مبادرة الإصلاح العربي

THE STATE OF REFORM IN THE ARAB WORLD 2009-2010

THE ARAB DEMOCRACY INDEX

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and The Palestinian Center for Policy and Survey Reseach

anl/rep10 ang 3/16/10 8:47 PM Page 1

The Arab Reform Initiative

The Palestinian Center for Policy and Survey Research

THE STATE OF REFORM IN THE ARAB WORLD 2009-2010

THE ARAB DEMOCRACY INDEX

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March 2010

anl/rep10 ang 3/16/10 8:47 PM Page 2

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The Report is based on field work conducted in the ten countries surveyed by teams of researchers and data collectors: Algeria, Egypt, Jordan, Kuwait, Lebanon, Morocco, Palestine, Saudi Arabia, Syria and Yemen. The original data by country as well as the overall report are available on the website www.arab-reform.net.

The editors would like to acknowledge Olfat Hammad and Nassma Haïdar for their tireless efforts in the completion of this report.

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

Table of Contents

Foreword *Bassma Kodmani*

Introduction *Khalil Shikaki*

Methodology

Findings

Analytical Studies

The Security-Democracy Nexus, or the Negative Link between Insecurity and Regression in Democracy *Bassma Kodmani*

What Reforms are Triggers of Democratic Change? The Case of the Mashreq *Sufian Obaidat*

What Reforms are Triggers of Democratic Change? The Case of the Maghreb *Abdallah Saaf*

Access to Information in the Arab World: Gaining Momentum but Still Lagging Behind *Sarah Anne Rennick*

Conclusions and Recommendations

Annexes : List and Classification of Indicators used in the Arab Democracy Index, Sources of Information and Systems of Calculation

Insert Arab Democracy Index Master Sheet

March 2010

anl/rep10 ang 3/16/10 8:47 PM Page 4

List of Tables and Graphs

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

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

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

Figure 2-1: Index, by Country, 2009

Table 2-1: Ratio of Scores for Practices versus Means in 2008 and 2009

Figure 2-2: Index, by Country (Comparative) in the First and Second Surveys

Figure 2-3: Discrepancies in Scores between the First and Second Surveys

Figure 2-4: Comparative Arab Average by Type of Indicator (Means-Practices) and Year

Figure 2-5: Comparative Indicator Scores by Type (Means-Practices), Country and Year

Figure 2-6: Comparative Arab Average Scores for Values or Principles

Figure 2-7: Average Scores for the Index's Sub-Indicators Relative to Democratic Values Compared to Indicators Relative to Practices, Means and the General Average

Figure 2-8: Comparative Sub-Indicators According to Democratic Values for Individual Countries

Figure 2-9: Average Score for the Arab Index's Indicators, 2008 and 2009

Figure 2-10: Jordan's Comparative Scores for Individual Indicators for 2008 and 2009

Figure 2-11: Jordan's Sub-Index According to Type, Compared to the Average Scores of the Arab Sub-Index

Figure 2-12: Jordan's Comparative Sub-Index According to Democratic Principles (Values) Compared to the Average Scores of the Arab Sub-Index

Figure 2-13: Algeria's Comparative Scores for Individual Indicators for 2008 and 2009

Figure 2-14: Algeria's Sub-Index According to Type, Compared to the Average Scores of the Arab Sub-Index

Figure 2-15: Algeria's Comparative Sub-Index According to Democratic Principles (Values) Compared to the Average Scores of the Arab Sub-Index

Figure 2-16: Saudi Arabia's Comparative Scores for Individual Indicators for2008 and 2009

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

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

Figure 2-19: Scores for Individual Indicators, Syria

Figure 2-20: Syria's Sub-Index According to Type, Compared to the Average Scores of the Arab Sub-Index

Figure 2-21: Syria's Sub-Index According to Democratic Principles (Values) Compared to the Average Scores of the Arab Sub-Index

Figure 2-22: Palestine's Comparative Scores for Individual Indicators for 2008 and 2009

Figure 2-23: Palestine's Sub-Index According to Type, Compared to the Average Scores of the Arab Sub-Index

