reflect the success or failure of a transition process.

This Index does not try, for example, to answer whether democracy is liable to encourage political pluralism or not; instead, it presupposes that one of the reasons for seeking democracy is precisely to encourage pluralism. Consequently, it sees any increase in the number of political parties as a positive sign of democratic transition. However, despite its importance, this Index does not at all examine the degree, seriousness, status and nature of the political parties' participation in political life, or the nature of these parties' programmes, etc. It presupposes that if pluralism were effective in encouraging democracy, it would have an impact on political participation, and on the political authorities' performance, e.g., by increasing their accountability level. Similar constraints apply to most of the indicators used; indicators relevant to education examine the ratio of educated individuals and the number of years they spend in academia, rather than the quality of their education. Nor does the indicator relevant to social security examine its effectiveness, or the safety net it provides.

Various indicators address issues relevant to legal structures, social conditions, freedoms, the economy, the authorities' performance, institutional performance and other issues whose conditions, or quality, are supposed to change as the result of democratic transition. Indicators examine these issues from the point of view of relevant preparations underway (policies and legislation), and the level of practices and their outcome. The Index is based on the premise that a positive democratic transition is the outcome of a certain political will; therefore the lack of such a transition (obstructed or absent) means that either this will does not exist, or has not been actualised.

## Selecting countries for the survey

We faced a number of practical and objective limitations in deciding which countries to cover in the survey. In principle, all the Arab countries were candidates; nevertheless, and despite various resource and time limitations, these limitations were not a deciding factor since other factors intervened to resolve the issue, one way or another. Among these were the availability of local working groups ready and able to start working immediately on collecting and evaluating data, whether opinion surveys could be conducted in the concerned country, and whether access to information was relatively easy.

We cannot claim that the eight countries covered by the first survey are a representative sample of the Arab world. Nevertheless, the chosen sample does include countries from the Arab Mashreq (including the Arab Gulf region) and Maghreb, rich and poor countries, countries with large and relatively small populations, two oil producing countries, and ones witnessing more politically turbulent times than others. For these reasons, the research team believes that the sample surveyed for this report can give a balanced impression of the Arab world. Of course, this impression could be somewhat optimistic, since the availability of information and the relative ease of access to it, reflect to a certain extent what the survey seeks to examine. The reader should therefore be aware of the high probability of a structural bias in the Index, due to the mechanism it is based on. One could say that this rewards the sampling bias had the research team not been conscious of the fact that the sample is not representative.

## Indicators of the Arab Democracy Index

After much debate, a re-examination of relevant texts, and a study of several examples from around the world regarding the measurement of democracy and democratisation, forty indicators were selected for this Index<sup>5</sup>. Each has its own set of detailed sub-indicators and a specific way of calculating respective scores<sup>6</sup>, based on the information available and the particular situation it is supposed to monitor.

The selected indicators have to do with daily political, economic and social issues, and reflect the entire democratic decision-making process. This starts from the tendency and desire to take part in the decision-making process, to the decision-making process itself, its implementation, guarantees for its continued implementation, and making the necessary adjustments for it to happen.

All the Index's indicators were given equal weight<sup>7</sup>, meaning that each indicator contributed 2.5% to the Index (2.8% in this year's survey, due to the suspension of four indicators). The process of deciding on the respective weights, or the decision to give all indicators equal weight, was a decision of the working group that carries within it a largely arbitrary judgment regarding the importance of various constituent elements of a democratic system. Some might choose to re-examine the Index by giving each indicator the weight he or she thinks it deserves. The importance of this Index lies in its ability to compare results from consecutive years, and monitor the ongoing process of change. What is important here for any diligent researcher is not how the image is formed, but how it changes and transforms as the result of changes in the system's attributes and performance.

It is rather difficult to rationally, and objectively, delineate the specific weight of countries going through different stages of development, since each focuses on an area of tangible change within the democratisation process. While some countries are at the stage of modernising and democratising their political system's constitutional and legal structures, others are promoting political participation, strengthening their economy or liberalising it.

The experience of the past two decades shows that there is no single formula for democratic transition, regardless whether it is on a positive or negative course. Countries with different socio-economic structures certainly need to focus on different aspects of the democratic transition process. For some countries, it is a matter of institution building, for others it is reforming them; for some it is establishing a solid basis for elements of prosperity to take root, in others, it is expanding it; in others yet, it is re-examining the entire legal structure, liberalising the economy, and so on.

The forty indicators are the constituent elements of the Arab Democracy Index; each of them ex-

amines a given domain that reflects the process of democratic transition in the Arab world, and quantitatively reflects the examined data.

The indicators are divided into groups, based on different classifications; there are two kinds of indicators: the tools (means) and the practices (results) on the one hand, and political, economic and social indicators, on the other. There are also indicators related to internal policies, foreign policies; to basic values and principles of a democratic system, i.e., strong and accountable public institutions, respect for rights and freedoms, the rule of law, and equality and social justice.

These indicators were chosen based on several considerations, the most important being the need to cover all the aspects listed above. Other important considerations were the degree of these indicators' reflection of democracy as a governance system and as a regulator of the political regime's relationship with society, whether they reflect the level of the state and its institutions' respect for human rights, or their ability to project an image of relationships within civil society's institutions, associations and organisations. A different set of considerations has to do with whether the indicators could be measured repeatedly, and at specific time intervals, (usually on an annual basis), without neglecting those relevant to phenomena like elections that require a longer time frame to change, yet are key elements in the democratic transition process. These indicators were selected after a long process of reflection and testing, leading the team to a reasonable level of confidence that they were collectively capable of monitoring the course and pace of a democratic transition.

Though we did mention a general tendency in the Index towards procedural matters and a focus on political indicators, the team's awareness of the importance of the socio-economic aspects of democratisation prompted it to include a number of additional indicators. These are relevant to the citizens' interest in using and promoting democratic tools to ensure their participation in a decision making process that goes beyond the mere choice of leaders. This latter set of indicators examines the true extent of genuine democratic practices, whether they are restricted to the elite, and if they risk becoming another tool for legitimising tyranny and the poor distribution of the country's wealth. The set of concomitant indicators, classified under the principles (values) of equality and social justice, constitutes the main component in measuring the nature of a democratic transition that is not limited to procedural matters.

We believe that this Index could interest observers with different backgrounds and concerns. It could also turn public opinion's attention to areas of success and failure regarding different aspects of the democratic transition process. It could provide politicians who desire to introduce change, with precious information as to the Index's ability to pinpoint areas of weakness in policy implementation, areas that need further development or those where policies have to be amended. It is also important for legislators who aspire to hold the executive authority accountable, as far as its performance in democratising the community's life is concerned. It could also reveal areas that still need legal or constitutional reform, and point out domains that researchers should further explore to uncover reasons behind successes or failures to democratise.

## Sources of information

Given the wide variety of indicator and the wide range of issues they portray, different ways were used to access data necessary for crafting the indicators and allocating scores to individual domains. The research group tried, as much as possible, to rely on basic sources of information, and was careful, whenever possible, to obtain the necessary information from independent and varied sources. The Index also paid special attention to public opinion, and allocated a quarter of the indicators to it. In cases where precise information could not be obtained, or the results reached did not provide a

clear-cut result (due to contradictory information, or to obvious disparities between official data and data from the field), the team resorted to the evaluation of experts from the countries concerned.

Sources of information used in the Index come from government or non-government sources. Government sources include ministries, intelligence and security agencies, central statistics departments, parliamentary committees, parliamentary secretariats, higher judicial councils and court administrations, as each case required. Non-government sources included local government centres, like regional, tribal and municipal councils; non-governmental organisations, unions and relevant professional associations, local newspapers and the internet. As for sources relevant to the citizen's impressions and assessment of the situation, opinion surveys, especially designed for the Index, were carried out by technically qualified teams, based on a representative random sampling system, and margins of error that never exceed 5%, despite differing margins from one country to the other.

## The concept of democracy and the democratic transition process

The Arab Democracy Index is a numerical projection of the democratic transition process. By transition process, we mean a series of changes in the characteristics, nature and performance of a political system during a period of transition, which is by nature imprecise, suffers from periodic bouts of regression and is not guaranteed against failure. Measuring the transition process forces us to concentrate on indicators that clearly portray changes in the political system and its elements. It also compels us to stay away, as much as possible, from other important elements and indicators that project the depth, effectiveness and sustainability of an existing democratic system, but do not necessarily play a key role in the transition from an undemocratic to a democratic system.

The kind of democracy we seek and are trying to gauge is, for the purposes of this Index, a mode of organization of political life based on the premise that people are the source of power, and that a political system should reflect the popular will, and ensure justice and equality through participation in the decision-making process. Democracy is, therefore, a mean, rather than an end in itself. Democracy at the core is also not a way of thinking, a belief, a set of values, or a cultural trend, but a mechanism for participation in the decision-making process, and one that ensures that the decisions taken reflect the will of the people.

Gauging democracy in a given country means measuring the level of the people's effective participation in making decisions that affect their lives, in a democratic way. It also means the presence of various ways and means that allow this participation to take place, and the degree to which they are institutionalised, sustainable and available for the people to use. This can be measured using a set of indicators that cover available mechanisms for participation in the decision-making process, the ability to amend them and object to them, and the level of public satisfaction with decisions made (political or other). This reflects, on the one hand, the extent of the people's involvement in decision-making and, on the other, how seriously a decision is implemented (relative to the intention when it was made). It also reflects the extent of the people's effective participation in, and impact on, the decision-making process, and how encouraged they are to participate and use available mechanisms, as well as the presence of guarantees regarding the consequences of free participation. Moreover, it shows how deeply institutionalised are all the above mechanisms, their implementation, relevant practices and sustainability within the system, and society's ability to shoulder the ensuing burden.

This report is based on the premise that democracy (in its general sense) is not a tactical position, but one that reflects a certain socio-political- economic tendency embodied in the political system.

It has its own institutional, contractual (constitutional), procedural (administrative) and value-related manifestations, the most important among which are the unequivocal respect for the rule of law, upholding human rights and preserving man's dignity, and honouring the concept of citizenship. Seen from this angle, democracy is the people's option. However, because this option is in contradiction with the interests of certain groups, particular institutions are necessary to formulate specific arrangements, measures and legislation that lay the foundations of democracy, guarantee its sustainability and deter anyone from causing it harm. Among these arrangements and measures are separation and independence of powers (executive, legislative and judicial), exercise of power through regular and fair elections (i.e. admitting the legitimacy of competition between forces and parties with different agendas on governance), and enacting legislation that ensures freedom of expression, organisation, assembly, press and the right to strike (i.e., to participate in public life). Democracy is not only a question of implementing the principles of practicing power through regular elections, respect for party and intellectual pluralism and upholding minority rights, but goes well beyond that to enshrining basic individual rights, like the right to work, movement, shelter, education, health and social care, regardless of one's ethnicity, religion, gender or colour. The Index's indicators were designed in such a way as to take all of the above into consideration, as much as possible, and look ahead to including other dimensions, like women's participation in public life, the real conditions under which they live and the extent to which the legal infrastructure promotes their equality with men.

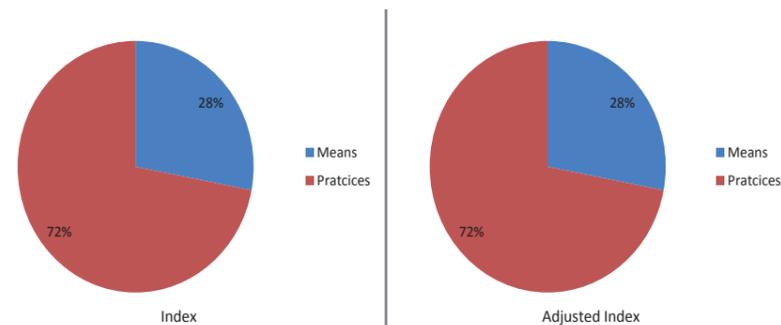
## The Index's classifications

The Index's data have a numerical value that reflects the average value of indicators in each individual country, group of countries, or all Arab countries together, from which data is collected. However, it is worth looking at specific classifications by grouping indicators into sets that reflect the transition process, from one angle or another of aspects reflected by these indicators, as mentioned above.

The first classification divides the indicator into two kinds: those that reflect the means through which democratic transition is taking place (indicators 1-10), and those that reflect the practices associated with it (indicators 11-40). As Figure 1-1 shows, indicators relative to the means make up one quarter of indicators, while those relative to practices make up the remaining three-quarters (28% and 72% respectively, in the present survey, due to the suspension of four indicators, out of thirty, related to practices).

Figure 1-1: The Index's First Classification Based on the Kind of Indicator (Practices and Means)

\*Variation is due to the suspension of four indicators in the current survey



Indicators relevant to the means reflect those aspects of the democratic transition according to which constitutional, legal and institutional principles that lay the legal foundations for guaranteed democratic processes are formulated. These indicators therefore serve to ascertain, for example, whether constitutional texts highlight the importance of the separation of powers, and include legal guarantees for the freedom of the press, the right to form and join political parties, etc. Furthermore, indicators relative to means are confined to the political aspects, since they reflect the minimum amount of political will necessary to undergo a democratic transition.

As to indicators relevant to practices, they reflect the implementation of constitutional provisions, and rule and regulations, on the ground. They measure, for example, violations of constitutional principles and laws that harm the balance of power among the three branches of government, or restrict freedoms. They also measure the extent to which the government is dependent on foreign funding, or on foreign markets, to an extent that it has become more responsive to foreign pressure than to domestic public opinion. Indicators that reflect the public's impressions, which the Index bases on public opinion surveys, are among the indicators that reflect practices. They monitor, among other, issues like whether people are able to criticise the authorities, and whether they feel corruption is widespread in the public sector. Moreover, among the indicators that reflect practices are a number of indicators that examine social issues, such as education, health, social security, and the like.

As shown in Figure 2-1, the second classification divides the Index into four groups reflecting the basic values and principles of democratic transition:

Strong and accountable public institutions (13 indicators: 1-3; 11-20)<sup>8</sup>; cover issues like people's evaluation of public institutions' performance, of the rule of law and whether the public feels personally safe.

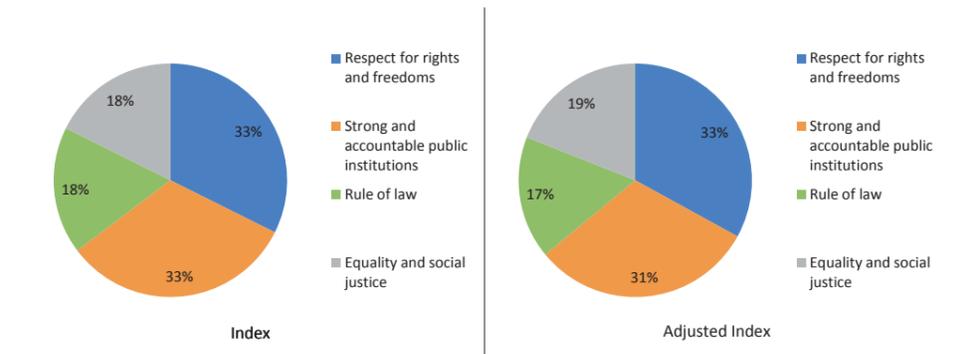
Respect for rights and freedoms (13 indicators: 4-7; 21-29)<sup>9</sup>; cover issues like licensing new political parties, appearance of opposition political party views in the press, and the people's assessment of press freedom.

The rule of law (7 indicators: 7, 8, 25-29)<sup>10</sup>; cover issues such as independence of the judiciary, and how people's complaints against governmental authorities are dealt with.

Equality and social justice (7 indicators: 9, 30-35); cover issues such as government spending on health and education compared with security and defence, and the ratio of women in the labour market.

Figure 2-1 below shows the two-thirds share, out of the total Index, of indicators relevant to public institutions and respect for rights and freedoms, and the 18% share of those relevant to the rule of law, equality and social justice. In the present survey, the share of the indicators relevant to respect for rights and freedoms remained unchanged, while the share of those on equality and social justice, the rule of law and public institutions was 19%, 17%, and 31%, respectively.

Figure 2-1: The Index's Second Classification based on the Basic Principles of a Democratic System



## Reading the Index

The Index does not presuppose the existence of a democratic standard based on which measurements can be made. This is why the Index relies on a quantitative estimate of the condition of democracy in the Arab world, in the period covered by the annual report. However, despite the fact that this estimate gives an impression of democratic conditions in those Arab countries where surveys were conducted, this Index does not make value judgements on them, and should not be used as such. Although the Index allows comparisons between various Arab countries, these comparisons remain confined to contrasting indicators that constitute this Index's elements. The Index unifies the measurement period, indicators and calculation systems, and uses coordinated information-gathering methods, which guarantees uniformly high credibility of the information used. Consequently, the Index's effectiveness is linked to the ability to manage the research process in a manner that succeeded, as much as possible, in maintaining a level of consistency among research groups in different countries, and ensuring that the information gathered is equally consistent in all aspects. The main research tool here is information gathering; and the more research groups are successful in collecting and documenting necessary information, with a certain degree of consistency, the smaller the margin of error becomes, and the fewer distortions occur in drawing a picture of different countries' indicators in a single survey.

It is worth repeating that the Index does not reflect democratic conditions as such, but the democratic transition process, by quantitatively measuring and reporting on the condition of democracy at several points in time, whereby each point represents a given time period. Once a year, the Index freezes in time an instant in a given country's life, which means that we have to see the result as a static, rather than a moving, picture. We should also consider that drawing this picture year after year will enable us, over time, to construct a cinematic image, and that each indicator in the Index is a single frame in a picture that portrays an instant in the life of an Arab country.

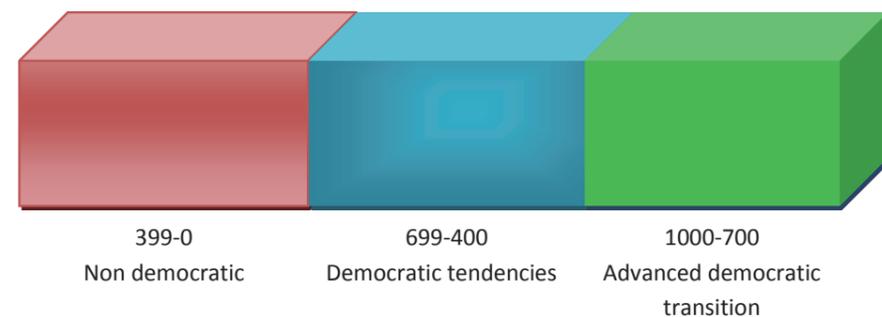
On the other hand, it is possible in principle to use the Index to compare various Arab states, taking into consideration the context in which pictures of different countries were drawn. Just as bodies appear bigger or smaller depending on their distance from the lens when the picture is taken, data gathered through inconsistent tools in this Index could be misleading if their context is not clear. One should pay special attention to this consideration when making comparisons.

The Index's methodology presupposes a high level of coordination and agreement between research groups in different countries, and there is no doubt that this requirement will improve as different national research teams gain experience. There is also no doubt that other parts of the annual report (the qualitative reports, in particular) will contribute to defining the contours of the static image drawn by the Index, and help the reader better imagine what lies behind, and around, it.

This first report aims at establishing a framework for future measurements; it acts as a frame in which pictures will be displayed, year after year.

In any reading, the Index's score can range between zero and one thousand; this applies to the indicators and sub-indicators in any mode of classification. In general, and with a certain amount of distortion that cannot but be noticed by the reader, one can assume that the Index's scores, the collective one and the one specific to a given country or sector, could be used to classify countries into categories. We could say that any score below 400 indicates undemocratic conditions, and a lack of policies aimed at fostering stirrings in favour of a democratic transition. We could say, in the same vein, that a score between 400 and 700 indicates undemocratic conditions that comprise a few elements of democracy, which reflect either a tendency towards a transition, or that the political regime is amenable to such an eventuality. A score between 700 and 1000 reflects, on the other hand, a certain amount of progress in the democratic transition, representing a situation that needs deeper analysis, and additional indicators to evaluate more fully.

Figure 3-1: The Index's Democracy Score Level



The Index can be read at different levels:

The first level involves reading the final numerical projection (overall figure), which allows a general and unencumbered view of the democratic transition process in Arab countries in which a survey was conducted. It also allows us to take stock of the democratic transition process separately in each surveyed country.

The second level involves reading the numerical projections of the Index's sub-indicators, on the basis of which the indicators are classified into groups, like the results of sub-indicators relevant to practices, means, rights and freedoms, or the rule of law. One could also read each country's results separately.

The third level involves reading each indicator separately; this allows the reader to monitor changes in all forty indicators (36 in the present survey), either for the surveyed countries as a whole, or for each country separately.

The Index comprises information that allows the reader to view data on both the regional and national levels.

However, we do not advise the reader to look at this Index, and its indicators, only from the quantitative angle. Democracy and democratisation symbolise a qualitative condition that reflects, reinvents and contributes to the development of a malleable and changeable socio-political and economic system. What these indicators present together (the Arab Democracy Index), in a particular domain (a particular kind or one of the elements or values), or in one specific category (a given indicator), is a quantitative (numerical) expression of an instant frozen in time, to provide qualitative values over a given time period. We advise the reader to view this data against a backdrop of dependency, vulnerability and anxiety regarding the future, three general conditions that Arab societies currently suffer from. Therefore, we have to be wary of any attempt to reduce the democratic transition process to a mere number, or a set of quantitative variables. Instead, we should deal with indicators and classifications, as well as the Index itself, as tools to monitor change (both negative and positive) in the condition of democracy, and thus intervene in formulating policies and guidelines that serve the democratic transition, and help entrench democracy.