Figure 2-24: Palestine's Sub-Index According to Democratic Principles (Values) Compared to the Average Scores of the Arab Sub-Index

Figure 2-25: Scores for Individual Indicators, Kuwait

Figure 2-26: Kuwait's Sub-Index According to Type, Compared to the Average Scores of the Arab Sub-Index

Figure 2-27: Kuwait's Sub-Index According to Democratic Principles (Values) Compared to the Average Scores of the Arab Sub-Index

Figure 2-28: Lebanon's Comparative Scores for Individual Indicators for 2008 and 2009

Figure 2-29: Lebanon's Sub-Index According to Type, Compared to the Average Scores of the Arab Sub-Index

Figure 2-30: Lebanon's Comparative Sub-Index According to Democratic Principles (Values) Compared to the Average Scores of the Arab Sub-Index

Figure 2-31: Egypt's Comparative Scores for Individual Indicators for 2008 and 2009

Figure 2-32: Egypt's Sub-Index According to Type, Compared to the Average Scores of the Arab Sub-Index

Figure 2-33: Egypt's Comparative Sub-Index According to Democratic Principles (Values) Compared to the Average Scores of the Arab Sub-Index

Figure 2-34: Morocco's Comparative Scores for Individual Indicators for 2008 and 2009

Figure 2-35: Morocco's Sub-Index According to Type, Compared to the Average Scores of the Arab Sub-Index

Figure 2-36: Morocco's Sub-Index According to Democratic Principles (Values) Compared to the Average Scores of the Arab Sub-Index

Figure 2-37: Yemen's Comparative Scores for Individual Indicators for 2008 and 2009

Figure 2-38: Yemen's Sub-Index According to Type, Compared to the Average Scores of the Arab Sub-Index

Figure 2-39: Yemen's Comparative Sub-Index According to Democratic Principles (Values) Compared to the Average Scores of the Arab Sub-Index

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.

Member Institutes

ARI is a network of 14 think tanks based across the Arab world as well as Europe and the United States: Al Ahram Center for Political and Strategic Studies (Egypt), the Arab Reform Forum, Bibliotheca Alexandrina (Egypt), the Center for Strategic Studies – University of Jordan (Jordan), Palestinian Center for Policy and Survey Research (Palestine), Lebanese Center for Policy Studies (Lebanon), Center for Sudanese Studies (Sudan), Centre d'Etudes et de Recherches en Sciences Sociales (Morocco), King Faisal Center for Research and Islamic Studies (Saudi Arabia), Gulf Research Center (UAE), Center for European Reform (UK), U.S./Middle East Project (USA), Fundacion Para las Relaciones Internacionales y el Dialogo Exterior (Spain), Hellenic Foundation for European and Foreign Policy (Greece), the European Institute for Security Studies (France).

Other partner organizations are: the Issam Fares Institute for Public Policy and International Relations – American University of Beirut (Lebanon), Partners in Development (Egypt), Center for Middle Eastern Studies – Lund University (Sweden), Democracy Reporting International (Germany).

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.

anl/rep10 ang 3/16/10 8:47 PM Page 6

Foreword

Bassma Kodmani*

With its first report on the State of Reform in the Arab World produced in 2008, the Arab Reform Initiative initiated a pioneering effort to develop the first Arab Democracy Index to be produced by an Arab institution. This second report provides a new audit of the status of democratic transition in ten 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.

With this second report, the Arab Reform Initiative seeks to provide a regular Arab evaluation of change in the region. It seeks to play a leading role in the battle to win free access to information as a basic right of citizens. It offers detailed findings that can be used for survey based research and a set of recommendations for policy-makers which we hope will contribute to formulating priorities in order to engage in meaningful reforms that can trigger genuine democratic change.

The 40 indicators included in this report provide a tool to measure change over time and to compare situations among different countries. The point of departure was fixed with the issuing of the first report. It now serves as a reference against which to measure change in the following years.

Indicators are fraught with drawbacks. They seem to put all countries in the same boat while we know that they 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 democratic practices in their political systems are more developed than they appear to be. Yet, when it comes to economic and financial issues, they 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. 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 four 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 broad array of publications.

This report brought together a large team of Arab scholars, field workers, statisticians and polling experts from ten 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

anl/rep10 ang 3/16/10 8:47 PM Page 8

Introduction

Dr. Khalil Shikaki*

This report is the second annual Arab Democracy Index to be published by the Arab Reform Initiative. The report covers ten Arab countries and is composed of forty quantitative indicators that measure fundamental aspects of the process of democratic transition. The report seeks to influence the process of democratic transition by providing a mechanism that allows advocates of democracy in the Arab world, as well as the ordinary citizen who wishes to hold leaders to account and participate in decision-making, to monitor the evolution of this process up close. The Index provides an objective and sensible mechanism to measure change in the democratic process, its significance and its sustainability. This report monitors the status of democracy in Egypt, Morocco, Saudi Arabia, Jordan, Palestine, Lebanon, Syria, Algeria, Yemen and Kuwait by gathering and analysing data on forty indicators relevant to the democratic transition process.

The Arab Democracy Index uses two kinds of indicators: those that measure the means of democratic transition (such as legislation), and those that measure the practices of democratic transition (such as elections). The indicators are also divided among four principles or values: those that measure the strength of public institutions (e.g. the separation of powers or the accountability of government); those that gauge respect for rights and freedoms (e.g. the freedom of political parties or ability to organise demonstrations and protests); those that measure the reach of the rule of law in the political regime (for example, the independence of the judiciary or the prevalence of arbitrary detention); and finally those that measure equality and social justice (e.g. gender equality, illiteracy rates among men and women, and the proportion of male and female university graduates).

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 seven major indicators, including the independence of the judiciary based on constitutional and legal texts, and the availability of various means by which citizens can hold the authorities to account, such as alternate legal systems like state security courts. These are two indicators on which precise empirical data can be easily gathered, and 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.

Several organisations compare international and regional data, using various methodologies. A report published in 2004 by the United Nations Development Programme (UNDP) referred to around sixty different indices, projects or reports based on gathering quantitative data relevant to political change. Among the most important of these is the Human Development Report, which has been published by the UNDP since 1990 on education, health and per capita income. Likewise, Transparency International has been publishing a report since 1995 on perceptions of corruption based on public opinion polls, data and the general impressions of businesspersons and analysts in around 180 countries. However, these two reports do not directly address the political dimensions of democratisation, as does the comprehensive report, "Worldwide Governance Indicators," published by the World Bank, which covers over two hundred countries and regions. It gauges governance from six different angles: voice and accountability, political stability, government effectiveness, regulatory quality, the rule of law, and control of corruption. In a similar vein, the Freedom House "Freedom in the World" report measures change related to accountability, civil liberties, the rule of law, and fighting corruption. Freedom House defines "freedom" based on two criteria — political rights and civil liberties — and gives each individual country a score ranging from 1 (the best) and 7 (the worst, or "not free at all"). Another report published by the German Bertelsmann Foundation addresses democratic conditions (such as political participation, the rule of law, stability of democratic institutions, ability of the state to extend its control over its entire territory, and political and social integration), 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, electoral processes, government accountability, administration and the civil service, oversight and regulatory mechanisms, anti-corruption mechanisms 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 exclusively on non-objective mechanisms, like group, individual or public impressions, or depend on examining procedural political processes such as reviewing laws and constitutions. Researchers find it difficult to generate documented results based on available international mechanisms, not just due to their differing 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 2009 places Kuwait, Saudi Arabic and Lebanon at the top of the list of ten Arab countries that we examined, and Palestine, Morocco and Yemen at the bottom. Transparency International's report for 2009 places Jordan at the top of the list, followed by Saudi Arabia, and then Kuwait and Morocco, while Lebanon and Yemen are ranked lowest on the list. The Freedom House report divides the ten countries surveyed into two groups: those that are "partially free," namely Jordan, Morocco, Lebanon, Yemen and Kuwait, and those that are "not free," i.e., Algeria, Egypt, Saudi Arabia, Syria and Palestine. The World Bank report gave Kuwait, Jordan, Saudi Arabic and Morocco a higher score than Egypt, Algeria and Lebanon, and placed Syria, Yemen and Palestine at the bottom of the list. The Bertelsmann Foundation's report on political transition ranked Lebanon, Kuwait and Algeria highest, and Syria and Saudi Arabia at the bottom of its list. However, the Global Integrity Report for 2009 puts Jordan then Kuwait, Egypt and Palestine at the top, and Morocco, Algeria, Yemen and Lebanon lowest on the list, and did not include Syria or Saudi Arabia.