Many precautions are necessary when reading the Index and interpreting its findings. These include a margin of error that could be reduced through diligent effort, though not eliminated entirely, and the existence of a link between the Index's mechanism, and popular aspirations that change in tandem with progress. The Index's partial dependence on opinion surveys, for example, means that it equates evaluations of the same process by different publics, using the same measurement tool, despite divergent public expectations in different countries that affect the evaluation of facts. This means that the higher the ceiling of expectations, the less this tool is capable of reflecting real change. Some of the Index's indicators compare texts that reflect the same legal and constitutional principles in different legal environments, environments that might be undergoing different processes of development. There is also the impact of language differences; a certain term could mean one thing in one country, and another in a different country. However, awareness of these constraints by the research team and the readers, and their ability to take them into consideration, enhances the Index's effectiveness as a tool. To arrive at the best results therefore, the Index must be used sensibly.

Notes

1// In some cases, data gathered earlier than this period was used for reasons that have to do with the periodical nature of information. Most of this information is based on surveys carried out by central statistical departments that have their own timeline. Time elements involved, and relevant to various facts, will appear in the text as necessary. This time frame will be taken into consideration in subsequent reports.

2// These indicators correspond to numbers 13, 15, 23, 30, (for details, see in annex No. 1 on ARI website "<http://www.arab-reform.org>")

3// The two suspended sections, relevant to illiteracy and education, correspond to Number 36, and have four sub-indicators: the first deals with illiteracy, the second with illiteracy disparities between men and women, and the third and fourth deal with the percentage of college graduates, and disparities between males and females.

4// This Index covered various periods starting in 1996, and is still published by the Palestinian Centre for Policy and Survey Research in Ramallah, where preparations are underway for the publication of the eighth report. To view the seventh report, go to "<http://www.pcpsr.org>"

5// See annex No.1, which contains a list of indicators used in the Arab Democracy Index

6// See annex No.1, which contains a list of detailed indicators, the sources of information and the manner of calculating respective scores.

7// We could reconsider this in the future, based on a comparison between the image reflected by the Index, and the one resulting from in depth analyses of the condition of Arab political systems. It would be useful to do that if we find that there is a possibility to harmonize between pictures emerging from various research efforts in the field.

8// Two indicators (13 and 15) were suspended in this survey.

9// One indicator (23) was suspended in the present survey.

10// One indicator (30) was suspended in the present survey.

# Findings

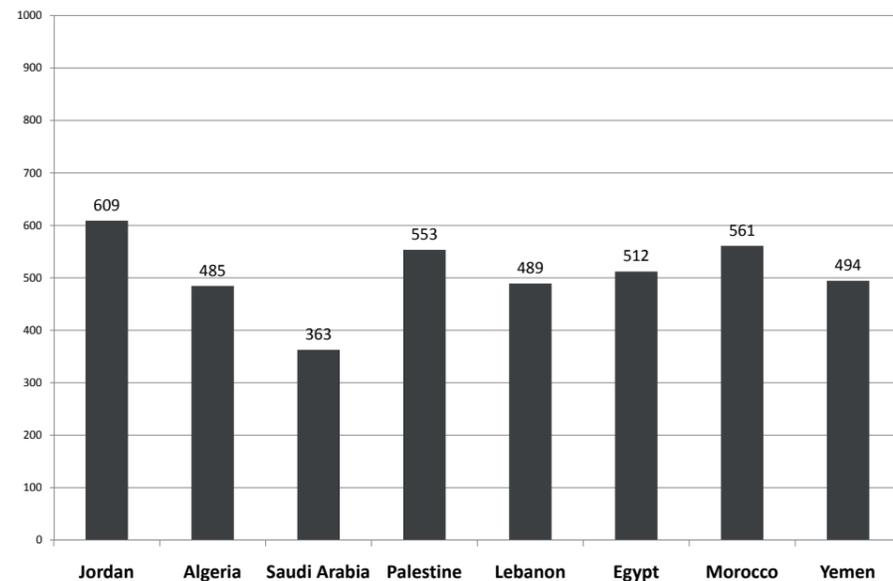
This section analyses the indicators on the regional and individual country levels, using the Index's general data and data that reflects aspects of the means or practices, as well as the sub-indicators for the four values or principles mentioned in the methodology.

## Regional findings

The Index's overall score stands at 508, meaning that the eight countries whose indicators were examined show a certain tendency towards a democratic transition, and reflects an initial willingness in the Arab region to democratise, though this tendency is still at an embryonic stage.

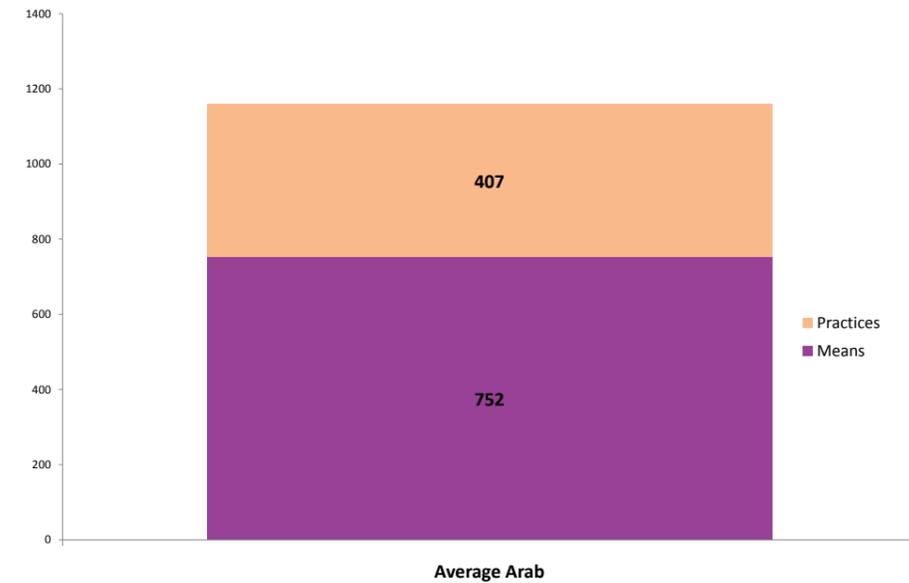
The individual countries' scores, (figure 2-1 below) indicate that discrepancies between the eight countries are staggering. Jordan, with a score of 609, tops the list of countries that show progress in the process of democratic transition, followed by Morocco (561), Palestine (553), Egypt (512), Yemen (494), Lebanon (489), Algeria (485) and finally, Saudi Arabia, with (363). The last is the only surveyed country whose score does not rise above the 400 mark, which the team had a priori earmarked as the cut-off point between autocracy, and signs of democratic transition. We can therefore speak of a tendency towards democratic transition in the region as a whole.

Figure 2-1: Index, by Country



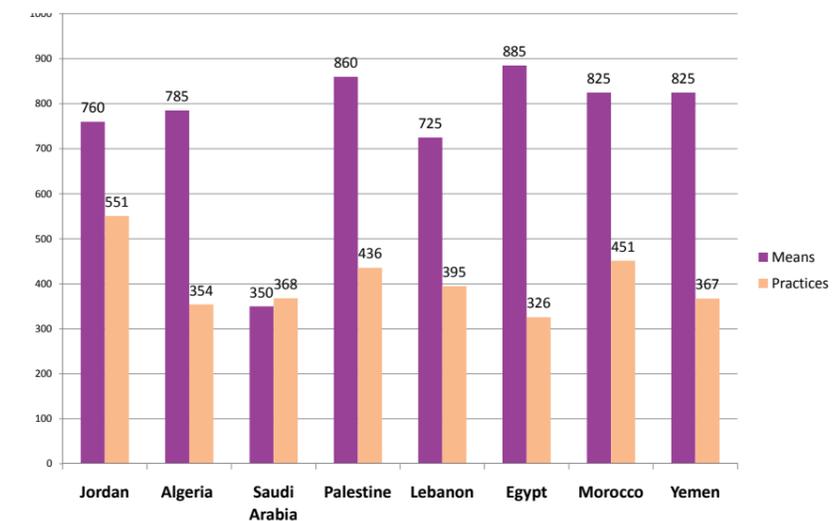
We can also say that this democratic transition is still at the embryonic stage and largely reliant on outside encouragement. As figure 2-2 below indicates, what signals the embryonic nature of this democratic transition is that the score for the means (752 points) is almost double that for practices (407 points). One should bear in mind that indicators relevant to the means address only constitutional and legal texts, and that the legal reform processes receive encouragement from abroad, encouragement that has been gaining momentum since the early 1990's, but whose impact on political practices is still weak.

Figure 2-2: The Arab Average, by Type of Indicator (Means-Practices)



These two features -the embryonic nature of the democratic transition, and the fact that it is encouraged from abroad - apply to the region as a whole. The large discrepancy between the two kinds of indicators applies to all the surveyed countries, save for Saudi Arabia, in which the democratic transition process did not yet reach a measurable stage. Saudi Arabia still maintains a closer balance between political practices and their legal framework than countries that have already started transitioning, but have not yet gone far enough to demonstrate an equal amount of progress in the field of implementation.

Figure 2-3: Indicator Scores by Type (Means-Practices) and Country

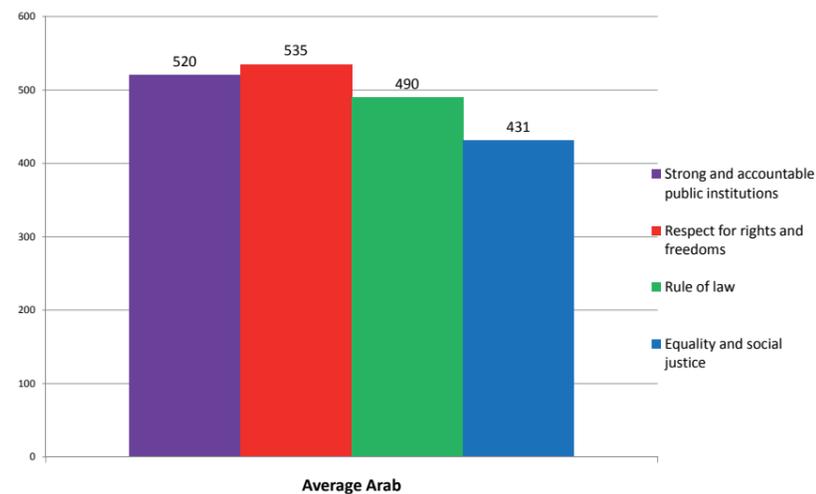


The reader will note that the gap between the scores of the means and practices is smallest in Saudi Arabia, which had the lowest scores in the index, with a ratio of (10:10), followed by Jordan, which had the highest score in the index, the ratio is (10:7). The gap then widens for the other countries, ranging from (10:3) in Egypt and (10:5) in Lebanon. These figures correspond to the prevailing impressions regarding the degree of stability of each country, since it is natural for practices to keep pace with the legal framework when this framework is stable, and when political and administrative life is consistent with it. This happens either because this framework has remained unchanged for a long time, or because changes within it have successfully moved on to a practice mode acceptable to society.

Transitions built on reform measures instigated by the ruling elite of the country, i.e. that does not happen as a result of a dramatic political shift (like a revolution) leading to a radical change of this elite, cannot produce a major change in political practices. This is because the elite want to maintain their status, as well as ensure a minimum level of political stability by limiting turbulences during the period of transition, an unstable time by nature. To avoid any undesirable surprises from the transition process, local elites and conservative currents within society as well as the international community work in tandem to support the slow pace of transition.

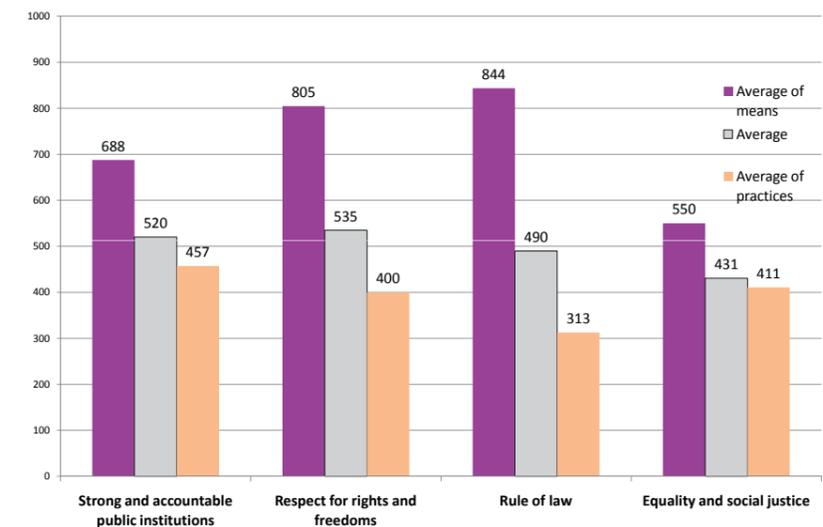
The reader will note that disparities between the values of democratic transition, from one country to the other, seem quite consistent with their respective socio-economic conditions. The Index's average scores for values, or principles, as Figure 2-4 shows, decline gradually from (535) for respect for freedoms, to (520) for strong and accountable public institutions, (490) for the rule of law, and (431) for equality and social justice.

Figure A-2-4: Arab Average Score for Values or Principles



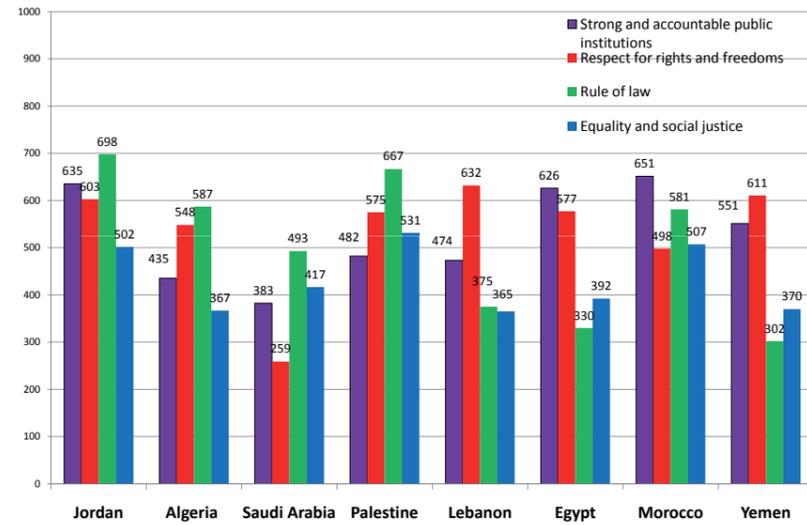
What is noteworthy, however, is that the scores of the Index's sub-indicator relevant to the value of "equality and social justice" show a marked difference between the indicators of means and practices, as figure 2-4 below shows. It is the only value that shows an increase when its indicators are separated from those of the means, and are confined to practices. It moves from the lowest position among indicators relative to means, to the second position. On the other hand, there is a sharp drop in the Index's sub-indicator score for the "rule of law" value, when it is confined to practices.

Figure 2-4: Average Scores for the Index's Sub-Indicators Relative to Democratic Values Compared to Indicators Relative to Practices, Means and the General Average.



When we see the distribution of the index's scores for individual countries, regarding the sub-indicators relative to values or principles (figure 2-5 below), we find a discrepancy in the order of the sub-indicators' scores relative to the eight countries. While the "respect for rights and freedoms" sub-indicator is at the top of the list of values in Yemen and Lebanon, it is at the bottom of the list in Saudi Arabia and Morocco. Moreover, while the sub-indicator relative to the rule of law tops the list in Jordan, Algeria, Saudi Arabia and Palestine, the sub-indicator for equality and social justice is at the top of no country's list. The sub-indicator relative to strong and accountable institutions occupies the top position in Morocco and Egypt, and the second in Jordan, Saudi Arabia, Lebanon and Yemen.

Figure 2-5: Sub-Indicators According to Democratic Values for Individual Countries



We can therefore summarise areas of weaknesses and strengths in each of the eight countries as follows:

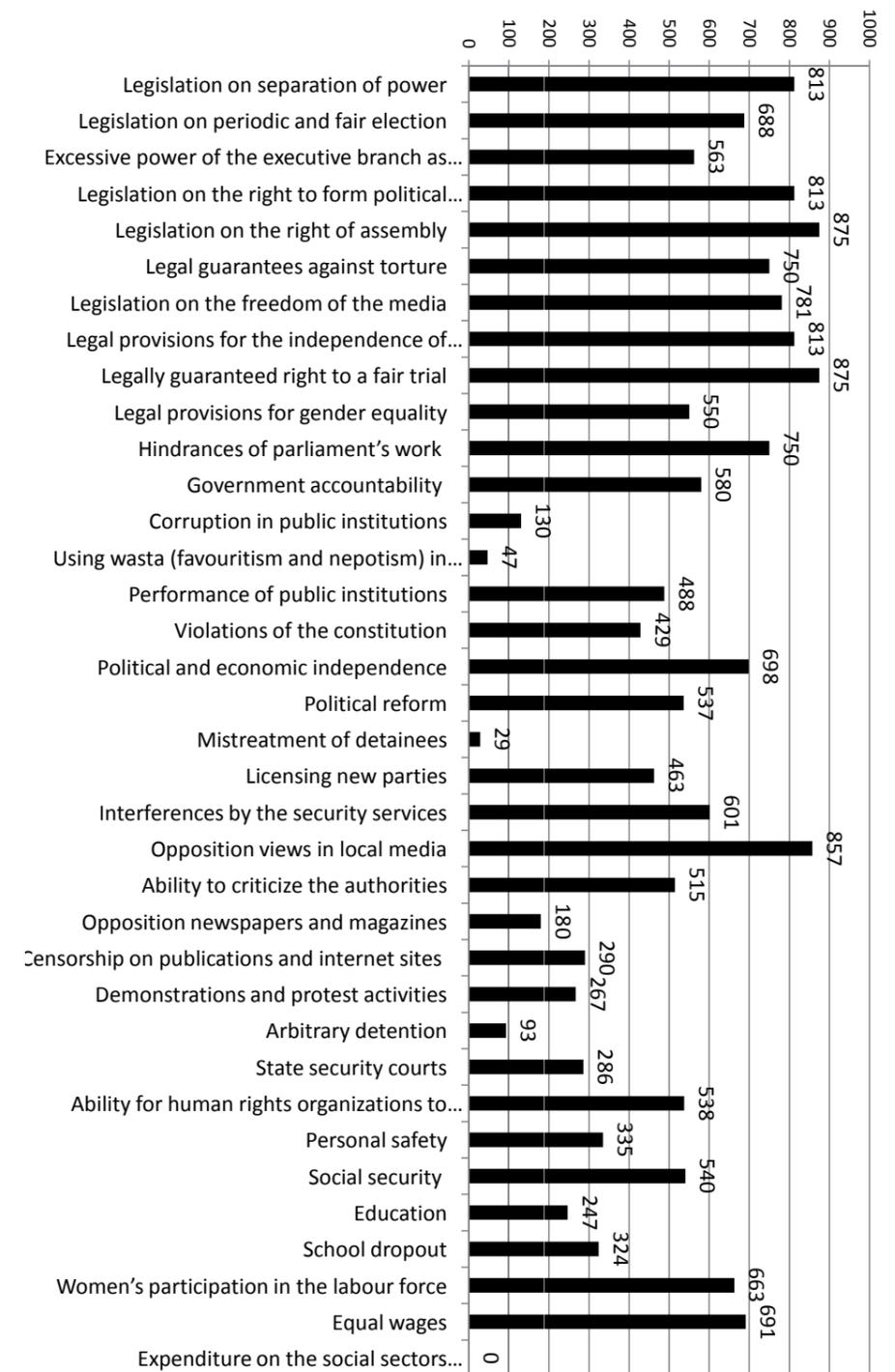
- // Jordan has the best score in the general index. It had the highest rank for the sub-indicator relative to practices and for the rule of law.
- // Algeria had the second to lowest rank for the sub-indicators relative to practices and to equality and social justice.
- // Saudi Arabia had the lowest rank in the general index, and was eighth in respect for rights and freedoms and presence of strong and accountable public institutions, and in the sub-indicator relative to means.
- // Palestine had the highest rank in equality and social justice.
- // Lebanon had the highest rank in respect for rights and freedoms.
- // Egypt had the highest rank in the sub-indicator relative to the means.
- // Morocco had the highest rank in the sub-indicator relative to strong and accountable public institutions.
- // Yemen had the lowest rank in respect for the rule of law.

When evaluating each of the eight countries' average indicator scores, we find that most of these scores fall within a very small range of difference. An examination of the standard deviation relative to values reveals that, in addition to the indicators' very low scores, there is a close similarity between the countries' scores on a large set of indicators: the ability to criticise the authorities, censorship on publications and the internet, education and the treatment of detainees.

Some indicators' scores showed a high standard of deviation compared to other indicators, such as the ones relating to the ability of human rights organisations to operate, violations of the constitution, holding the government accountable, personal safety and the licensing of political parties.

The highest average score by indicator in all eight countries, 875, was obtained by two different indicators, both relative to means: the freedom of assembly, and the right to a fair trial (figure 2-6). Four other indicators scored over 800; three between 700 and 800, five between 600 and 700, seven between 500 and 600, three between 400 and 500, two between 300 and 400, four between 200 and 300, two between 100 and 200, and three between 1 and 100. The indicator relative to allocations for health and education compared to security, scored zero in all countries covered in the survey.