The Arab Democracy Index goes further than the above reports in two respects: it takes into consideration both impressions and patterns of behaviour, and measures their impact on citizens' daily lives. It revolves around 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 cover three different dimensions: the constitutional or legal aspect, public opinion and impressions, and actual practices of regimes in power based on their

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anl/rep10 ang 3/16/10 8:47 PM Page 10

performance on the ground, and documented reports on the way in which central authorities exercise their power. Measurement is therefore based on monitoring performance and behaviour rather than just examining intentions and structural determinants such as legislation and regulations, since intentions may be good but performance poor. This is why we focus on the means and practices associated with democratic transition, and on the public's assessments of these practices.

This annual report is organised in four sections: Methodology, Findings, Analytical Studies, and Conclusion and Recommendations. The Methodology section looks at the reasons for our choice of the particular set of ten countries analysed in this report, and describes the 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 discusses the concept of democracy and the reasons that led to our focus on the process of transition, and then reviews the various classifications used in the index, including the classification of means and practices and the principles or values of democratic transition, and describes the indicators that relate to them. Finally, the Methodology section explains how best to read the Index, and reminds the reader that the aim behind awarding each country a score is not simply to describe conditions at present, but rather to serve as a mechanism for comparison that allows for the measurement of change over time.

The second part looks at the detailed and aggregate results of the Index, values and indicators and addresses each country's results separately. In the current survey the Index's overall score was 538 points, which represents an increase of 16 points on the score from the previous year, at 522 points. Despite this increase, the current classification indicates flaws in the process of democratic transition and its ability to generate genuine change in the Arab world, as was the case last year, since transition remains in the embryonic stages. Analysis of the numerical results, as they reflect means (e.g., laws) or practices (e.g., the holding of elections) suggests that the democratic transition process is driven from abroad: the scores for means (more sensitive to external pressure) rose to 782 points, while the scores for practices (less sensitive to external pressure) stood at just 456 points. This large gap between indicators of means and practices raises questions for the researchers regarding the effectiveness of the role of legal and constitutional reforms in the democratic transition process.

However, it should be pointed out that the change that occurred in the current survey was largely the result of an increase in the scores associated with practices, which rose by 56 points from 400 to 456, and not means. This development will be significant if it continues, because the large gap between the scores for means and practices implies there is a significant gap in the process of democratic transition that renders it incomplete, and indeed prone to regress. However, the fall in the value of the ratio of means to practices, from 10:20 in the previous report to 10:17 in the current report, also reflects a retreat in the value of the means compared to the previous year, from 803 to 782 points, a drop that was chiefly due to the addition of two new countries in the current report.

The scores of three of the four values (principles) measured by the Index rose. The most striking increase, from 559 to 614 points, was in the area of the rule of law, followed by an increase from 514 to 558 points in the area of strong and accountable public institutions, and a similar increase, from 453 to 474 points, in equality and social justice. The fourth value, respect for rights and freedoms, shrank from 561 to 510 points. The findings show that the fall in this value resulted solely from the fall in the indicators relevant to the means, while the score for practices rose. The indicators for practices that relate to the remaining values also increased, and thus the score for all the practices relevant to the four values (principles) saw an improvement this year.

However, the improvement in the Index's score in the current report can be partly attributed to technical considerations, not only to internal political developments within the countries concerned. The ability of the working group to gather and analyse the data necessary to build the set of indicators relevant to practices that were suspended in the previous report — such as organising protest activities, taking the administrative authorities to court, the publication of opposition views in the local press, obstructing the work of parliament, and holding discussions of bills — improved, and in addition two countries were added to the Index. Nevertheless, there was an improvement in other indicators that were measured in the previous report, for instance cases of violations of the constitution, equality in wages for men and women, illiteracy levels, school drop-out rates, the sense of personal safety, cases of arbitrary detention, censorship of publications and internet sites, proliferation of the opposition press, and the public's beliefs about corruption in public institutions.