Figure 2-6: Average Score for the Arab Index's Indicators



## Results by country

### Jordan

At 609, Jordan had the highest score among the eight surveyed countries, 104 points above the overall average score. As annex 4-1 shows, seven indicators received a score of one thousand: some were relative to means, like freedom of political parties, right of assembly, right to a fair trial and independence of the judiciary; and some to practices, like violations of the constitution, government accountability and opposition views in the local media. Conversely, two indicators, relative to expenditure on health and education and to prosecuting civilians in state security courts, received a score of zero. Among the remaining indicators, four scored between 800 and 900, seven between 700 and 800, two 600 and 700, five 500 and 600, two 400 and 500, two 300 and 400, four 200 and 300, and two indicators scored between 1 and 100.

While the score for the sub-indicator relative to the means is close to the eight countries' average, as figure 2-7 shows, the sub-indicator for practices is markedly higher than the average. Sub-indicators relative to democratic values and principles are above the sector's average score for all four sub-indicators, while the score relative to the rule of law appears markedly higher, as figure 2-8 shows.

28

Figure 2-7: Jordan's Sub-Index According to Type, Compared to the Average Scores of the Arab Sub-Index

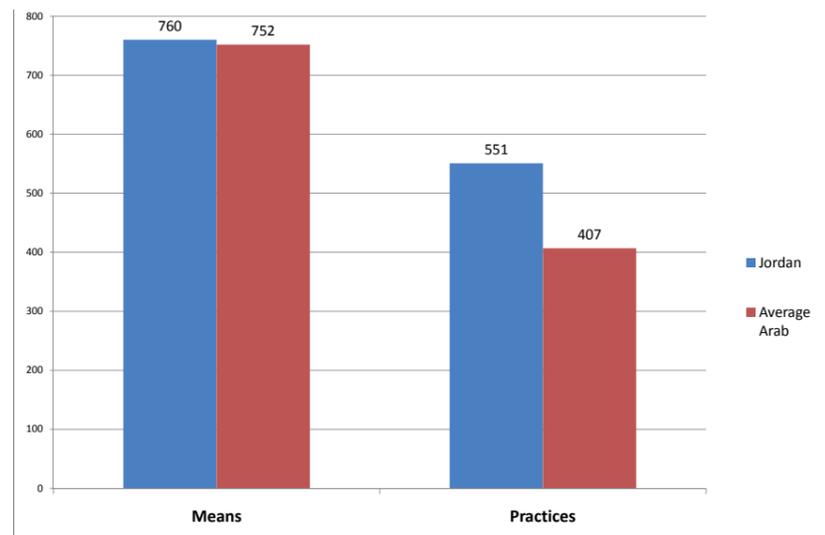


Figure 2-8: Jordan's Sub-Indicators According to Democratic Principles (Values) Compared to the Average Scores of the Arab Index



The average score for indicators relevant to means remains higher in Jordan for all the “values” sub-indicators, except for those related to public institutions (annex 4-9). It is the only case - apart from Saudi Arabia - where none of the “practices” sub-indicators rise above those of means.

This result suggests that there is need to carry out a detailed study regarding the limited progress in the domain of public institution building.

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### Algeria

Algeria ranked seventh on the Index (485 points). Five indicators out of 10 received the highest possible score (1000), while only two indicators relative to practices received a similar score. As indicated by annex (4-2), three indicators received a score of zero, while we were unable to evaluate two of the Index's 36 indicators.

The sub-index relative to the type of indicator (figure 2-9) shows that Algeria scored higher than the Arab average as far as means are concerned, though the sub-index for practices is lower than the Arab average.

The sub-indicator for values or principles of democracy (figure 2-10) reveals low scores for Algeria in the areas of strong and accountable public institutions, and equality and social justice, though they increase for public freedoms and the rule of law.

Figure 2-9: Algeria's Sub-Index According to Type, Compared to the Average Scores of the Arab Sub-Index

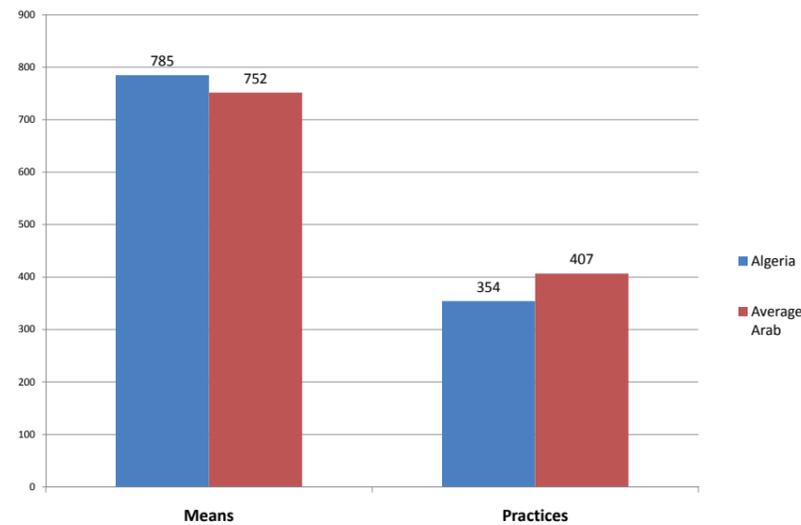
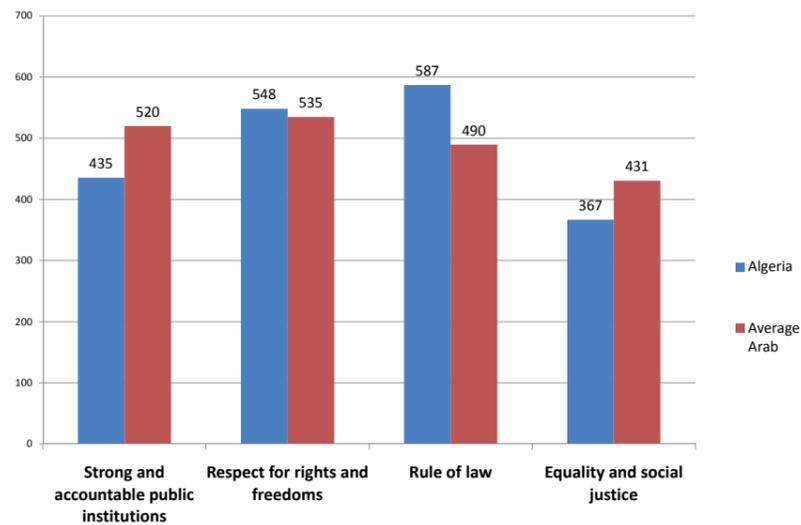


Figure 2-10: Algeria's Sub-Indicators According to Democratic Principles (Values) Compared to the Average Scores of the Arab Sub-Index



While indicators for the means receive the sub-index's highest score for the rule of law, indicators for practices receive the lowest score in the sub-indicators for equality and social justice (annex 4-10). This result seems quite strange for a country where foundations for equality and social justice were laid early after the success of the revolution, and which, until quite recently, enjoyed certain elements of socialism.

It seems that the socio-political struggle of the two past decades has had a considerable adverse impact on the country. In any case, Algeria's situation needs to be studied more diligently, and in more detail.

### Saudi Arabia

With an overall score of 363, Saudi Arabia<sup>1</sup> ranked eighth in the Index. Five indicators (three of which were relative to means) received the highest score (1000), fourteen got a zero, while we were unable to evaluate the indicator relative to state security courts. The remaining indicators ranged between 3 and 964 (annex 4-3).

The sub-index of the type of indicator shows that Saudi Arabia scored significantly lower than the Arab average in matters related to means, though the scores for practices are higher than this average (figure 2-11). Saudi Arabia is the only country among the eight where the score relative to practices is higher than that of the means.

As to the sub-indexes for principles and values, as figure 2-12 shows, they indicate that Saudi Arabia's score is lower than the Arab average in all aspects except for the sub-index related to the rule of law, which is slightly above the Arab average.

Figure 2-12: Saudi Arabia's Sub-Index According to Type, Compared to the Average Scores of the Arab Sub-Index

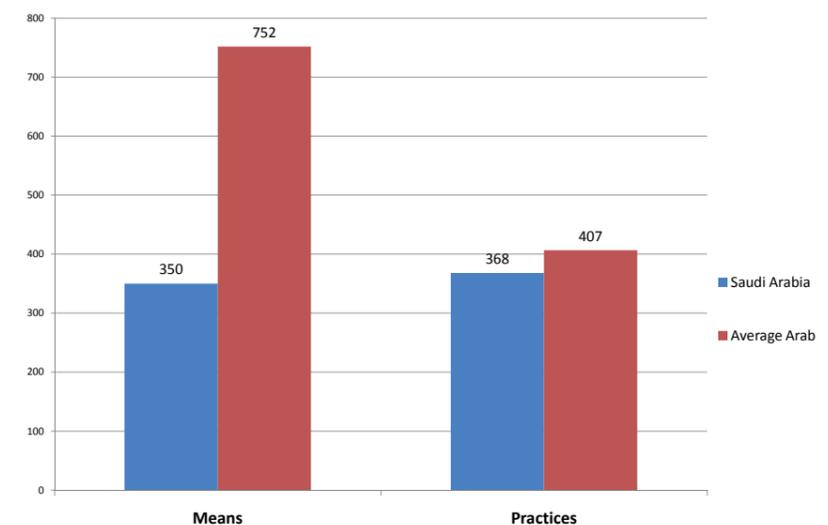
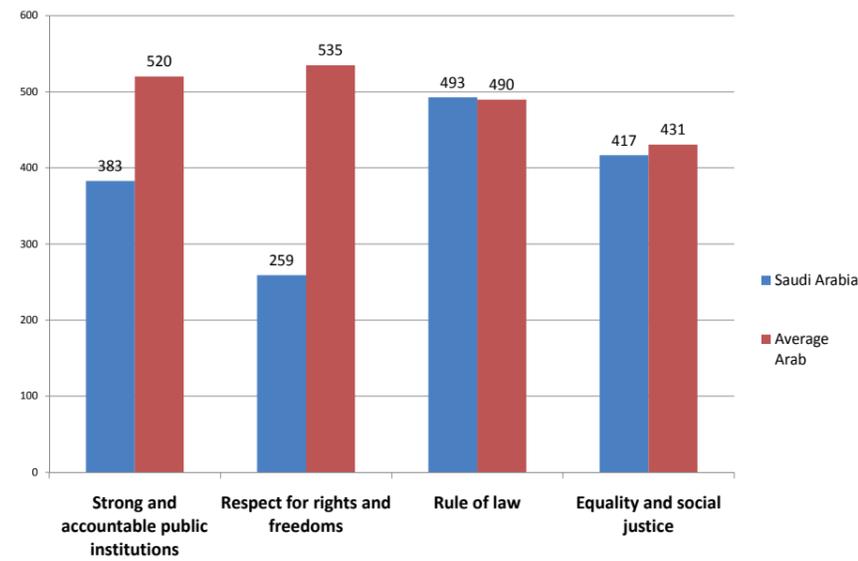


Figure 2-12 Saudi Arabia's Sub-Index according to type Compared to the Average Scores of the Arab Sub-Index



Once indicators for practices and means are separated in the sub-indexes relevant to democratic principles and values, Saudi Arabia parts ways with the other countries in that the means index, which is usually higher, gets a zero score in two areas: strong and accountable public institutions, and equality and social justice, (annex 4-11).

These results are interesting. At first glance, it seems that there is a certain current in Saudi Arabia in favour of transition to democracy, on the level of actual practices, but that this tendency is unable to express itself through legislation in the absence of a parliament. A more detailed study is worthwhile regarding daily practices, and the democracy-related value system prevalent in Saudi society, to ascertain whether there is a real current in favour of democratic transition, regardless of the current legal and institutional environment.

### Palestine

Palestine's score of 553 points put it in third place among surveyed countries. Seven out of 10 indicators received the highest score (1000), for indicators relevant to the means, due to the relatively late drafting of the Palestinian Basic Law, while three indicators relevant to practices had a similar score. However, 6 indicators relevant to violation of the basic law, political party freedom, arbitrary detention, ill-treatment of detainees, personal safety and allocations for health and education compared to security, got a score of zero (annex 4-4). No doubt, the colonial condition under which Palestine lives plays an important role in this matter. Two indicators received a score above 800, four between 600 and 800, six 500 and 600, and 8 indicators scored between 1 and 499. The sub-index according to type, as figure 2-13 shows, indicates that Palestine scored slightly above the Arab average for both means and practices.

As to the sub-index relative to democratic principles (figure 2-14), it shows that Palestine's scores are higher than the Arab average except for those related to institutions. The high score for the rule of law is particularly noteworthy, and is due to high scores given to legislation-related issues; interestingly, Palestine had the second highest score in the sub-index relevant to means.

Figure 2-13: Palestine's Sub-Index According to Type, Compared to the Average Scores of the Arab Sub-Index

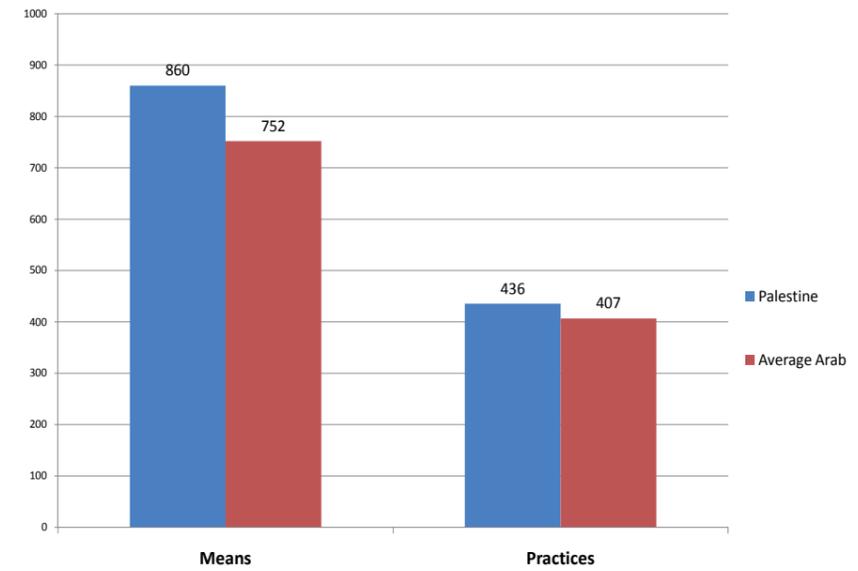
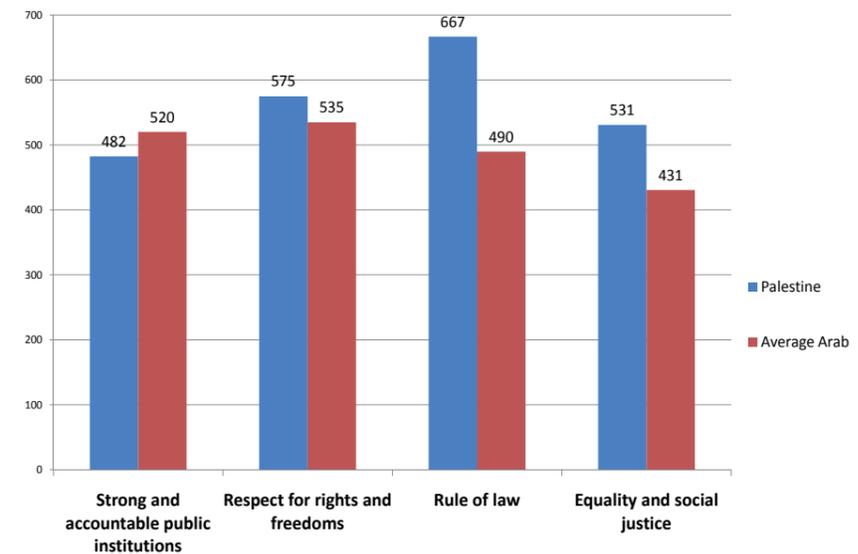


Figure 2-14: Palestine's Sub-Indicators According to Democratic Principles (Values) Compared to the Average Scores of the Arab Sub-Index



Particularly noteworthy is the low average score for indicators relevant to practices, in the area of strong and accountable public institutions (annex 4-12). We believe that several factors contributed to weakening Palestinian institutions, among which are the lack of sovereignty and the physical destruction of many public institutions by the Israeli occupation, though the nature of the Palestinian National Authority (PNA) itself, most probably, did not help establish proper foundations for public life.

## Lebanon

With a score of 489, Lebanon ranked sixth in the Index, with eight indicators (four out of which were relevant to the means) receiving the highest possible score (1000). Six indicators received a score of zero (annex 4-5): arbitrary arrests, the ill-treatment of detainees, personal safety, allocations to health and education in the budget, state security courts and school dropouts. Only one indicator from the remaining ones had a score above 900, four a score between 600 and 750, five a score of 500, and the rest a score between 28 and 450.

The sub-index relative to type, as figure 2-15 shows, reveals that Lebanon's scores were very close to the Arab average for both means and practices. It seems that the complicated sectarian and political balance of power in the country is holding back progress in the legal reforms.

Figure 2-15: Lebanon's Sub-Index According to Type Compared to the Average Scores of the Arab Sub-Index

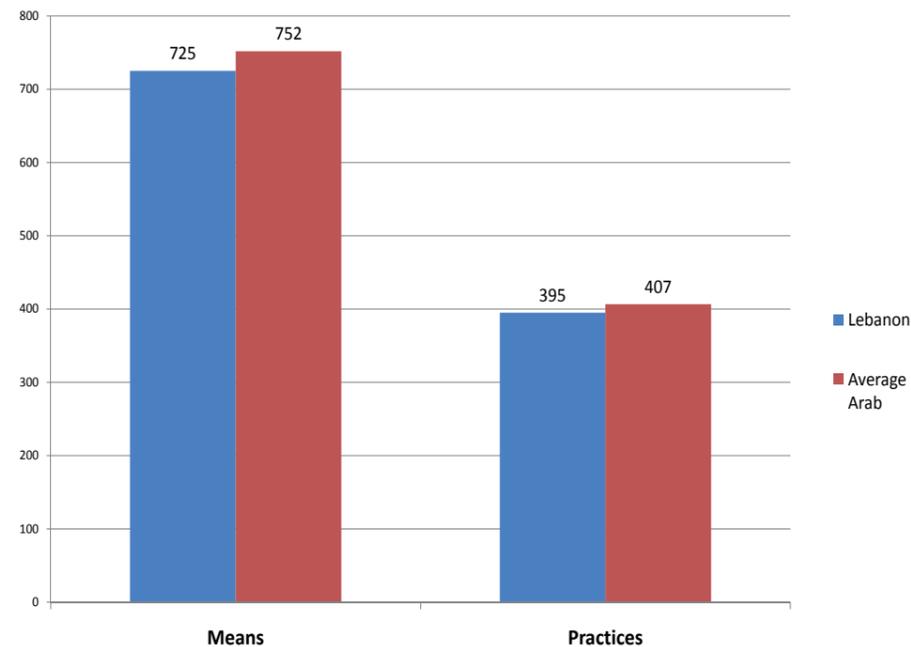
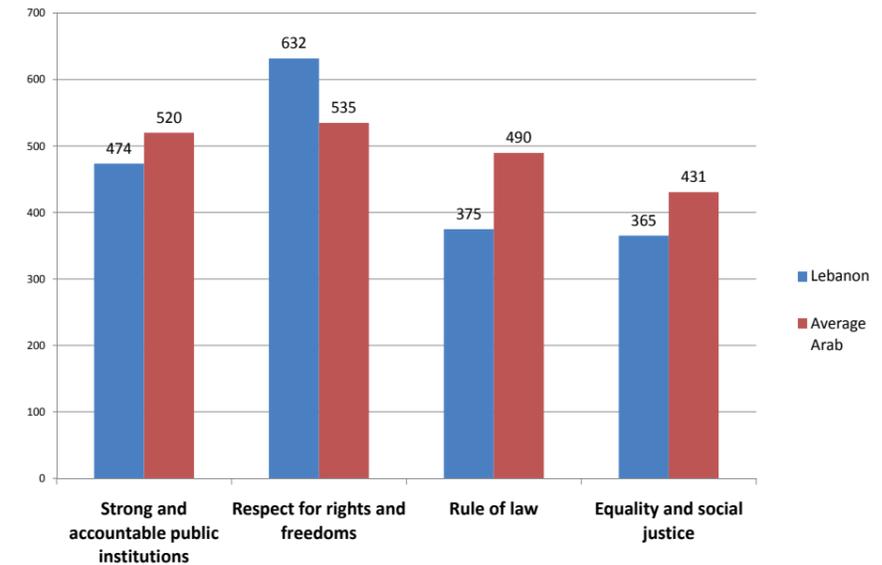


Figure 2-16: Lebanon's Sub-Indicators According to Democratic Principles (Values) Compared to the Average Scores of the Arab Sub-Index



When indicators relevant to means and practices are separated to calculate the average of sub-indexes relevant to democratic values, it becomes clear that the rule of law receives the lowest score among all other sub-indexes. Similarly, the sub-index for rights and freedoms remains higher for the means than for practices (annex 4-13), although this sub-index is one of Lebanon's strong points. Consequently, it seems that Lebanon is more of a liberal than a democratic country, and the sectarian factor perhaps acts as an impediment to democracy, given that state and religion in Lebanon are not separate.

## Egypt

Egypt received a score of 512, and ranked fourth in the Index, with seven indicators out of nine obtaining the highest score (1000) among indicators relevant to means. As annex 4-6 shows, eight indicators received a score of zero: the ill-treatment of detainees, allocations for health and education, state security courts, corruption in public institutions, violation of the constitution, licensing of political parties, ability of human rights organisations to operate and censorship on publications and the internet,. Only one among the remaining indicators received a score of 800, two a score between 600 and 650, three a score of 500, and four indicators ranged between 50 and 200. It is important to note that five indicators were not calculated in the case of Egypt, given the inability to conduct an opinion survey, and lack of alternative sources of information. One indicator was discarded because the nature of available information was not consistent with the formula used in the Index.

The sub-index according to type shows, as in figure 2-17, that Egypt received the highest scores among the eight countries as far as means were concerned, and a lower than average score for the sub-index related to practices.

The sub-indicator relevant to democratic principles (figure 2-18) shows that Egypt scored under the Arab average in the two areas of equality and social justice and the rule of law, and above average for respect for rights and freedoms and strong and accountable public institutions.

Figure 2-17: Egypt's Sub-Index According to Type, Compared to the Average Scores of the Arab Sub-Index

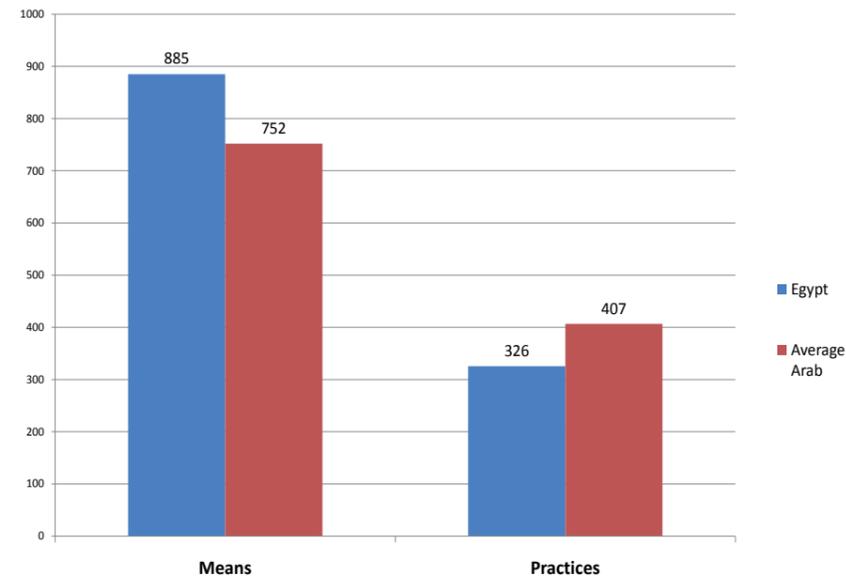


Figure 2-18: Egypt's Sub-Indicators According to Democratic Principles (Values) Compared to the Average Scores of the Arab Sub-Index



In the case of Egypt, it is worth noting the marked drop in the score for practices in the sub-index relevant to the rule of law, and the gap between means and practices as far as respect for right and freedoms is concerned, (annex 4-14). In the area of respect for rights and freedoms, the average indicator for means was the highest among all detailed sub-indexes (it received a score of 1000), while for practices, it was second to lowest (336 points).

Results indicate that Egypt has not yet made the transition from creating the legal framework for political liberalism to an actual liberal political life, and that the economy's liberalisation did not bring in its wake the conditions for genuine social security.

### Morocco

Morocco occupies the second position on the Index, with 561 points, a score slightly different from that of Palestine. From the twelve indicators that received the highest score (1000), seven were among the indicators for means. Fourteen indicators received a score of zero: the ill-treatment of detainees, state security courts, prevention of torture, and school dropouts (annex 4-7). Only one of the remaining indicators received a score of 900, two a score of 750, three between 600 and 650, and one a score of 500. Six indicators received a score between 200 and 450, and five between 1 and 200. It is important to note that the team was not able to obtain information on arbitrary detention, and on expenditures on health and education compared to security.

The sub-index according to type shows, as in figure 2-19, that Morocco scored higher than the Arab average for both means and practices.

The sub-indicator relevant to democratic principles (figure 2-20) reveals that Morocco scored above the Arab average in all sub-indicators, except in the area of respect for rights and freedoms. With regard to respect for rights and freedoms, the average score for indicators relevant to practices drops to 371, compared to 750 when considering means (annex 4-15).

Figure 2-19 Morocco's Sub-Index According to Type, Compared to the Average Scores of the Arab Sub-Index

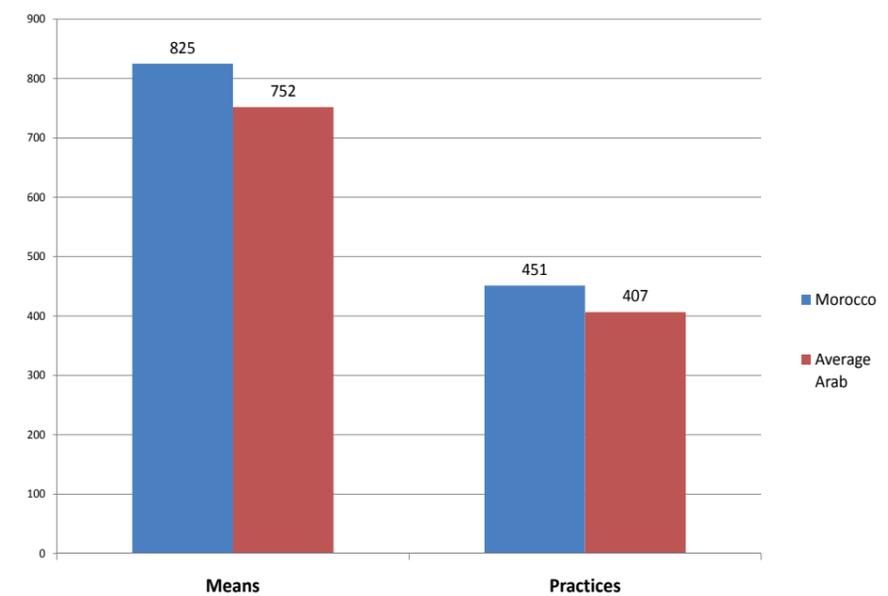
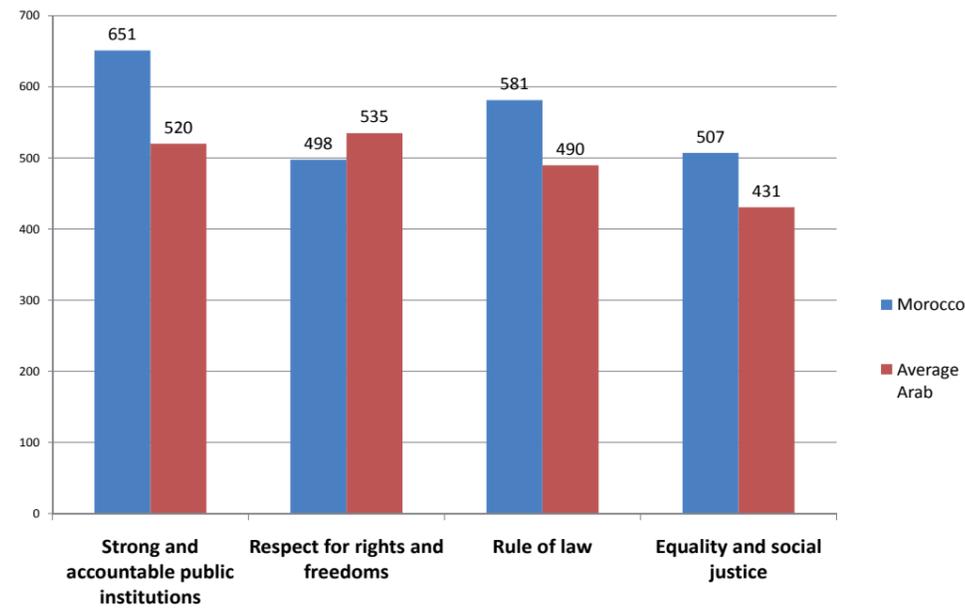


Figure 2-20: Morocco's Sub-Indicators According to Democratic Principles (Values) Compared to the Average Scores of the Arab Sub-Index



Morocco received the second highest score (after Jordan) in the sub-index regarding strong and accountable public institutions, when seen independently from indicators relevant to practices. This means that there is a clear shift, on the state's part, to transition, not yet manifested to the same extent in other sectors. One possible explanation is the weak economy, but this deserves further investigation.

Yemen

Yemen comes in fifth position with a score of 494. Among ten indicators that received the highest score (1000), six were related to means. As the figure in annex 4-8 shows, seven indicators scored zero: violations of the constitution, arbitrary detention, ill-treatment of detainees, state security courts, school dropouts, expenditures on health and education and the ability of human rights organisations to operate. Only one indicator from among the remaining ones scored 800 points, two between 700 and 750, three between 500 and 600, six between 300 and 450, and four scored between 1 and 300 points.

The sub-index according to type shows, as in figure 2-21, that Yemen scored higher than the Arab average as far as means are concerned, and lower than the average as far as practices are concerned.

The sub-indicator relevant to democratic principles or values reveals (figure 2-22) that Yemen scored higher than the Arab average for respect for rights and freedoms and presence of strong and accountable public institutions. However, it scored lower than the average for equality and social justice, and the rule of law.

Figure 2-21: Yemen's Sub-Index According to Type, Compared to the Average Scores of the Arab Sub-Index

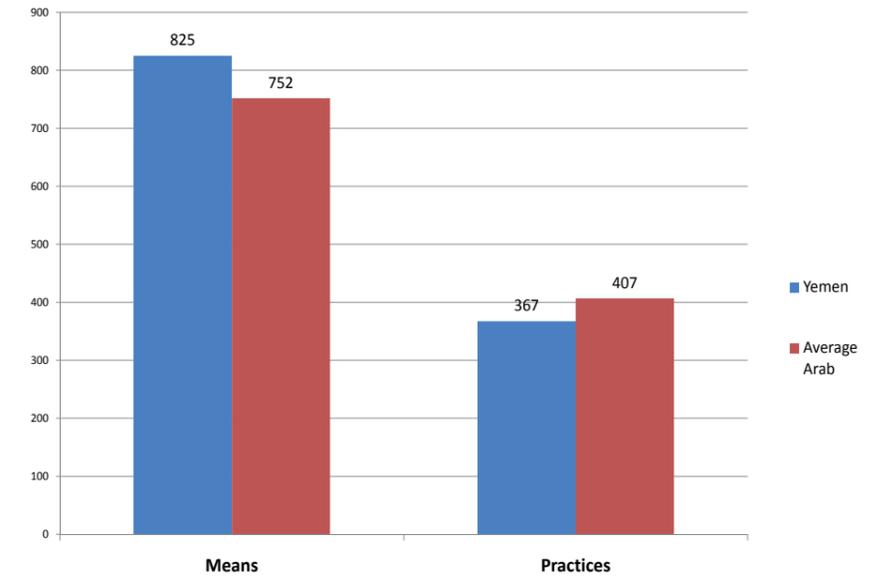


Figure 2-22: Yemen's Sub-Indicators According to Democratic Principles (Values) Compared to the Average Scores of the Arab Sub-Index



Of note is the gap, in the area of rule of law, between the average score of indicators related to practices (79), compared to those related to means (750), (annex 4-16).

It is also interesting to note the inconsistencies in the democratic transition process in Yemen. It is not clear if the country's political status (as a united entity) and its geographic-cultural character have had an impact on that. The matter needs further investigation.

## Indicators Explained

### Indicator n° 1 : Separation of powers

Description : A constitution or basic law guaranteeing the separation of powers, and the government's accountability to an elected parliament that can give or withdraw confidence.

Country	Yemen	Morocco	Egypt	Lebanon	Palestine	Saudi Arabia	Algeria	Jordan	Average score
Score	1000	1000	1000	1000	1000	0	750	750	813

// 250 points were deducted from Jordan's score because the constitution states that the King appoints the Second Chamber of Parliament (the Senate)

// 250 points were deducted from Algeria's score because the President has the right to appoint one third of the National Assembly (majlis el umma).

### Indicator n° 2 : Periodic and fair elections

Description : Presence of constitutional or legal guarantees ensuring periodic free and fair elections, both municipal and legislative, based on an electoral system that does not discriminate against certain groups or sectors of the population, based on gender, ethnicity, region or political background, and guarantees equality among all. The system should also guarantee the right of all persons, and eligible individuals, to submit their candidacy, without restrictions.

Country	Yemen	Morocco	Egypt	Lebanon	Palestine	Saudi Arabia	Algeria	Jordan	Average score
Score	1000	1000	1000	500	1000	0	500	500	688

### Indicator n° 3 : Limitations on the powers of the executive branch

Description : Whether the executive authority has a constitutional prerogative to dissolve the elected parliament, postpone or cancel elections, declare a state of emergency or any other equivalent measure, for a long period of time, and without parliament's approval.

Country	Yemen	Morocco	Egypt	Lebanon	Palestine	Saudi Arabia	Algeria	Jordan	Average score
Score	750	500	750	500	1000	0	500	500	563

### Indicator n° 4 : Right to form political parties

Description : Presence of constitutional or legal guarantees ensuring the right to form political parties

Country	Yemen	Morocco	Egypt	Lebanon	Palestine	Saudi Arabia	Algeria	Jordan	Average score
Score	1000	1000	1000	1000	500	0	1000	1000	813

### Indicator n° 5 : Right of assembly

Description : Presence of constitutional or legal guarantees ensuring the right of assembly and peaceful demonstrations

Country	Yemen	Morocco	Egypt	Lebanon	Palestine	Saudi Arabia	Algeria	Jordan	Average score
Score	1000	1000	1000	1000	1000	0	1000	1000	875

### Indicator n° 6 : Legal guarantees against torture

Description : Presence of constitutional or legal guarantees banning the use of torture

Country	Yemen	Morocco	Egypt	Lebanon	Palestine	Saudi Arabia	Algeria	Jordan	Average score
Score	1000	0	1000	500	1000	1000	1000	500	750

### Indicator n° 7 : Freedom of the media

Description : Presence of constitutional or legal guarantees allowing individual citizens, groups and political parties to own media outlets like newspapers, magazines, radio stations, news services, internet sites, publishing houses, and the like, without very difficult basic, financial or bureaucratic conditions.

Country	Yemen	Morocco	Egypt	Lebanon	Palestine	Saudi Arabia	Algeria	Jordan	Average score
Score	500	1000	1000	1000	500	1000	500	750	781

// An expert's opinion was relied on in Algeria.

### Indicator n° 8 : Independence of the judiciary

Description : Presence of constitutional or legal guarantees ensuring the independence of the judiciary, especially the extent to which the executive authority can appoint or remove judges

Country	Yemen	Morocco	Egypt	Lebanon	Palestine	Saudi Arabia	Algeria	Jordan	Average score
Score	500	750	500	750	1000	1000	1000	1000	813

// Concerning the appointment and dismissal of judges, scores are based on expert's opinion for Algeria and Saudi Arabia, data was only partially available for Yemen and unavailable for Egypt.

### Indicator n° 9 : Right to a fair trial

Description : Presence of constitutional or legal guarantees upholding the citizens' right to a fair trial, and to the presumption of innocence until proven otherwise

Country	Yemen	Morocco	Egypt	Lebanon	Palestine	Saudi Arabia	Algeria	Jordan	Average score
Score	1000	1000	1000	500	1000	500	1000	1000	875

**Indicator n° 10 : Gender equality**

Description : Presence of constitutional or legal guarantees regarding gender equality

Country	Yemen	Morocco	Egypt	Lebanon	Palestine	Saudi Arabia	Algeria	Jordan	Average score
Score	500	1000	600	500	600	0	600	600	550

// There was no information regarding divorce and inheritance in Lebanon and Saudi Arabia, and the opinion of an expert was used in Yemen.

// Regarding the Nationality Law, no information was available in Jordan and Algeria, and their score was based on the presumption of equality.

**Indicator n° 11 : Hindrances to parliament's work**

Description : Presence of an elected parliament and local councils, and whether there were cases whereby the work of the elected parliament or local councils was obstructed, or local or parliamentary elections were delayed or cancelled, except when ordered by an authorised court.

Country	Yemen	Morocco	Egypt	Lebanon	Palestine	Saudi Arabia	Algeria	Jordan	Average score
Score	1000	1000	500	750	750	250	1000	750	750

// An expert's opinion was relied on in Yemen

// The documentation of information was incomplete for Algeria, Lebanon and Morocco

// All data in the report covers the period of the survey, and during that period, no local or legislative councils were dissolved. 250 points were deducted from Jordan's score because the government appoints the heads of municipal councils, 250 points were deducted from Palestine and Lebanon's scores because parliament was obstructed during the survey period, and 500 points were deducted from Egypt's score because local elections were postponed.

**Indicator n° 12 : Government accountability**

Description : Number of cases where the vote of confidence was given, or withdrawn, from the government; number of cases where fact-finding missions, or missions to investigate the government's performance were established, and number of cases where government officials were questioned.

Country	Yemen	Morocco	Egypt	Lebanon	Palestine	Saudi Arabia	Algeria	Jordan	Average score
Score	1000	1000	1000	320	100	0	220	1000	580

// Information from Jordan, Palestine, Egypt and Morocco covers the survey period, while information from Algeria and Lebanon covers 2006, and from Yemen covers 2007.

**Indicator n° 13 : Publication of draft laws**Description : Number of draft laws, out of the total, published in the local media, like newspapers  
This indicator was suspended in the survey due to a lack of information from most countries (only Egypt, Jordan and Palestine provided relevant information).**Indicator n° 14 : Corruption in public institutions**

Description : Ratio of those who believe that there is corruption in public institutions, and number of corruption cases referred to the courts.

Country	Yemen	Morocco	Egypt	Lebanon	Palestine	Saudi Arabia	Algeria	Jordan	Average score
Score	60	85	0	45	80	402	94	277	130

// No information was available from Egypt concerning the first part (ratio of those who believe that there is corruption), because no opinion survey was conducted.

// Regarding the second part, i.e., corruption cases referred to the law, no information was available from Saudi Arabia, Lebanon, Morocco and Yemen, and information from Algeria and Palestine was not documented.

// Information from Jordan covered 2006, from Egypt 2006-2007, while information from Algeria and Palestine was not time-specific.

**Indicator n° 15 : Obstructing enacting legislation**

Description : Number of cases in which the executive authority tried to obstruct legislative work, such as not enacting and publishing laws approved by the legislative, or attempting to void laws of their content by issuing executive orders that contradict their provisions.

// This indicator was suspended due to lack of information.

**Indicator n° 16 : Use of *wasta* (favoritism) in public employment**Description : The people's perception regarding the use of *wasta* in public sector employment.

Country	Yemen	Morocco	Egypt	Lebanon	Palestine	Saudi Arabia	Algeria	Jordan	Average score
Score	38	10		28	61	145	24	21	47

// Egypt's score was not calculated for this indicator because a survey could not be carried out.

**Indicator n° 17 : Performance of public institutions**

Description : The people's evaluation of the public institutions' ability to deliver services, and play their role effectively.

Country	Yemen	Morocco	Egypt	Lebanon	Palestine	Saudi Arabia	Algeria	Jordan	Average score
Score	381	385		304	488	848	352	659	488

// Egypt's score was not calculated for this indicator because a survey could not be carried out.

**Indicator n° 18 : Violation of the constitution**

Description : Number of cases in which provisions of the constitution were violated, and other equivalent violations by the executive authority

Country	Yemen	Morocco	Egypt	Lebanon	Palestine	Saudi Arabia	Algeria	Jordan	Average score
Score	0	750	0		0	1000	250	1000	429

// There is a shortage of documented information in Palestine, Saudi Arabia and Algeria.  
 // An expert's opinion was relied on in Yemen.  
 // The team could not evaluate the situation in Lebanon due to the lack of constitutional clarity.  
 // Information from Jordan and Palestine covers the survey period, from Saudi Arabia covers 2006, from Morocco covers 2006-2007, while information from Algeria and Yemen was not time-specific.

**Indicator n° 19 : Political and economic independence**

Description : Extent of the general budget's dependence on foreign assistance, dependence on foreign markets to sell public sector products and presence of foreign military bases.

Country	Yemen	Morocco	Egypt	Lebanon	Palestine	Saudi Arabia	Algeria	Jordan	Average score
Score	400	1000	760	945	300	700	700	783	699

// Information from Algeria and Lebanon regarding foreign assistance lacks documentation.  
 // An expert's opinion was relied on in Yemen.  
 // Information regarding exports is undocumented in Algeria and Palestine.  
 // The opinion of an expert was used in Lebanon.  
 // Information regarding foreign bases in Lebanon lacks documentation.  
 // The opinion of an expert was used in Egypt and Yemen regarding presence of foreign bases.  
 // Although expert opinion tends to confirm a foreign military or paramilitary presence in Morocco, the team decided not to take this into consideration due to a lack of sufficient documentation.  
 // Information from Jordan, Palestine and Lebanon regarding budgetary assistance covers 2007, from Morocco 2006, Saudi Arabia 2008, and Egypt 2006-2007. Information from Algeria and Yemen was not time-specific.  
 // Information from Jordan, Morocco and Yemen regarding exports covers 2006, from Saudi Arabia 2007, Egypt 2006-2007, and from Palestine, Lebanon and Algeria was not time-specific.

**Indicator n° 20 : Political reform**

Description : The people's belief that the executive authority is introducing political reforms based on a genuine interest on its part to do so, and the public's evaluation of the general condition of democracy in the country.

Country	Yemen	Morocco	Egypt	Lebanon	Palestine	Saudi Arabia	Algeria	Jordan	Average score
Score	437	433		343	528	867	400	749	537

// Egypt's score was not calculated because no opinion survey was conducted.

**Indicator n° 21 : Ill-treatment of detainees**

Description : Number of torture or death cases involving detainees during their detention period.

Country	Yemen	Morocco	Egypt	Lebanon	Palestine	Saudi Arabia	Algeria	Jordan	Average score
Score	0	0	0	0	0	0		200	29

// Information from Jordan, Saudi Arabia, Lebanon, Morocco and Yemen covers 2006 and from Palestine and Egypt covers the survey period (2006-2007).

**Indicator n° 22 : Licensing political parties**

Description : Allowing or obstructing party-related activities, such as licensing new parties or refusing to do so, banning certain parties, or arresting political leaders for political motives.

Country	Yemen	Morocco	Egypt	Lebanon	Palestine	Saudi Arabia	Algeria	Jordan	Average score
Score	800	600	0	1000	0	0	500	800	463

// The opinion of an expert was used in Saudi Arabia and Yemen  
 // Information from Algeria and Yemen lacks documentation  
 // Information from Jordan, Palestine and Egypt covers the survey period, from Lebanon, it covers 2006, Yemen 2007, while information from Algeria, Saudi Arabia and Morocco was not time-specific.

**Indicator n° 23 : Right of Assembly and peaceful demonstrations**

Description : Ratio of requests for permission to hold meetings or organise demonstrations compared to the number of government approvals.  
 // This indicator was suspended in the index due to lack of information.

**Indicator n° 24 : Interference by the security services**

Description : Number of cases in which a citizen requesting for a license or government documentation must seek prior approval of the security services, or obtain a certificate of good conduct from them.

Country	Yemen	Morocco	Egypt	Lebanon	Palestine	Saudi Arabia	Algeria	Jordan	Average score
Score	720	273	800	625	732	377	695	585	601

// The score for this indicator was based on the results of an opinion survey in all countries, except for Egypt, where no opinion survey was conducted.  
 // No information was available from sources other than the survey in Saudi Arabia, Morocco, Lebanon and Yemen.  
 // There was only partial information from Jordan.  
 // An expert's opinion was relied on in Algeria and Jordan.  
 // Given the nature of the information, data from Jordan, Palestine, Algeria and Egypt was not time-specific.

**Indicator n° 25** : Opposition views in the local press

Description : Number of times that the views and opinions of opposition parties appeared in the local press.

Country	Yemen	Morocco	Egypt	Lebanon	Palestine	Saudi Arabia	Algeria	Jordan	Average score
Score	1000	1000	1000	1000	1000	0		1000	857

// The opinion of an expert was used in Palestine, Saudi Arabia and Yemen.

// There was no information from Algeria.

// Information from Lebanon lacked sufficient documentation.

// Information from Jordan covers the survey period, and for Algeria, Saudi Arabia, Palestine, Lebanon, Egypt, Morocco and Yemen relevant information was not time-specific.

**Indicator n° 26** : Criticising the authorities

Description : The people's assessment of the citizens' ability to criticise the government and leaders without fear.

Country	Yemen	Morocco	Egypt	Lebanon	Palestine	Saudi Arabia	Algeria	Jordan	Average score
Score	519	606		698	502	420	448	411	515

// Egypt's score for this indicator was not calculated because no survey was conducted.

**Indicator n° 27** : Opposition newspapers and magazines

Description : The number of opposition newspapers and magazines compared to the total number of newspapers and magazines.

Country	Yemen	Morocco	Egypt	Lebanon	Palestine	Saudi Arabia	Algeria	Jordan	Average score
Score	295	30	50	150	560	0	0	352	180

// The opinion of an expert was used in Algeria, Saudi Arabia and Morocco.

// No information is available regarding opposition magazines in Lebanon.

// Information from Jordan, Palestine and Lebanon covers the survey period, from Egypt it relies on 2007 statistics, from Yemen on 2005 statistics, in the case of Algeria, Saudi Arabia and Morocco it was not time-specific.

**Indicator n° 28** : Censorship of publications and the internet

Description : The citizen's ability to access foreign publications and internet sites, and the number of banned newspapers, magazines, books and internet sites.

Country	Yemen	Morocco	Egypt	Lebanon	Palestine	Saudi Arabia	Algeria	Jordan	Average score
Score	349	309	0	414	436	308	274	229	290

// The score for the first part of this indicator could not be calculated for Egypt because no opinion survey was conducted.

// No information was available regarding the second part of this indicator from Saudi Arabia, Lebanon, Morocco and Yemen.

// The opinion of an expert was used in Algeria.

// Information from Palestine covers the survey period, from Jordan and Egypt 2006, and from Algeria was not time-specific.

**Indicator n° 29** : Demonstrations and protest activities

Description : Number of demonstrations organised by individuals, labour and professional unions, political parties and human rights organisations.

Country	Yemen	Morocco	Egypt	Lebanon	Palestine	Saudi Arabia	Algeria	Jordan	Average score
Score	145	154	500	195	670	3	66	404	267

// No information regarding the number of demonstration, was available from Saudi Arabia, Morocco and Yemen.

// The evaluation of an expert was used to estimate the number of demonstrations in Algeria.

// Egypt's score regarding participation in demonstrations could not be calculated, because it relied on the results of an opinion survey that was not conducted in Egypt.

// The opinion survey did not produce results regarding regular participation in protest activities in Jordan, Saudi Arabia and Egypt.

// Information from Jordan, Palestine and Egypt covers the survey period, and from Algeria was not time-specific.

**Indicator n° 30** : Taking the administrative authorities to court.

Description : Number of cases raised in the high court of justice or an equivalent court (highest legal recourse for suing the administration).

// This indicator was suspended in this survey.

// No information was available from Saudi Arabia, Lebanon, Yemen and Algeria.

// Information from Jordan covers the survey period, from Palestine and Egypt 2007, and Morocco 2004.

**Indicator n° 31** : Arbitrary detention

Description : Number of detainees jailed without trial.

Country	Yemen	Morocco	Egypt	Lebanon	Palestine	Saudi Arabia	Algeria	Jordan	Average score
Score	0		150	0	0	0	0	500	93

// No relevant information was available from Morocco.

// An expert's opinion was relied on in Algeria.

// Information from Jordan, Saudi Arabia, Lebanon, Egypt and Yemen covers 2006, from Palestine it covers the survey period, and from Algeria was not time-specific.

**Indicator n° 32** : State security courts

Description : Number of cases in which civilians were tried in state security courts, in military courts, or the like.

Country	Yemen	Morocco	Egypt	Lebanon	Palestine	Saudi Arabia	Algeria	Jordan	Average score
Score	0	0	0	0	1000		1000	0	286

// No information for this indicator was available from Saudi Arabia.

// The opinion of an expert was used in Yemen.

// Although the law in Algeria allows the trying of civilians in special or military courts, international human rights reports did not register any such cases during the survey period.

// Information from Jordan, Lebanon, Egypt and Yemen covers 2006, while from Palestine it covers the survey period.

**Indicator n° 33** : Ability of human rights organisations to operate

Description : Ability of local and international human rights organisations to open up offices and headquarters, obtain information regarding human rights violations and interview vulnerable individuals and groups.

Country	Yemen	Morocco	Egypt	Lebanon	Palestine	Saudi Arabia	Algeria	Jordan	Average score
Score	0	1000	0	1000	1000	0	500	800	538

// Algeria's score relied on reports by international organisations, and an expert evaluation.

// There was a lack of documented information in Palestine

// The evaluation of an expert was used in Yemen for the first part of the detailed indicator

// Information from Jordan and Morocco covers the survey period, from Saudi Arabia and Yemen 2006, Egypt 2007, and from Algeria, Palestine and Lebanon was not time-specific.

**Indicator n° 34** : Personal safety

Description : The people's opinion regarding the state of law and order in the country, and available guarantees for the security and safety of the individual and his family.

Country	Yemen	Morocco	Egypt	Lebanon	Palestine	Saudi Arabia	Algeria	Jordan	Average score
Score	314	156		0	0	964	22	888	335

// Egypt's score was not calculated for this indicator because no opinion survey was conducted.

**Indicator n° 35** : Social security

Description : Rate of participation in the social security system.

Country	Yemen	Morocco	Egypt	Lebanon	Palestine	Saudi Arabia	Algeria	Jordan	Average score
Score	600	210	650	450	487	620		764	540

// Algeria's score was not calculated for this indicator due to a shortage of information.

// Information from Jordan, Saudi Arabia, Lebanon, Egypt and Yemen covers 2006, from Palestine 2007, and from Algeria and Morocco was not time-specific.

**Indicator n° 36** : Education

Description : Illiteracy levels among men and women, and ratio of university graduates based on gender.

Country	Yemen	Morocco	Egypt	Lebanon	Palestine	Saudi Arabia	Algeria	Jordan	Average score
Score	181	282	178	297	317	181	257	280	247

// The two sections relevant to male and female university graduates were suspended in this survey due to lack of information; the score was entirely based on illiteracy levels.

// Information from Palestine, Lebanon and Egypt covers 2006, from Saudi Arabia 2007, and from Algeria and Morocco 2005, while information from Jordan and Yemen was not time-specific.

**Indicator n° 37** : School dropouts

Description : Levels of dropouts.

Country	Yemen	Morocco	Egypt	Lebanon	Palestine	Saudi Arabia	Algeria	Jordan	Average score
Score	0	0	152	0	840	600	200	800	224

// Available information from Palestine, Lebanon, Egypt, Morocco, Yemen and Saudi Arabia covers 2006, from Algeria 2003 (and is specific to the fifth grade), and from Jordan was not time-specific.

**Indicator n° 38** : Women's Participation in the labour force.

Description: Rate of women's participation in the labour force.

Country	Yemen	Morocco	Egypt	Lebanon	Palestine	Saudi Arabia	Algeria	Jordan	Average score
Score	308	900	774	1000	553	516	493	758	663

// Available information from Jordan and Yemen covers 2006, from Lebanon 2005, and from Palestine 2007. Information from Algeria, Saudi Arabia and Egypt was not time-specific.

**Indicator n° 39** : Equal wages

Description: Equal wages for men and women.

Country	Yemen	Morocco	Egypt	Lebanon	Palestine	Saudi Arabia	Algeria	Jordan	Average score
Score	1000	650		309	919	1000	650	310	691

// An expert's opinion was relied on in Algeria and Yemen.

// Egypt's score was not calculated because information was not available in a format consistent with the system used in this index.

// Information from Jordan and Palestine covers 2007, from Saudi Arabia and Lebanon 2006, and from Algeria, Egypt, Morocco and Yemen was not time-specific.

**Indicator n° 40** : Government expenditure on the social sectors compared to security  
 Description : Government expenditure on the health and education sectors, compared to expenditures on security related matters.

Country	Yemen	Morocco	Egypt	Lebanon	Palestine	Saudi Arabia	Algeria	Jordan	Average score
Score	0		0	0	0	0	0	0	0

// Morocco's score was not calculated due to unclear information.  
 // Information from Jordan, Algeria, Palestine, Lebanon, Egypt and Morocco covers 2007, from Saudi Arabia 2006, from Yemen 2004, and from Morocco was not time-specific.

*Notes*  
 Annexes are available on ARI's website in Arabic only.  
 // Data relevant to Saudi Arabia in the Arab Democracy Index should be evaluated with a degree of flexibility. Comparing Saudi Arabia to the other seven countries in the Index, just like applying a number of the Index's indicators to the Saudi situation, involves a certain risk given that the Kingdom's political infrastructure differs from the other countries whose structures are based on the national state model. This affects the political culture and value system prevalent in the Kingdom and, by extension, the mechanisms of political change.

# Qualitative Analyses

## The awakening of societies as engine of change

**Bassma Kodmani\***

### What has changed

A new feature of Arab societies is the political awakening taking place all around. In varying degrees, societies are no longer as quietist as they once were. Although one cannot speak of an emergence of a culture of democracy yet, states of mind and attitudes are nonetheless changing.

The state remains at the centre of reform processes. It is at the same time its object as well as its principal instigator. Reform from the top is produced principally on constitutional and administrative levels (and specifically concerns the modernization of procedures), as well as in the economic domain. Constitutional reforms, or the implementation of new constitutions, are flowering everywhere, to the extent that one could speak of a “constitutional moment” in the Arab world. At least ten countries have witnessed such reforms over the last three years: Morocco, Egypt, Sudan, Algeria, Mauritania, Palestine, Lebanon, Bahrain, Kuwait, Saudi Arabia and Qatar. Quantitative indicators in this report show real progress at the level of written provisions. All Arab countries are giving themselves the means that demonstrate their will to democratize political practices. However, indicators also show that the structure of power remains centred around a powerful head of state and the executive.

Egypt is a case in point and deserves special attention. This paper provides a critical examination of the report’s quantitative data with a special focus on Egypt.

In the last three years, Egypt has undergone several constitutional reforms and serves as a good example of what political authority strives for in other countries. Some of these reforms have opened the road to increased pluralism through the election of a president of the republic through direct universal suffrage, which in turn allowed multiple candidates to run in the 2005 elections, and the apparent strengthening of parliamentary power. Reforms, however, do not always contribute to the implementation of democratic norms, and are often formulated in ways that provide a legal framework to what are really restrictions on liberties and on the activities of the most challenging political groups, particularly the Muslim Brotherhood. That these amendments are often passed hastily in order to pre-empt democratic debate on them is yet a further indication of the regime’s resistance to genuine openings.

This does not deny the fact that the Egyptian people were consulted four times in less than three years (presidential elections, parliamentary elections, referendum on constitutional reform and municipal elections) creating an atmosphere of mobilization in society, which has still not lost its stamina.

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### The public sphere and its various functions

Undeniably, the public sphere has opened in the majority of Arab countries, as a space of freedom of expression, sometimes of protest, though only in very few cases as a space of participation.

Under the influence of a free media, which escapes state control, the public space of expression has even extended to countries with authoritarian regimes. Satellite television channels opened the breach almost a decade ago but, because they operated from de-territorialised public space, their impact on local political situations remained limited. The emergence of privately funded national independent media has changed the stakes in many countries. This is particularly true in Egypt where the media landscape has undergone a dramatic change over the last three years with the emergence of around twenty new newspapers and ten television channels funded by private consortiums. Whereas Lebanon, through its freedom of press, remained the regional exception for a long time, Algeria underwent a genuine media revolution at the beginning of the nineties when the government authorized publicly owned newspapers, thus opening the road to a proliferation of independent newspapers and to freedom of expression of all trends and critiques regarding the ruling power. Kuwait also has a tradition of an independent press that enjoys relative freedom and Jordan quite recently saw the state’s monopoly on its media shatter. In countries where state monopolies still prevail (Syria, Tunisia, Saudi Arabia) the internet and blogs have become major sources of information for the population as well as outside observers.

The public space of protest has seen important progress in certain countries: demonstrations, strikes, sit-ins (i’tissam) take place even when they are illegal. Whilst the countries of the Maghreb (Algeria, Morocco and Tunisia before the Ben Ali government) have always known such protest movements, the phenomenon is new in Egypt, at least in its scale and duration. The incumbent power seems more reluctant to use force to suppress demonstrations. When it does, it is exposed to embarrassment because international television, Arab satellite channels and independent newspapers immediately cover these events.

The opening of public space to expression and contestation is without doubt the most remarkable progress in the Arab world. The fear that weighed like a lid on societies and shaped behaviour is now lifted and the population is more inclined to mobilize. While Egyptians were in the habit of demonstrating for external popular causes (for Palestine and Iraq, against the U.S. and Israel) on university campuses or outside mosques after Friday prayers, this way of contestation has become common practice and is nowadays used to express discontent and demands related to domestic matters. The year 2007 was marked by almost uninterrupted strikes by the textile workers, sit-ins in front of public buildings in protest against water shortages in certain regions that had been deprived of drinking water for many years or against tax and price rises. The extent of the price rises which literally sky-rocketed at the beginning of 2008 is not completely reflected in the indicators of this report for it was still unknown at the time of compilation. These movements that received wide local media coverage serve from now on as tests to measure the determination of the government and its disposition to repress or negotiate. Demonstrations and the 2008 elections testify to a hitherto unknown vigour of society and underline the major axis for a new mobilization.

The opening of public spaces takes new turns and mobilizes different players according to each country. In Saudi Arabia, for example, the business sector appears more opportune than the political and cultural arenas to initiate change. The emergence of Saudi women in the public domain is new. Although numerous women have already held major positions in private companies, it is only recently that they have been seen accessing high management positions, for example, in the Jeddah Chamber of Commerce, the Saudi Council of Engineers and the Bar Association. Numerous women are today CEOs of hospitals, banks and corporations. Elsewhere in the Gulf, the appointments of the first female judges in the Emirates and in Qatar mark promising steps forward in the domain which is the most sensitive for the culture and local customs, namely the rule of law.

The ability to organize and mobilize in order to formulate demands is in the experimental phase in all Arab countries, in differing forms but with common characteristics.

New national and independent media, along with the freedom of press, have freed minds and tongues although the culture of objective and factual information still has a long way to go. These media have a double function. Firstly, they establish a horizontal link between previously isolated citizens which makes a key factor in the reinforcement of a civil society and the emergence of a political society; they also build a vertical link - though still a nascent one - in that they serve to exert pressure on the political authority. These media give scope to some social or political movements even when the movements are not important in size. They create a new atmosphere, an impression of effervescence that is changing mentalities. Accordingly, the media can be considered as a major player of change in that it triggers a process of pressure from the bottom, as will be discussed further below.

The role of political parties remains limited, either because they are too new, or because they are ossified from the lack of a renewal of their leadership. Political parties are, by their own admission, "dehydrated" and the vibrant forces within societies do not believe in their abilities nor do they enrol in them. It is as if the government has locked them up by setting rules of the game that reduces them to formal players in a confined and strongly constrained political space. Only the Islamist parties have escaped this framework. They have always benefited from an alternative space (the mosque and religious gatherings) and a dense network of support among the middle and working classes.

In most countries, political parties are in no position to aggregate their populations' aspirations. Their inability to reform themselves from within and to formulate a program in response to the key social concerns of the population leads to a loss of their primary purpose and ultimately dooms them.

Meanwhile alternative modes of organization and mobilization emerge. Like other regions of the world which have seen peaceful outcomes from authoritarianism, civil society, organized in various configurations, is making up for the absence of structured political forces by inventing new strategies. We see new ways of mobilization emerging, informal and fluid, initiated by different groups and factions of variable sizes, who taken separately have no significant influence, but who coalesce around a specific issue of common concern before dispersing again.

Such mobilizations at work in Egypt are of two types. On one side the elites, calling specifically for change in political practices, spearheaded by the Kefaya movement. Judges and magistrates mobilize for the independence of their profession, professors for the freedom of speech in their universities, professional associations (journalists, doctors, engineers) and civil rights organizations are voicing demands for political change. On the other, there is mobilization of the disinherited, victims of the land reform that reverses major rights gained by peasants during the Nasser era, workers harmed by hasty privatizations, victims of water or bread shortages or from catastrophes (repeated train accidents, families from un-salvaged ferry-boats).

The elite groups and grassroots movements are starting to engage with each other in different ways. In some cases, groups that are traditionally antagonistic, join around a common priority. Human rights organizations, which have evolved towards a broadened definition of rights to include economic and social rights, together with lawyers and journalists, come to the aid of peasants and victims of catastrophes and shortages. They accompany popular uprisings by formulating social demands in a careful but articulate political language.

The other framework is that of rainbow coalitions, made of different ideological and political currents centred on a common objective. This is seen with the Kefaya movement in Egypt, the al-liqa'

almushtarak (the common encounter) in Yemen, the coalition of the 18th October in Tunisia, or the Declaration of Damascus in Syria which all unite socialists, communists, nationalists, islamists and liberals.

A common characteristic of these different movements is their new acknowledgement of the necessity to agree around one common platform and a shared objective, namely a strategy to exit from authoritarianism. For the first time in decades, the factionalism which characterised the opposition is fading and a new fault line is taking shape, with democratic forces, all trends united on one side, and the forces of authoritarianism (government, ruling party and the security apparatus) on the other side.

## Patterns of change

While reform from the top allows for the improvement of the formal structure of governance in numerous countries, quantitative indicators in this report show the governments continue to indulge in the same practices, i.e. nepotism, favouritism (wasta) and lack of transparency, with corruption rates that tend to increase rather than regress as a result of stronger links between the state and the private sector as well as with decentralization and the empowerment of local government.

Novelty, however, lies in the fact that these practices start to be contested in a more radical and better organized form. Not by state institutions as happens in more established democracies, but through pressure from society. Institutions which one expects to play the role of checks and balances by holding government accountable, i.e. parliament, judicial and other commissions of control only function weakly. They remain tributary to the executive authority and only have the power the latter agrees to concede.

These institutions often suffer from a serious problem of competence. The more the executive tries to minimize the role of the legislative and the judiciary, the less capable these are to develop their skills, because the means dedicated to their training and information are reduced. Parliamentarians seldom have the staff, usually attached to an MP's position in a democracy, who would be able to bring them the necessary material to form a judgment and put them in a position to question the government. When available, these competences are most often provided by extra-parliamentary sources, i.e. the party to which they are affiliated, when the latter has the human and financial resources (as in the case of the Islamist formations), foreign authorities who organize training programs (often insufficient) or even the private financial means of wealthy MPs

Thus, the actual impact from reform instigated from above remains limited. On the other hand, the media, human rights organizations, independent unions and advocacy groups from civil society constitute a source of pressure more disorganized yet more significant in that it obliges the executive authority to react to their revelations, denunciations and demands. This is the case, for example, for the institutions in charge of security such as the ministry of the interior, the police forces and intelligence agencies in charge of maintaining law and order. When faced with revelations on human rights violations in police stations and the use of torture in prisons, relayed by NGOs and the international media, they see themselves obliged to form inquiry commissions and be accountable for some of their misbehaviours. They may not fundamentally change their practices but they are at least publicly exposed and embarrassed. Progressively, they are becoming aware of their negative image and have a difficult time crystallizing popular resentment. Pressure from the bottom appears as an indispensable lever to force the ruling elites to change their practices and give real content to formal reforms from above.

## Public Opinion and Democratic Aspirations

Public opinion polls have become possible in Arab countries as a result of long battles to obtain authorizations from the authorities and to start lifting the veil of opacity that characterizes the countries of the region. The polls are not yet an instrument that shapes public opinion but they do

begin to bring a more subtle understanding of societies' aspirations and priorities.

Polls indicate that public opinion as a whole yearns for a healthy but also strong state. Indicators on corruption, favouritism, the state's management of its social responsibilities, built from opinion polls conducted for this report, when feasible, show a mediocre level of faith from the population in its leaders. However, one-off polls conducted within the setting of this report, along with other polls taken elsewhere, not only show strong support for democracy but also for gradual and peaceful change. Peaceful and gradual change is the watchword of all political forces in society. Islamists and liberals, nationalists and socialists are all conscious of internal and external dangers linked to the regional environment. Anxiety of seeing the scenarios of Iraq, Palestine, or Algeria in the 90s replayed, take a big toll on opinion.

Practices and strategies from the opposition forces we have referred to, show a concept of change widely shared by different political currents and social movements. All call for a State capable of guaranteeing security, maintaining stability and taking basic social responsibility. Of course there is much discussion on the notion of security (what security and whose?) which opposes the ruling elites, for whom national security comes first, and active elements of civil society for whom human security (access to health services, education and to a dignified life) must henceforth be part of the security framework.

What remains is that regional insecurity together with its internal repercussions, more or less important according to each country, shapes attitudes and the actual representation citizens have of the expected effect of democracy. Many believe that democracy breeds unrest and that it is potentially damaging not only to the economic development but also to personal security. However this point of view is mainly held in the smaller states that have a weak social fabric, such as Kuwait and Jordan, as opposed to Morocco or Egypt, which are much more stable states and have a greater internal homogeneity and the means to defend their territory and internal security. However, a majority of citizens across the region believe that democracy is an effective system for maintaining order.

## Challenges

Numerous difficulties weigh on the process of internal change in a number of countries in the region. Among these, two major types of challenges seem to inflect more specifically on the behaviour of governments and of societies: the security challenge on one side and the deterioration of economic and social conditions on the other.

### *Security*

Since the "war on terror" was defined an international priority and Arab governments summoned to join in, the balance at the heart of state institutions has been modified. The security sector has acquired an unprecedented importance in terms of budget, freedom of action and political influence. This new security paradigm weighs on more than one account on the evolution of reforms and the indicators of this report. The upholding of "state of emergency" laws (or martial laws) is a wild card that allows a power to override the institutions and the procedures defined by the law, undermining the very framework that ought to constitute the rule of law. The lifting of state of emergency laws has been a key demand from the opposition in many countries. However, these laws are either maintained or replaced by anti-terror laws that are even harsher. Spending on security (to the benefit of intelligence agencies and security forces rather than the army) has risen sharply over the last five years. Comparison between security budget and social budget, whenever data is available, is either systematically imbalanced in favour of the former or downright deteriorated to the detriment of social spending.

The paradigm of the war on terrorism forms a clamp that tightens on societies and deeply harms the development of democratic practices in the relationship between State and society.

### *Civil Citizenship and Social Citizenship*

The second challenge is economic and social. Economic indicators for Arab countries have seldom been as good as in the last two years: revenue for oil and gas producing countries has reached unprecedented heights, growth rates are strong all over and debt is, for most countries, no longer a problem. For now, however, steep increases of basic commodities have reached the threshold of the unbearable in Egypt, Jordan, Morocco, Yemen, Syria, and Lebanon. This has a repercussion on the peoples' priority aspirations: the struggle to satisfy basic needs takes on the shape of a fight for survival and has clearly stepped over demands for freedom and democratic reform. Opposition trends that express political demands are overwhelmed by social unrest and are forced to walk hand in hand with groups demonstrating against poverty, unemployment and social division. The strikes and demonstrations in Egypt during 2007 and early 2008, the unrest in Jordan to protest against price rises of oil and food are half-way between a spontaneous ignition of anger and the early signs of a practice of social citizenship. They lay open the question of access to citizenship and more importantly, of its actual content: will Arab societies follow the path of Latin Americans who began by obtaining their civil rights and only strove twenty or thirty years later to access economic and social citizenship and correct the socially dramatic effects of liberalism and market trends? Or will the concept of full citizenship, civil and social, and that of human security, promoted by development agencies, enforce itself? Will the future of the Islamist movements depend on the outcome of this process? Will they remain the main force capable of satisfying social demands and harvest the benefits on the political level or will they need to share the representation of society and its demands with other political trends, trade-unions and civil society movements?

### *The difficulty of quantifying in the Arab world*

The limitations of quantitative analysis as an instrument for understanding realities were largely underlined in previous works and debates between political scientists worldwide. We will only focus on what is specific about the Arab world in this section.

Beyond the difficulty of accessing reliable first hand information, quantitative indicators seldom allow us to capture political practices implemented through informal processes. In all Arab countries for example, traditional forms of consultation co-exist with modern institutions (when these exist at a more or less advanced level). While the rule of law is not in force anywhere, internal political balance is ensured by other means. Negotiations, bargaining processes and compromises, including when a change occurs in key positions at the top of the state hierarchy, remain secured by traditional mechanisms of consultation involving key groups and their constituencies. Not only in Morocco, Kuwait, Saudi Arabia and Yemen but also in Lebanon, modern institutions only ratify and formalize arrangements concluded outside them, between historically influential families and groups: the Makhzen in Morocco, the Wahhabi establishment in Saudi Arabia, the tribal leaders in Yemen. The legitimacy of such arrangements is secured before being formally adopted by parliaments or other modern institutions. In Saudi Arabia, the absence of political parties and of civil society organizations, in the modern sense of the word, should not detract from the fact that the royal family consults with the representatives of the key tribes, respects regional equilibriums and negotiates with the religious establishment. Such consultations took place prior to the reform that led to the expansion and reinforcement of the power of the Majlis el Shoura. In Kuwait the appeal to the parliamentary procedure envisaged by the Constitution at the time of the death of the Head of State in 2006 allowed a crown prince, thought to be unsuited, to be declared unfit and his brother enthroned instead. But the implementation of this constitutional procedure was made possible only because the MPs who negotiated this change belonged to the country's most influential families

bound to the reigning family through historical agreements. In Lebanon, compromise between different religious communities and their foreign protectors are always negotiated outside formal institutions and are then ratified through institutional rules.

Likewise, quantitative indicators cannot measure the influence of “dark forces” or de facto powers such as the security agencies or the religious institutions.

Finally, they conceal a distinction that must be made between countries that are relatively open towards the outside world and wary of their external image (such as Jordan or Morocco) and those that are traditionally less sensitive to it (such as Algeria or Saudi Arabia). The former are often beneficiaries of international financial aid programs. They are engaged in a process of formal modernization of their institutions in the name of good governance and strive to respond to the criteria defined by their foreign partners. The latter, generally richer and less dependants on foreign aid don't have this priority. Quantitative indicators account fully for these formal changes and penalize countries that don't pay equal attention to their image.

#### *Algeria as a text book case*

Algeria presents some difficulties to observers seeking to assess the social and political realities. Some of these are common to many countries others are specific to it.

The first aspect is related to the nature of the political system based on the logic of the rentier state. Briefly stated, legally, everything is permitted; practically everything is controlled. As a rentier state, Algeria relies on its financial wealth and seems little concerned with either seeking efficiency, or improving its image abroad. Hence the access to information, even open information, is laborious if not perilous. The National Office of Statistics, though Algeria has high level statisticians, lapses into lethargy. The dynamism of the Economic and Social National Council, presided over by an independent left-wing public figure which collected fairly reliable data, was stopped in its tracks by the nomination of a new manager at orders. The project to create an independent National Institute of Economic and Social Conjecture was met with muffled but efficient hostility from the executive. In this context, it is difficult to build a representative image of the reality. This state of affairs serves a government that refuses transparency and does not seem to be excessively antagonistic for the opposition.

On the academic level, practically the same situation prevails. University administrations do not encourage, to say the least, empirical research on the evolution of the social and political situation in Algeria. Professors, as a general rule, abide by this veiled prohibition. Resigned students direct their research towards themes of theoretical interest or insignificant topics. Universities function as inert bubbles, disconnected from the real world. In the absence of minimal academic support, there is little hope that a representative image of the realities of Algeria's social and political scene can be built.

The economy is the only sector that seems to escape the rule, at least partially. The World Bank and the IMF have in their possession cross-checked information on the state of public finances in Algeria which allows them to formulate detailed findings and analysis. Here as well, the World Bank and the IMF are dependent on data provided by the Algerian government. One major distortion for example is the price of oil on which they base their findings: the state budget is calculated on the basis of 19US\$ per barrel when it actually stood at 110\$ per barrel at the end of 2007! In this context, short of an “ethical fund” in the Norwegian mode, only foreign intelligence services can access the truth.

Finally, the legacy of socialism and of a welfare state whose primary function is the redistribution of wealth, is not affected and with the help of the increased income from oil and gas, was reconfirmed. Social security, unemployment and pension benefits, education, remain sacred cows that the government dares not touch. Indicators of social justice in this report only partially reflect the

reality, though they cannot measure the quality of governance of these sectors and of the services they deliver.

## Reforms in the Mashreq set back by warfare, ideological battles, and regime resistance

Rami G. Khouri\*

Political reform and democratization in the Mashreq region of the Arab world have largely stalled or regressed in the past few years, due to a series of causes that include military and ideological warfare, civil strife, spillovers from the American-led “global war on terror”, and the continued resiliency of Arab autocratic ruling elites. This regressive status of Arab democratic reform can be appreciated at two levels: macro-conditions that drive broad trends across the region, and micro-conditions as manifested in specific developments in the fields of human rights, accountability, rule of law, freedom of expression, and public institutions.

The Mashreq states addressed here include Lebanon, Syria, Jordan, Palestine and Iraq. Each is defined by particular conditions that collectively constrain serious political reform, despite efforts to do so in some cases. Iraq is the most difficult state in which to assess political reform efforts, given that its entire state structure and leadership were dismantled by the American-led invasion of 2003, followed by subsequent erratic efforts to re-create a new governing structure. Time will tell what replaces the former state and governance structures in Iraq, which for now is passing through a difficult transition to an unknown destination. It is possible that some of the new governance institutions that emerge in Iraq will be truly democratic, though efforts in that direction to date have been very inconsistent.

Throughout the Levant, the goal of democratic reform that first reared its head in the late 1980s has been sidelined by far more pressing and larger national challenges, including issues of stability, sovereignty, legitimacy, identity and national configuration. Three of the five Mashreq states – Palestine, Lebanon and Iraq – suffered serious warfare and political violence in 2006-2007, while Syria and Jordan remain firmly in the grip of strong, security-minded governments. Macro conditions for reform simply do not exist these days in the Mashreq region. Democratic transformations must await more propitious conditions on three levels – internally, regionally, and internationally.

Simultaneously, reforms continue to occur in other sectors of society, namely administrative, economic, mass media, communications and education systems. The powerful forces of globalization, commercialization and privatization – driven by both domestic needs as well as some foreign advocacy – continue to drive liberalization and competition in these “non-political” sectors. This leads to a somewhat contradictory situation that pervades the Mashreq and most of the Arab world: political power and macro-level decision-making related to state ideology remain firmly in the grip of central governments that increasingly rely on narrow elites, with no prospect for meaningful democratization in the coming years; but the prevalent trend in most other aspects of life – especially media, economy and social services – is towards more open, pluralistic, and competitive conditions that liberate citizens from the stultifying control of the state.

As more and more citizens look to the private and NGO sectors for basic services – or do without some services in the poorest urban and rural quarters – the status of the Arab state itself has started, in many cases, to change in the eyes of its own citizens. Centralized states and their local offices that do not deliver what their citizens expect from them – basic security, essential social services, economic opportunity, and expression of national or other identities – will find citizens in turn viewing

the state as only one of several legitimate authorities in the land. National coherence and integrity fray in such circumstances – Lebanon, Iraq and Palestine are three Levantine examples – leaving the state to control a smaller share of society, in which reform efforts reach a smaller number of people.

## Political autocracy and economic liberalism

The relationship between autocratic political systems and liberalizing socio-economic systems seems to be slightly symbiotic and mutually reinforcing for the moment – especially when placed in the context of foreign military-driven “democratization” in Iraq and Afghanistan. State authorities that tightly control domestic power and decision-making on the one hand say they offer their citizens greater opportunities for personal economic development, travel, education and efficient access to basic services in a secure environment, while, on the other hand, pointing to Iraq, Lebanon, Afghanistan and Palestine to warn that abruptly speedy democratization driven by foreign pressure will most likely lead to chaos, instability and mass suffering.

Indigenous democracy and human rights forces in these countries – both individuals and some organizations – nevertheless continue to advocate for reform, but with much less impact or credibility than ever, for several reasons. Basic democratic rights for many citizens have dropped to the bottom end of their priorities, in countries where basic day-to-day security and economic survival are much more pressing needs. Conditions vary across the Mashreq region, but it seems fair to say that in all countries – whether wracked by conflict or stressed by homegrown autocracy – sheer economic survival and physical security have become much more critical demands for most citizens than the niceties of republicanism or constitutionalism.

The war-torn lands of the Mashreq suffer additional reasons for the marginalization of democratic reform. In Lebanon, Iraq and Palestine, the predominant aim of organized public and political action has been to seize and exercise power, rather than to democratize it – to achieve and perpetuate incumbency, rather than to refine governance norms. In more stable societies, the ruling power elites have either portrayed democratic reform as an intrusive foreign plot or argued against it as a destabilizing process. The American-led drive for democratization through warfare and political pressures in Afghanistan and Iraq has left those countries as unwelcome examples and precedents for such an approach. Equally strong American political, security and economic support for ruling establishments engaged in serious domestic ideological battles in Lebanon and Palestine has generated similarly robust doubts about the wisdom of following Washington’s prescription for change. In some cases, such as Syria, resisting American and other foreign pressures has made anti-American “resistance”, “rejection” and “steadfastness” the rallying cries of new regional ideologies anchored in transnational solidarity. This has explicitly included a rejection of American democratic prescriptions.

## The role of foreign actors

The role of foreign actors in Arab reform remains wildly erratic, broadly ineffective, and largely problematic. The pressures, enticements, partnerships, threats, sanctions, rewards and cajoling that have all been used to prod Arab democratization by the US, Europe and other foreign governments have had little practical impact on the actual exercise of political power or the quality of human rights practices in the Mashreq. Whether attempted through aggressive unilateral acts like American Congressional sanctions against Syria, or softer, broad-based transformational initiatives like the EU’s Barcelona Process and its subsequent Neighborhood Policy, official foreign pressures to prod democratic reforms have been received in the Mashreq with a prevalent combination of perplexity and indifference, sometimes shifting into active opposition and resistance. Two main reasons explain this: inconsistent policies by the foreign actors across the region and also within the

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same country, i.e., threatening to withhold foreign aid from Egypt for its non-democratic governance system, but not doing the same in Tunisia, Morocco, or Jordan; and, the ability of Arab regimes to accommodate foreign-inspired superficial transformations, i.e., establishing human rights organizations or training judges, while resisting any real changes in their power structures and privilege systems.

The pattern of both foreign pressures and indigenous Arab autocracy are both inconsistent. The US, for example, made several high-profile statements about the importance of promoting democracy in Egypt and Saudi Arabia several years ago, without making similar statements about other countries where state controls and democratic deficiencies are even more severe, like Tunisia. Other Arab countries, like Jordan and Morocco, tend to fall in a middle ground: their autocratic systems are less severe, and they are often praised by Western powers for making gradual reforms, though their core political and economic decisions remain firmly in the grip of a restricted ruling elite that is largely unswayed by popular sentiments or the results of parliamentary elections. Major Western powers, especially the US, also broadly seem to have lowered their democracy-promotion rhetoric in the past two years, as they assign higher priority to fighting terrorism and keeping Syrian- and Iranian-allied Islamists out of power in the region.

A particularly significant blow to indigenous Arab democratic reform was the American-Israeli-European boycott of Hamas' victory in the January 2006 Palestinian general election, and the subsequent sanctions imposed on all Palestinians, especially in Gaza after the Fatah-Hamas clashes and split in mid-2007. The damage to Arab democracy prospects from this case was three-fold: it retarded enthusiasm for generic democratic activism among some Arabs, undermined support for any political initiatives emanating from Washington, and dented Europe's once strong image as a purveyor of humanistic values and a champion of democracy and the rule of law. Europe's modern legacy of supporting democratic reform in the region has also been somewhat exposed as thin, with political rhetoric and economic support vastly outweighing practical efforts to prod tangible political changes towards democracy.

### Electoral politics

The Mashreq region, like most of the Arab world, has continued in recent years to face the challenges of adjusting to new ideological currents since the end of the Cold War. The Arab Middle East and North Africa (MENA) as a whole, but the Mashreq region in particular, has suffered from three cruel and debilitating post-Cold War legacies: this remains the only region of the world where large-scale democratization has not occurred since 1989, where foreign armies (Anglo-American, Israeli, Turkish) continue to assault Arab countries at will, and where lands and people (Palestinian, Syrian) remain subject to long-term foreign military occupation and active colonization. These three phenomena combined with a fourth -- largely stagnant living standards and future economic prospects due to demographic-economic growth imbalances -- to spur widespread domestic political frustrations. In the Mashreq as in most of MENA, mainstream Islamist parties were the most successful domestic groups in channeling citizen discontent into support for their programs. Not surprisingly, therefore, parties that articulated ideologies in a vocabulary of faith emerged as the strongest opposition groups. Hamas eventually won the election in Palestine. The Islamic Action Front became the single largest and most powerful opposition group in Jordan (having once joined the government in 1989). Hizbullah became the most powerful party in Lebanon, where it played the dual role of a national resistance against Israel and also represented Shiite communal interests. Several major Islamist groups shared power in post-war Iraq, mainly Da'wa and The Supreme Council for Islamic Revolution in Iraq (SCIRI). The Muslim Brotherhood in Syria was crushed in the early 1980s, but remains -- underground and abroad -- potentially the single most organized political opposition in Syria.

### Eruption of islamism and sectarianism

The prevalent Islamist decision to enter into electoral politics in the past fifteen years was a double-edged sword for Arab reform prospects. Democratic horizons were enhanced by the fact that the single most powerful opposition group in most Arab countries was prepared to contest power peacefully and democratically; yet it also spurred secular and non-Islamist Arab and foreign power elites to severely restrict the contours and substance of any democratic, electoral, or participatory process that threatened to see power shared among a wider group of political actors. The Arab world as a whole effectively locked into place the basic political adjustment that it had initially made in 1986-92: political space would be opened slightly and governance systems liberalized partially, allowing essentially for more freedom of expression and association, but no real change in the exercise of power or the conduct of national policies. Consequently, for the past nearly two decades, much of the Arab world, including parts of the Mashreq, have seen a more open media, many new political parties, frequent local and national elections, and a much more lively civil society. Yet leaders and policies in virtually all Arab countries have remained unchanged. This recent legacy of changes in Arab political structures and administrative systems without any changes in prevailing ideology or policy defines the current prevailing skepticism about meaningful reform.

Though liberalization without democratization has defined most Arab political systems in recent years, a combination of reform agents continue to seek to promote more serious change towards genuine democratic governance defined by political pluralism, accountability, the rule of law and respect for human rights. They made little headway, though, and the mass frustration that followed found its expression primarily in Islamist politics. As Islamist parties tested the waters of democratic electoral politics, they simultaneously pursued the parallel strategy of building a strong grassroots constituency through the provision of social services and expressing the political sentiments of ordinary citizens. The Islamist approach to dealing with and accommodating an autocratic state power elite that did not wish to share power in any meaningful way has seen reform initiatives hit a stone wall, due to fears that democratization would lead to Islamist incumbency and rule. Two principal forces have combined to limit reform momentums: ruling Arab elites and Western powers that fear Islamist incumbencies.

Islamist activism in recent years has been mirrored by other groups in society that similarly reflect primordial identities and allegiances, namely tribal, ethnic and sectarian groups. They provided four critical services to their constituents that the modern Arab state did not always effectively offer all its citizens: a voice in society, a sense of identity, access to basic socio-economic services, and a sense of security. These groups did not necessarily challenge or attack the state -- as smaller, violent Islamist organizations had done in countries like Egypt, Syria and Algeria -- but rather they built infrastructures of mobilization and services that existed parallel to the state, and often drew on state resources to serve their constituents. The Mashreq was full of such groups that quickly reasserted themselves during the post-1986 liberalization years.

The end of the Cold War ushered in a period in the MENA region that saw several different forces interacting and coexisting, but often uneasily: authoritarian or autocratic states, indigenous democracy movements, foreign governments advocating both democracy and security, Islamist mass movements, more narrowly-based ethnic, tribal and sectarian groups (Kurds, Druze, Shiites, Christians, etc.), and the forces of economic globalization. These dynamics pushed and pulled society in different directions, sometimes fostering liberalization and efficiency, sometimes promoting conservatism and illiberal political values.

Reform prospects in the Mashreq today, consequently, must be gauged within the context of an increasingly intense ideological struggle that sometimes spills over into armed conflict, and is manifested at local, regional and international levels. From the Iraqi invasion of Kuwait in 1990 to 9/11 and the subsequent "global war on terror", three broad forces have come to dominate the Mashreq region, and today define the constrained space for democratic reforms: a) the affirmation of strong,

centrally-controlled Arab security states (Syria, Iraq, Jordan); b) the growth and assertion of sub-state religious, ethnic and sectarian groups (mainstream Islamists like the Moslem Brotherhood and Hamas, sectarian-Islamists like Shiite Hizbullah, tribalists, and ethno-nationalists like the Kurds in Iraq and Syria, or the Druze in Lebanon); and, c) the penetration and spread throughout the region of foreign interests and ideologies, including invading armies, democracy-promotion efforts, and the forces of cultural and economic globalization.

The main protagonists -- Arab security states, sub-state groups, and foreign powers -- are now locked in power struggle that often verges into the existential, and thus has overwhelmed any serious discussion of democratic reforms. The particularly problematic role of leading foreign actors in the war in Iraq, pressuring Iran and Syria, allowing Israel to persist in its attacks against Lebanon in the 2006 summer war, and boycotting and sanctioning Hamas after its democratic election victory has further discredited foreign democracy advocates, and severely marginalized many indigenous forces working for reform.

The single biggest constraint to democratic reform and the rule of law in the Mashreq today is the state of war, civil strife or persistent tensions that plague most societies. Democratic reforms are a low priority demand for citizens more concerned with assuring their family's basic needs, in terms of security, jobs, income, and social services. Centrally-controlled states like Syria and Jordan exploit this dichotomy of democracy vs. stability, arguing that order and security are the number one priority, and therefore democratic reforms can wait for better days. A silent majority of citizens seems to go along with this, whether out of conviction or fear of opposing the state.

Another formidable obstacle to democratic reform throughout the Mashreq is that states that contain and retard democratization do so by using the power of the law and the constitution, which ruling elites adjust and interpret to meet their needs. Thus human rights advocates or severe regime critics are arrested and sent to security court in Syria and Jordan on the basis of existing laws. Many such laws -- in most Arab countries -- include vague provisions against "harming state interests", "undermining the Constitution", "fomenting national discord" or "insulting" state leaders. Some countries have taken advantage of the "global war on terror" to introduce new security-related prohibitions that can be abused by the executive, judicial and security branches of government to curtail civil and political rights.

International human rights organizations and indigenous activists alike, for example, charge Syria with abusing its security laws to arrest and jail human rights activists whose activities mainly consist of issuing statements and speaking out for greater political freedoms. The past year has seen several prominent Syrian activists arrested, convicted and imprisoned for periods of three to twelve years, including Kamal al-Labwani, Anwar al-Bunni, Michel Kilo and Mahmoud Issa, some of whom signed the Beirut-Damascus Declaration asking for greater Lebanese freedom from Syrian control or influence. The government constrains the activities of civil society and human rights activists by using existing emergency laws and other legislation that allows it to control political activities, such as the requirement that all civil society groups obtain government approval through a registration process. Because judicial agencies tend to be directly controlled by the executive branch, democracy and reform activists have little chance to seek the protection of the law, and at the same time the state argues that it is implementing the law and preserving law and order by arresting activists who operate outside of the state's purview.

A similar situation pertains in Jordan, where recalcitrant MPs or other activists who speak out forcefully against the state or make accusations against specific officials can find themselves arrested and indicted for offenses that are anchored in very vaguely defined laws. The former MP Ahmad Oweidi Abbadi was the latest to suffer this fate in Jordan, when he was arrested then convicted in a state security court, after being charged with belonging to an illegal movement (the Jordanian National Movement), "harming the state's dignity" and illegally distributing political leaflets. Newspa-

pers occasionally are banned in Jordan (Al Majd suffered this fate a few times in the past year), and at one point security officers confiscated a Jazcera TV tape of an interview with Prince Hassan to prevent it from being broadcasted.

These kinds of heavy-handed actions by the state are routinely taken only against targeted individuals or organizations, and seem designed to set the tone for permissible political activism across the board. The demonstration effect of such measures tends to send a chill down the spine of others in society who might be inclined to express their views or organize politically. Many potential political activists become intimidated, and therefore are discouraged from entering the political arena in opposition to the state. This kind of power structure where the state defines the limits of acceptable political behavior is maintained by a parallel system of elections at the local and national levels. The electoral processes in the Mashreq reflect a very diverse set of conditions. There is some credible contestation of power in Lebanon and Palestine, where, unusually for the Mashreq, one is not always able to predict election outcomes ahead of time. In Iraq, electoral systems are in the early stages of their creation, yet citizens vote as much on tribal and sectarian grounds as they do on the basis of political ideology. (Some electoral laws and constitutional systems, including Lebanon and Iraq, actually promote sectarian and confessional voting, though civil society groups in both countries have actively called for non-sectarian electoral systems that can promote a meritocracy. Lebanon's Taif accord at the end of the civil war in 1989 actually signaled a consensus desire to move towards a non-sectarian, non-confessional political structure, but no progress has been made in that direction other perhaps than the 2006 political understanding between Michael Aoun's largely Christian Free Patriotic Movement and the Shiite movement Hizbullah).

Syria and Jordan hold elections that predictably always result in a majority win for the pro-government forces or the ruling government party in Syria's case. Expectations of electoral reform and greater political party pluralism in Syria in 2006-07 did not materialize, leaving the ruling Baath Party structurally in command with its constitutionally-mandated majority in parliament along with its partners in the National Progressive Front. The main Syrian opposition groups boycotted the elections, giving the vote even less credence than it might have enjoyed otherwise. The referendum on the second term for President Bashar Assad predictably resulted in his being approved by an overwhelming 97.6% of voters. The promise and expectation of reform in Syria remain confined to greater economic openness and competition, with limited administrative changes, and no major legal or political changes of consequence.

Jordan is a more mixed picture. It has made important changes in recent years in the economic, administrative and regulatory sectors, significantly increasing efficiency of some state services through privatization or government-mandated administrative reform. Some sectors, like telecommunications and transport, are largely in private hands, with the government playing a regulatory function primarily.

Yet these changes have not been matched by political reforms. Jordan suffers the common Arab weakness of an electoral system that is managed by the state and designed to return a docile or pro-government majority in national elections. Consequently, the largest opposition group, the Islamic Action Front, intermittently boycotts municipal or parliamentary elections, because it does not see them as truly free and fair. The biggest weakness in the parliamentary elections is the gerrymandering of the electoral districts, which ensure the opposition gets no more than 20 percent of the elected lower house seats. The flagrant imbalance in the districts means that voters/seat in the capital Amman and some rural areas vary by a ratio as wide as 9/1. The Amman-Zerqa region is woefully underrepresented in parliament and the Bedouin-majority rural regions are overrepresented, thus ensuring that pro-government MPs dominate and Islamist, pro-Palestinian, leftist, or Arab nationalist MPs are a permanently contained minority.

## Disappointed Societies

With regimes in such direct, complete control of executive, legislative and judicial sectors of government, backed by robust and efficient security systems, there is virtually no room for democracy activists to ply their trade, let alone achieve a breakthrough. A few reform-minded organizations and individuals briefly held out the hope in 2006-07 that some reforms might be initiated from above, by the ruling regimes themselves. War-wracked Lebanon, Palestine, and Iraq had no chance to attempt this approach, but Syria and Jordan did, and they both decided against it in the end. Syrian expectations of a more open political system that included a free press and a truly competitive party system were dashed in 2007, when state-sponsored reforms were restricted to the administrative, educational, and economic sectors.

The biggest reform-related disappointment in the past few years, though, was the quiet shelving of the Jordanian National Agenda that had been painstakingly compiled and widely trumpeted as a comprehensive, integrated and deep reform agenda that cut across political, economic, social, educational and administrative lines. It included potentially path-breaking reforms of parliamentary elections that would have reduced the existing disparities in representation across geographic and ideological groups, and introduced proportional representation. The prevalent sense in Jordan is that conservative vested interests in the final analysis put pressure on the king and government to slow down the political reform process, which threatened to spur a real redistribution of power in society.

Disappointing as was the apparent shelving of the National Agenda, the document and the political impetus behind it were fascinating for what they revealed about the perception by the king and his small band of reform-minded aides that radical change was needed to address Jordan's chronic constraints, especially the imbalance between population and economic growth. The fact that they defined and started to promulgate such an ambitious reform agenda is a hopeful sign that at least the awareness of the need for comprehensive change exists within some quarters of the ruling elite in the Mashreq, and other parts of the Arab world. Because of its depth and breadth, it is worth noting in more detail.

The agenda's stated aim was "to achieve sustainable development through a transformation program that puts Jordan on a trajectory path toward fast economic growth and greater social inclusion, resulting in comprehensive strategies and initiatives developed to realize social, economic and political development, evaluate and monitor progress of its implementation according to detailed performance indicators."

It was presented as different from previous failed or limited reform efforts because of its wide scope, and linked implementation and monitoring mechanisms. Those aimed to achieve a set of ambitious objectives:

- // Enhance public participation in the decision making process and strengthening the role of the civil society institutions;
- // Guarantee the rule of law and independence of the judiciary;
- // Safeguard public safety and national security in accordance with articles of the Constitution;
- // Build trust between citizens and institutions and adopt principles of transparency, good governance and accountability;
- // Strengthen principles of social justice and equal opportunity;
- // Develop human and economic resources, upgrade the production base and expand development benefits;

These ambitious policy initiatives were encapsulated in three main spheres of action:

1. Government structures and policy reforms intended to contribute to the stimulation of economic development and the improvement of social welfare and security.
2. Basic rights and freedoms, including reforms designed to enhance freedom, equality, and ac-

cess in the fields of religious, political, cultural, social, property, information, citizenship and legal rights.

3. Services, infrastructure and economic reforms related to the transportation, water, energy, environment Information and Communications Technology, healthcare, manufacturing and financial services sectors.

The ten-year National Agenda technically still drives state reform plans, but in practice it has been replaced by yet another palace-driven mobilization process called "All for Jordan", similar to the "Jordan First" initiative that was launched half a decade ago. Jordan in this respect mirrors the wider complexities and contradictions that define the Mashreq, where reform and regression are both driven simultaneously by a galaxy of conservative, security, progressive, democratic, foreign and indigenous groups. The state's attempts to appease all these competing but contradictory forces usually leads to the prevailing situation where reforms are robust and impressive in economic and administrative spheres, but symbolic or nonexistent in the political arena.

## Scores and realities

Not surprisingly, perhaps, in view of the Jordanian leadership's recognition of the need for comprehensive reform, Jordan ranked first among the eight Arab countries surveyed by ARI for this report on the basis of the averaged index of all indicators, though in some categories others ranked higher than it. The three Mashreq countries included in the Arab Democracy Index survey – Jordan, Lebanon and Palestine – all showed significant swings in their democratic norms, institutions and practices. This reflects two phenomena that are common throughout the region: 1) legal and constitutional safeguards and rights tend to be impressive on paper, but are not always matched by implementation on the ground, and, 2) enforcement of citizen rights and legal safeguards varies widely according to the political environment and the personalities in power.

This is why, for example, Jordan's political and media system liberalized rapidly in the period 1989-1994, but tightened up again after the 1994 Israel-Jordan peace agreement and the post-9/11 focus on fighting terrorism. Syria's situation similarly swings widely, from greater tolerance of reform-minded statements and meetings by dissidents, to abrupt jailing of some of the leaders of democracy and reform movements.

Lebanon and Palestine are the most intriguing cases for the assessment of reform forces in the Mashreq, given their combination of occasional warfare on the ground, persistent domestic political tensions and ideological confrontations, strong civil societies and democracy advocates, and relatively meaningful elections whose winners are not necessarily pre-programmed and predictable. War and political tensions push democracy towards the bottom of people's priorities; yet there is also a growing acknowledgement in society that a lack of both sovereignty and democracy accounts for the violence and instability that wrack these societies. Intrusive Western involvement in these countries is a complicating factor in the reform equation; it promotes democratic reforms on the one hand, yet it also sides with one party against the opposition, thus fomenting greater strife and denigration of constitutional institutions, on the other. The temporary immobilization or collapse of constitutional and democratic structures in Lebanon and Palestine has seen the political vacuum quickly replaced by a constellation of forces: militias and other ad hoc local armed factions; new informal venues for political leaders to meet under third party mediation (e.g., Mecca, Paris); foreign money, arms and diplomatic support; and local community groups and NGOs. This fragmentation of an integrated national political system into diverse and increasingly localized elements augurs badly for national political reform in the short run. Yet it may have a silver lining: when dysfunctional governance and security chaos run their course, and citizens in the Mashreq seize hold of their societies and try to rebuild them, they are likely to demand more transparent, equitable and accountable governance structures as the bedrock of democratic systems.

The Arab Democracy Index (ADI) compiled for this report provides intriguing new data that generally complements and confirms the overall trends that are outlined in the qualitative analyses. Several significant aspects of the indicators should be noted, the most glaring of which is the generally low ranking of the surveyed Arab countries. The three Mashreq states surveyed : Jordan, Palestine and Lebanon ; reflect the prevailing trends of the entire Mashreq region: sharp disparities in rankings, inconsistencies within and between countries, and a significant gap between written guarantees of democracy and human rights, on the one hand, and actual practices and conditions, on the other.

The nearly 100 percent differential between means and practices for all surveyed Arab countries (751/393) is mirrored in the Mashreq states, though Jordan shows the smallest gap. This in turn reflects one of the consistent findings of the index: Jordan's relatively high ranking in most indicators, giving it the number one overall rank. (It is followed by Morocco in second place, perhaps reflecting factors such as the relative legitimacy that the ruling families in these monarchies enjoy, their sense of accountability to their citizens, and their strong focus on security as the bedrock of state security and regime incumbency). The three Mashreq states, however, come in above the average for the entire Arab region (550 vs. 498), which may signal the strength and depth of some of their people's struggles for good governance, despite the ravages of war, instability and regional shocks in all three countries.

Perhaps the most telling aspect of the index (and certainly the most politically operative) is the gap between means and practices. The Mashreq states score high in freedom of speech and assembly and the right to form political parties and human rights groups. Yet they mostly score low in corruption, *wasta*, detention without charge, and use of security courts. These trends are also visible throughout the rest of the Mashreq, where political life is defined by the following consistent realities: constitutional and legal guarantees of political freedoms and individual rights are pervasive and often impressive on paper, but they are offset by inconsistent application of the law by executive and policy authorities that are able to bend the law according to their interpretation of prevailing political challenges and security threats. Arab citizens in the Mashreq generally have enjoyed greater opportunities for freedom of expression and assembly in recent years, but this is where democratization tends to stop. Political parties, human rights organizations, opposition views in the press, and civil society organizations are all more common today, but in no significant case have they caused a government to change a substantive policy. These Arab citizens increasingly enjoy the form of democratic expression, without the substance. Nowhere in the Mashreq are sovereignty and policy-making authority fully vested in the citizenry through credible mechanisms of representation and accountability.

Another important aspect of these indices is that they capture a moment frozen in time, while in reality they vary sharply over time. In Syria, for example, freedom of expression and assembly was much higher in the immediate aftermath of the incumbency of President Bashar Assad than it is today, while in Jordan political pluralism was much more vigorous in the period 1989-1993 than it has been since the Jordan-Israel peace accord of 1994. Conditions in Iraq and Palestine vary with every passing month due to ongoing armed conflicts, occupation and resistance, while Lebanon remains hostage to domestic, regional and international forces that make rule of law guarantees and procedures wildly erratic in practice, depending on the political alliances and vagaries of the day.

The data generated by ARI's recent surveys around the Arab world suggest that public opinion yearns for democratic reform, but is skeptical that current political elites are capable of achieving it. Many other previous surveys throughout the region indicate that Arab nationals are clearly committed to values of democracy, pluralism, justice, equality, the rule of law and accountability, but they also place high emphasis – perhaps even greater priority these days – on enjoying liberty from foreign occupation and true sovereignty that is not compromised by invading foreign armies.

## Abdallah Saaf\*

### Types of regimes

For a long time, old stereotypes were used to classify and depict Arab realities such as, for example, the distinctions between republics and monarchies, republican principalities and hereditary republics, and between progressive and reactionary, moderate and revolutionary, civilian and military, and liberal and socialist regimes.

These typologies are out of date. A more relevant approach is to look at the relationship between democracy as a norm and democratization as a process, i.e. to measure the prevailing situation in terms of proximity to, or compatibility and contradiction with this political system, and it is on this basis that countries in the Arab world are categorized.

Here, we can distinguish at least five case groups: using the status quo as a departure point for the “democratic” transformation, to measure both the extent of progress towards it, and level of compatibility with it :

We could name Morocco, Jordan, Mauritania, Kuwait, and even Bahrain, as countries with conditions that allow this kind of comparison and contrasting.

Adding to the democratisation challenge, Mauritania and Yemen face a national integration challenge.

Another group of countries represents a more complex transformation process, involving the political, institutional and cultural dimensions, the shape of the political system and an abundance of financial resources. In this group, which includes Qatar, the United Arab Emirates (UAE) and Oman, reform is devoid of a political component and the economy colours every other dimension. A fourth group of countries is still at the stage of addressing, to varying degrees, the nature of change itself, (Saudi Arabia, Syria, Algeria, Yemen, Libya, Egypt and Tunisia); however, though this characterizes to a large extent the nature of reform in these countries, they also display a stable form of despotism. Many of these regimes succeeded in appearing as if in the middle of a reform process without, however, offering any concessions in favour of democracy. This is how the “Damascus Spring” of 2000-2001 succeeded, early in Bashar al-Assad’s rule, in giving exactly this impression in the first few weeks. In the same vein, Saudi Arabia and Egypt responded to the “imported” American reform initiative by underlining the principle of reforms from within.

Finally in the case of Iraq, Palestine, Lebanon and Sudan, questions arise regarding both, the strategic dimensions and those related to international policies, regional equilibrium, and special state institutions with a religious, ethnic or tribal character.

### The political systems in the Maghreb region

When one reads various texts and constitutional provisions and does a purely legalistic analysis, the initial impression is that the methodology they are based on is firmly rooted in technical legislative

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and legal approaches. In reality, they are based on a pro-forma methodology incapable of providing even a mere evaluation of intentions regarding reform. However, despite this fact, extreme formalism is not entirely irrelevant. Reviewing behaviour with an eye on the law, and monitoring institutions, is a necessary exercise.

The separation of powers seems, to a certain extent, to be real, though sometimes, it is just a figment of the imagination. The overwhelming powers with which the head of state is endowed indicate the presence of a structural deficiency in the distribution of power. Beyond that, the democratic principle becomes firmly rooted, in some cases, through the constitution and through legislative and administrative texts, while in other cases it seems to be rooted in contradiction. Is standard cohesion a guarantee for a good application of democracy? Do rare constitutional violations indicate that? Questions continue to be asked in Morocco for example, not only regarding legitimacy and legality, but also with respect to the effectiveness of public institutions. Another key set of questions are ones related to the independence of the judiciary. The political reform issue elicits similar reactions among public opinion, though considerable differences appear when examining the quality of implementation, i.e. the actual practices.

While regimes in the Maghreb seem quite capable of holding regular elections, their regularity may have no bearing on the democratic status of the concerned regime. The latter could, when their own credibility is too weak to ensure the transparency of the elections, raise their credibility level by forming local monitoring commissions, and invite others from abroad. In this respect, Morocco’s example proved that despite the numerous flaws in the electoral process, the government was able to project the image of democratic elections.

The reader can measure these regimes’ levels of tolerance, based on the formal status of individual freedoms in each country, including the right to form political parties, the rights of assembly, demonstration and opposition, the possibility of criticizing the authorities and openly pointing the finger of blame at them.

Holding the government accountable in Morocco for example, has become such a usual occurrence that it is almost a matter of routine. Questions from MPs to ministers reached 4616 as in one year the Index shows while in Algeria, this practice remains much more limited (22 in one year). Apart from the dissolution of the Algerian National Assembly in 1992, no noticeable incidents, by any regime in the Maghreb, could be construed as an obstruction of an elected body.

However, the Index does not show the important linkages that determine realities on the ground. Looking at the issue of corruption in isolation of other factors is not enough to form an opinion regarding the implementation of the rule of law. It should be seen, rather, within the context of other elements, such as the right to a fair trial, resorting to exceptional laws to combat terrorism; torture, the treatment of detainees, intervention by the security forces to prevent certain appointments, and the citizens’ sense of personal safety.

The Maghreb’s particular characteristics and its countries’ readiness to introduce reform are not only in evidence in indicators relevant to institutional, administrative or political domains, or to political behaviour, per se, but to a more comprehensive approach that includes, among other, the status of women and the management of social issues. The status of women in the Maghreb has witnessed uneven improvement: Morocco has reconsidered its laws regarding women with an eye on greater equality within the personal status law, while in Algeria, civil status laws have yet to be amended, and the ratio of women in the labour force remains below that of Morocco.

Public services in the Maghreb region are based partly on clientelism, and partly on *wasta* (nepotism and favouritism) as far as public sector appointments are concerned. Moreover, social security is still limited (funds allocated to this sector are higher in Algeria, though democratic control over social security budgets vary in degree from one country to the other). In the final analysis, the qual-

ity of the management of social sector allocations (education, health, housing and labour) should be diligently reviewed beyond measuring the mere amounts earmarked. Figures regarding budgetary allocations to the security sector are not available on Morocco to enable us to compare them to those earmarked for the social sector, though figures posted by Algeria show that allocations for security related matters are higher than those for social issues.

#### International variables

No doubt, the international factor plays a more important role in political reform in the Arab region than in other regions of the world, since it intersects with all Middle Eastern related issues. Countries like Iraq, Palestine, Lebanon and Sudan, for example, are in effect laboratories for the international order, and a yardstick for measuring the balance of power, and its effectiveness, through interventions in the name of democracy and respect for human rights. The United States and the European Union define their attitude towards reform from the perspective of issues relevant to relations with Iran, Turkey or Israel which have little to do with the objective of promoting democracy. While countries of the South are undertaking reforms of a more or less significant character, they bear the impact of trans-sectoral, cross-border and obscure actors, like al-Qaeda, (exploited by the United States to maximum effect), who discredit reform by rendering it violent, and colouring it with tragedy and rejection.

In this context, any analysis needs to integrate the element of the unknown, linked to the awareness by countries in the region of threats and dangers from potential enemies, both internal and external. Regimes are required to reform while seen internationally as a threat themselves, and being suspected of replenishing the sources of terrorism. Murky attitudes vis-à-vis regimes in power are, however, no less important; it is by no coincidence that countries in the region have put at the top of their agendas the need to come to term with this fact, once they realised America's intentions before, during and after the invasion of Iraq, a realization wrought by speeches and actions. The American new state-building machine is leaving a negative impact on the region, as a whole, especially given its looming failure. Through careful monitoring of several countries in the region, one can identify three different types of reactions that first appeared rather imprecise, then crystallized and became clearly-defined. These are: 1/ various forms of tactically accepting US unilateralism and flirting with American reform initiatives, 2/ transient submission in the expectation of better times ahead, and 3/ various forms of resistance through over-zealous or pre-emptive reform initiatives.

#### Internal variables

For those concerned, the issue of reform has a lot to do with the protagonists' loyalties. In each existing regime, depending on their type, legitimacy, social structure (theocracy, extension of the progressive regimes of the 1950's, oil kingdoms and sheikhdoms, or a sectarian or tribal state...) reform takes on a different form.

The presence of many stakeholders has its own important characteristics, whether they operate in a context of some kind of pluralism, or consensus, or whether some agreement among religious and non-religious opposition groups of uneven influence exists. In the meantime, other well-organised stakeholders, like the army, remain part of the scene.

On the other hand, various methods of reform are being experimented: either constitutional texts are newly available to political players who did not have them before, or existing constitutional texts are revised and extended to encompass new laws related to the political field, or elections are held as a point of departure for the reform process.

Moreover, social movements occupy an important position in countries like Morocco, Egypt, Lebanon and Mauritania, where civil society asserted its presence on the scene, and was often successful

in playing a prominent role in the reform process, not to mention the very important role of the media.

#### Challenges

The present analysis faces two major challenges that raise a number of questions: first, the continuing and unresolved discussion as to whether economic development should precede democratisation, even liberalisation and reform; second, the issue of the relationship between Islamisation and democratisation.

In economics, early on in the process, the economy is dependent on politics until the reverse happens, and politics become dependent on economics. The outcome of this equation, however, is not very convincing given the nature of Arab regimes in power, to the point that they feel compelled to intervene in the economic sphere, with a number of them getting suddenly involved in social and economic reforms (not only in Morocco, but also in Saudi Arabia, Egypt and Jordan). The fact that these countries feel compelled to link the social and the economic reveals the gap between the two domains. In this part of the world, each of these spheres has developed separately from the other, which explains why economic success in the Gulf region did not have any impact on domestic politics.

Secondly, the current debate regarding the meaning of democracy and democratisation is fraught with ambiguity as it implicitly poses the largely rhetorical question about the compatibility between Islamic values and democracy. The question, once again, is whether the Islamists should be recognised as a full player in competitive internal politics, and whether we should espouse democracy, no matter how high the price can be. Are the Islamists themselves ready and willing to accept the rules and principles of democracy without reservation? Each party provides different answers to these questions according to its own priorities, beliefs and ideological positions. And in each local context certain angles are emphasized more than others.

The formulation of a joint position is still a matter of wishful thinking; on the political level, democracy in the Arab countries requires the Islamists to accept the democratic rules of the game, a political game based on genuine pluralism. On the cultural level, democracy requires the development of political values and their compatibility with liberal principles, which leads us necessarily to two basic options: 1/a secularization of religion, following the Turkish model, linked to diligent efforts to reconcile secularism with Islamic values through political action, or 2/ the introduction of religious reforms, already the object of intense debate in the Middle East, involving the need to forge a link between Islam and Western values, based on a progressive reinterpretation of religious texts.

#### Possible scenarios

Different visions of potential developments range between propositions that insist on the possibility of returning to the past – as much as the status quo seems impossible to maintain, or status quo with some superficial cosmetic modifications on the form, rather than the content – and propositions that foresee a perfect democratic transition.

One scenario that can be safely ruled out as outright unrealistic, for the time being, is that of a democratic authority ready to makes all the necessary concessions to the country's political and social forces that call for an immediate, and total form of democracy, by instituting a real separation of powers, transparent elections that usher in an era of good governance, and promoting the rule of law.

A more reasonable scenario might be gradual and exponential reforms, of varying levels of importance, in the economic, socio-political, even cultural domains, imposed by those concerned

as a result of internal and external pressure. This scenario could be carried forward by a series of limited initiatives and be steadily promoted, since the Arab world as a whole has plenty of such “small reform” examples to build on. Another scenario could consist of middle-ground reforms in the social field (to improve the family, education and health laws, etc.), while a large scale reform programme could address key political issues such as the separation of powers, political parties and civil society.

#### Context and scenarios

These scenarios will however, depend on the specific requirements of each political context, according to the typology defined above.

As far as the first category is concerned, and regarding the two above-mentioned propositions, i.e., middle-ground reforms vs. a democratic transition, and given the difficulties associated with any return to the past, the ideal solution seems to lie in continuing the process or consolidating reforms already introduced. Indeed, if we reverted to the past, we will not be able to control movements going in different directions, and the risk for deviation is high.

The shape and content of consolidation depends on the level of effective control of society by the state. In Morocco, the authorities have a long experience of managing the liberalisation process: they learnt from the way they attended to the freedoms issue and have tried to improve their management of other issues. It seems that Jordan is going through a similar experience, the difference being that the struggle with the opposition seems more severe there. It also seems that the ability to draw red lines and impose respect for them is gaining particular importance.

In the second category, we find countries like Saudi Arabia, Tunisia, Syria, Egypt and Algeria sharing common characteristics that revolve around the personification of power, weak institutions and limited, if not totally absent, individual freedoms.

While Saudi Arabia differs from the rest by having both a despotic regime and a prosperous state that is in open confrontation with the Islamists, Tunisia has a security-oriented regime in search of a prosperity state, and operating in the shadow of a limited pluralistic system. In Algeria, while power is also personified, it remains in open confrontation with the Islamists, and in Egypt, the very real monopoly of power is concealed behind a façade of imaginary pluralism, which demonstrates the importance of a relationship based on trust in institutions.

The third group of countries brings together states like Qatar, the UAE and Oman whose systems live to the tempo of building a liberal economy, and which, due to the importance of their financial resources, cannot but clash eventually with the traditional political systems, as they stand today. Would neutralising the state economically not lead to its political neutrality, as well? How can competition in the political domain be brought about? The process of fostering new democracies, like those of Japan and North Korea, seems easier in this case under the present circumstances.

In the fourth group, comprising Yemen and Mauritania, and regardless of the difference between the two, political reform is subject to the predominant issues of national integration (related to ethnic, tribal and representation issues), distribution of resources and the threat from Islamisation.

The fifth group comprises countries in crisis with potential international repercussions (Palestine, Iraq, Lebanon and Sudan), where local political actors do not hide their relations with the outside world. These countries are mainly characterized by the fact that they respond to international stimulus.

In all the above cases, it seems that political reform needs to pass through a controlled transition phase, managed by a contractual agreement in order to pass successfully the inevitably turbulent stages while avoiding any deviation from the charted course, as happened in Algeria in the early

1990s. The dangers of absolute democracy are real and the process might require the imposition of a set of rules that govern the holding of controlled and guided elections. Such a process would allow the development of a form of pluralism reached through negotiations, and delineate a calculated and accepted disequilibrium in favour of the ruling authority, until the latter succeeds in establishing itself within the context of a more open democratic atmosphere. It might be necessary for the state to remain strong in order for the democratic transition to succeed; the other side of the coin remains in society's hands, i.e., linked to the degree of its democratic maturity.

On the other hand, such a process remains dependent on the existing political situation and the ability of both the state and society to mitigate radicalism, specifically the use of physical and symbolic violence.

#### Where to start

There are different entry points to initiating a genuine process of reform, such as:

- Introducing constitutional reforms such as the adoption of new constitutions, or constitutional measures, and re-examining existing ones when necessary.
- Reviewing the status of the Law, expanding freedoms, building the rule of law, liberalising the rules of the political game and drafting conciliatory charters related to vital social sectors.
- Drafting legislation that strengthens the role of various political actors, especially political parties and civil society in politically weak societies, and fostering citizen participation in the decision-making process.
- Organizing elections to increase the cohesiveness and depth of political life, at the level of the electoral and representation systems, as well as the level of participation and follow-up that election results suggest (in terms of the formation of a parliamentary majority and the formation of the government).
- Promoting good governance, in general: public policy, especially in the justice, education and administrative sectors, and introducing some integrity into public life.
- Shifting from a concept of national security based on secrecy, to a human-oriented concept (where the individual feels first, and foremost, safe), and adopting a national security system that operates under democratic supervision and civilian oversight.

#### Measures, technologies and tools

Experiences underway in different parts of the world suggest a number of practical applications and concrete measures. Among those are:

- Implementing a comprehensive scheme of constitutional and institutional change by promoting respect for procedural aspects and focusing on technical details that transcend the ideological framework of constitutional texts, whereby the reaffirmation of principles through pompous speeches becomes no longer necessary, and attention is centred on technical and legal mechanisms.
- Resorting to contractual arrangements and various forms of consensus building mechanisms (charters, agreements and mutually agreed codes of conduct), at the macro or micro level, to build the necessary support for measures by ensuring the widest participation possible, and deepen the process by raising the interest and awareness of ordinary citizens.
- Rooting the importance of elections and their regularity, seeking higher levels of competition and representation, simplifying procedures to allow the widest participation possible and refining the various forms of representation with a view to enhance the credibility of the electoral process. This will confer legitimacy to the public consultation processes, especially if they are linked to institutional results like the choice of the Prime Minister, the formation of the government and the building of political alliances.

- Ensuring that participatory mechanisms are put in place, and implemented in the decision-making process: informing, consulting, allowing public debates and negotiating.
- Enhancing democratic control over a number of key sectors, especially the security sector, and transcending the formal debates within parliamentary and specialized committees, relevant to the defence and security budgets. Parliamentarians are usually anxious to avoid debating security-related matters, under the pretext that the subject has to do with existential national issues that should, by necessity, be the object of a consensus. A transparent administration of the security budget should be promoted, as well as relevant evaluations and accountability.
- Shifting from a religion-based state to a state where religion is administered through concrete public policies: allocating sites for religious observances and appointing officials specifically charged with overseeing religious matters.
- Protecting minorities by introducing the appropriate institutional and legal measures.

## *Conclusion and Recommendations*

The results of the Arab Democracy Index for 2008 indicate the presence of embryonic stirrings in favour of democratisation in most Arab countries covered by the survey. In the Mashreq countries, the Index reveals unexpected progress in the constitutional and legal domains, manifested in two principal values, the rule of law and respect for rights and freedoms. Both these principles received a score above 700, which we considered the cut-off point between a tendency towards democracy, and real progress in the democratisation process, i.e., the tools (means) that allow a transition to take place. There were very encouraging signs in Morocco, which obtained the top score for means in the area of equality and social justice. There were also encouraging signs from Egypt, which scored highest for means relevant to the respect for rights and freedoms, from Palestine, which obtained the top score for means relevant to the rule of law and strong and accountable public institutions, and from Jordan, for the rule of law.

On the other hand, the survey revealed abject failure in practices relevant to a democratic transition; the overall score for practices remained under the cut-off level (400), i.e., hovering between the absence of democratic stirrings and a certain tendency towards democratic transition, a situation that particularly applies to Algeria, Egypt, Saudi Arabia, and Yemen. The democratic transition process also appears to have failed as far as the people's trust in the performance of public institutions is concerned, since there is near total consensus regarding the widespread use of *wasta* (favouritism and nepotism) in public sector appointments, and widespread corruption in public institutions. Failure is also apparent in the mistreatment of the opposition, ill-treatment of detainees, arbitrary detentions, the use of military tribunals or state security courts, and exaggerated public spending on security at the expense of health and education.

The aim of the following recommendations is to draw the attention to both successful and unsuccessful aspects of the democratic transition process. The general recommendations are a call to those involved in the reform process, in the Arab world, to concentrate their efforts on shortcomings in most, if not all, Arab countries. The specific recommendations, on the other hand, address those involved in the reform process in individual countries, and call upon them to concentrate their efforts on areas that this report has found lacking.

### General recommendations:

We suggest that reform processes in the Arab world concentrate their efforts primarily on improving the performance of their respective political systems. This means the need to concentrate, first, on strengthening public institutions; second, on promoting the monitoring role of parliaments and human rights organisations, and third, on steering public spending towards allocating larger budgets to social sectors like health and education.

We also suggest that reform processes concentrate on strengthening public institutions relevant to the institution of the rule of law through systems of accountability, monitoring the performance of the security services, and abolishing military tribunals and state security courts.

Finally, it is important for the reform process to focus on matters related to education, given their high priority and high returns on equality and social justice. This should be done by fighting illiteracy, reducing school dropouts and improving educational standards and conditions, especially for girls.

### Specific recommendations:

#### // Jordan

Although Jordan appears as the most successful of the selected Arab countries in terms of progress towards democratic transition, certain key aspect of the process suffer tangible weaknesses. We therefore suggest the following to the government and lawmakers of Jordan:

- Consider the abolition of state security courts, abolish or considerably reduce censorship on publications and internet sites, monitor the security services and hold them accountable, to prevent the ill-treatment of detainees.
- Uphold merit as the only criterion for public sector employment, combat corruption in public institutions, increase the health and education budgets, and put more effort into the fight against illiteracy, especially among women.

#### // Algeria

Algeria appears to have great difficulty instituting the rule of law, not at the level of promulgating laws, but in terms of their practical implementation; we therefore suggest the following to those concerned with the reform process in Algeria:

- Concentrate on strengthening public institutions by promoting parliament's role in holding the government and presidency accountable, bolster the public services by upholding merit as the main criterion for public employment, and the adoption of anti-corruption policies and programmes.
- Abolish military and special tribunals, end arbitrary arrests, allow human right organisations a wider range of activities and strengthen the role of the civilian police in ensuring the personal safety of citizens.
- Reconsider the level of government spending on health and education, find ways to reduce school dropouts and exert more effort in fighting illiteracy, especially among women.

#### // Saudi Arabia

Despite having the necessary tools to ensure the rule of law, Saudi Arabia still lacks the constitutional laws and legislation needed to guarantee public accountability of public institutions, and promote the principles of equality and social justice. We therefore propose the following recommendations for reform in Saudi Arabia:

- Focus on finding one or more ways to guarantee some sort of separation of powers, providing a system through which the people can choose their own representatives and institute a system by which the public could hold the executive to account and monitor its performance. It should also concentrate on upholding merit as the only criterion for public sector employment.
- Enact laws that allow political pluralism and the right of assembly, guarantee the rights of detainees, allow the opposition to voice their opinions freely, grant the right to demonstrate, and allow the establishment of civil society organisations that reflect different visions, ideas and aspirations than those that currently prevail in society.
- Put an end to arbitrary detentions and allow local and international human rights organisations to operate freely in the country.
- Enact legislation that ensures gender equality, as a matter of principle, fight school dropouts and illiteracy, especially among women, and find a more equitable balance between expenditures on security and on health and education.

#### // Palestine:

Palestine has advanced legislation regarding the rule of law and strong and accountable public institutions; however, it suffers particularly from extreme weakness in the performance of its public institutions. We therefore recommend the following to reformers in the Palestine National Authority, (PNA):

- Create a mechanism to guarantee government accountability at a time when the Legislative Council is inactive. Merit should be the only criterion for employment in the public sector and tangible steps should be taken to fight corruption. The PNA President should stop making decisions that clearly violate the basic laws of Palestine.
- Impose stricter monitoring on the security services' activities to prevent the ill-treatment of detainees. Concerned authorities should also allow the licensing of new political parties, even if there is so far no law regulating party activities.
- Ban arbitrary detentions or arrests without trial, and strengthen the role of the police to better ensure the personal safety of citizens.
- Allocate larger budgets to the sectors of health and education and exert more effort in fighting illiteracy, especially among women.

#### // Lebanon

Lebanon has advanced legislation on the respect for human rights and freedoms, and has the best record among the surveyed Arab countries as far as practices are concerned; however, it suffers particular weakness in the area of the rule of law. We therefore propose to reformers in Lebanon the following:

- Concentrate on finding more effective means of maintaining legal accountability, especially in light of the retreating role of parliament. And take tangible steps to fight corruption.
- Impose a stricter monitoring of the security services' activities to prevent the ill-treatment of detainees, end arbitrary arrests and abolish state security courts. The police should give citizens the feeling that their personal safety is in good hands.
- Pay attention to education, especially school dropouts, and exert pressure to increase government spending on health and education.

#### // Egypt

Egypt has the best record among the selected countries in terms of legislation and constitutional guarantees, relevant to the respect of rights and freedoms; it also has the best record in terms of legislation that sets the stage for the establishment of strong and accountable public institutions. On the other hand, it is almost the weakest in terms of practices relevant to the rule of law. We therefore propose to reformers in Egypt the following:

- Ensure better and more effective monitoring of the executive authority to reduce opportunities for violating the constitution, and exert more effort in fighting corruption.
- Open the door to more freedom-oriented practices, end censorship, allow the opposition press more freedom and widen the margin for licensing political parties. The security services should be monitored more closely to prevent the ill-treatment of detainees.
- Abolish state security courts, and end arbitrary arrests.
- Allocate larger budgets to health and education and give higher priority to issues related to education, such as illiteracy and school dropouts, especially among females.

#### // Morocco

Morocco has the best record among the selected countries in terms of legislation and constitutional guarantees that ensure equality and social justice. It also has a good record on legislation that guarantees the rule of law and strong and accountable public institutions. The country suffers, however, from tangible weakness in certain aspects of the practices relevant to respect for rights and freedoms. We therefore propose the following to reformers in Morocco:

- Uphold merit as the only criterion for public sector employment and exert more effort in combating corruption.
- Increase the monitoring of the security forces to prevent the torture and the ill-treatment of detainees. The opposition should be allowed a wider margin for manoeuvre, and the right to organise protest activities and distribute their magazines and newspapers.
- Abolish state security courts and strengthen the police to give citizens a greater sense of personal safety.
- Pay more attention to social issues, mainly education, to reduce school dropouts and illiteracy levels, especially among women.

#### // Yemen

Yemen has a good record in the field of legislation relevant to strong and accountable institutions and respect for rights and freedoms. However, it suffers particularly from extreme weakness in the actual implementation of the rule of law. We therefore propose the following to reformers in Yemen:

- Institute effective tools to monitor the executive authority and ensure that it does not violate the constitution.
- Uphold merit as the only criterion for public sector employment, and effectively combat corruption in public institutions.
- Increase the monitoring of the security services to prevent the ill-treatment of detainees, and allowing the opposition a wider margin of protest activities.
- Abolish state security courts, cease all forms of arbitrary detention and allow human right organisations freedom of operation.
- Pay increased attention to education, such as by allocating it a larger budget and fight school dropouts and illiteracy, especially among women.

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- Bibliotheca Alexandrina, The Arab Reform Forum, Egypt  
<http://www.arabreformforum.com>

- Centre d'Etudes et de Recherches en Sciences Sociales (CERSS), Morocco  
<http://cerss-maroc.ifrance.com/>

- Center for Strategic and Future Studies (CSFS), Kuwait  
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<http://www.kfcris.com>

- Lebanese Center for Policy Studies (LCPS), Lebanon  
[www.lcps-lebanon.org](http://www.lcps-lebanon.org)

- Palestinian Center for Policy and Survey Research (PSR), Palestine  
[www.pcpsr.org](http://www.pcpsr.org)

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