The ten countries all obtained a maximum score on only two of the forty indicators, namely the indicators that relate to legal guarantees against torture and legal guarantees for the independence of the judiciary. All ten countries received a score of zero on one indicator, the ill-treatment of detainees. For most of the indicators they received a score of between 300 and 700 points.

Jordan topped the list of the countries covered in the Index, with a score of 620 points, followed by Morocco with 601 points and Egypt with 596 points. Lebanon was ranked fourth with 583 points, followed by Algeria with 570 points and Kuwait with 553 points. Palestine was placed seventh with 506 points, followed by Syria with 461 points, then Yemen with 457 points, and finally Saudi Arabia with 402 points. The findings show that Yemen witnessed the greatest regression in the process of democratic transition compared to the previous report, followed by Palestine. It should be stressed in this regard that these two countries experienced incidents of violence and internal conflict that intensified during 2008. In contrast, the present report reveals Lebanon as the country that has made the most progress since the previous report, ranking first for respect for rights and freedoms and second for practices. Egypt was second in progress made since the previous report, and maintained the highest rank for the sub-index for means and for the sub-index for strong and accountable public institutions. Algeria made the third-largest improvement since the previous report, while Saudi Arabia retained its position of last in the ranking. Syria and Kuwait are the two countries in which the process of democratic transition was measured for the first time. The findings reveal that Syria was ranked last for respect for rights and freedoms and second-to-last for the rule of law, while Kuwait was ranked second for the sub-index for the rule of law.

The third part includes three analytical contributions regarding the transition to democracy, using the Index's findings. The first paper, written by Bassma Kodmani, addresses the relationship between democracy and security-political stability, a subject of critical importance to the future of reform in the Arab world. The findings of the Index indicate a clear regression in the democratic transition processes in Palestine and Yemen, the two Arab countries that saw a sharp deterioration in political and security conditions over the past year. Kodmani states that the case of Palestine provides fertile ground for the argument that deteriorating internal political-security conditions are liable to undermine the process of democratisation and the benefits thereof. In Palestine the retreat of democracy is conspicuous in the

anl/rep10 ang 3/16/10 8:47 PM Page 12

areas of freedoms and the rule of law, as well as in the increased dependence on foreign assistance, which in turn jeopardises previous gains made in these two areas and in other democratic values. However, Kodmani also contends that the internal conflict in Palestine provides impetus for reform, for example in the improved performance of some of the security services and an improved capacity to deliver services to citizens in other fields. She also discusses the introduction of democratic reforms in the Fatah movement. In relation to Yemen, Kodmani states that in the relationship between democracy and stability, the former is the independent variable and not the latter; i.e. it is the absence of democracy that generates security-political instability. The current government's failure to push forward the reform process towards democratic elections, in accordance with the agreement it struck with the opposition in 2008, prompted the deterioration of security witnessed by the country in 2009. And this has undoubtedly exacerbated the crisis of democracy in Yemen, where the role of the security services has grown to the point that it is threatening to "militarise" the civilian institutions, in the author's words.

The paper written by Sufian Obaidat discusses the future of the reform process in the Arab Mashreq, and in particular the large gap that exists between the measurement of the **means** and the **practices** of democratic transition, a phenomenon that was clearly documented by the Index. Obaidat argues that this discrepancy can be ascribed to the fact that the ruling groups in the Arab Mashreq are beneficiaries of the status quo and thus lack the political will for reform. Hence progress related to means aims merely at creating an impression of progress, modernity and responsiveness to the will of the citizen. The author therefore draws the conclusion that regimes in the Mashreq with democratic constitutions and laws are essentially no different from those that refuse to adopt democratic means. In both cases these countries lack strong and accountable public institutions, the ruling elite form alliances with the owners of capital and the security services, and citizens are denied the right of active participation. Obaidat contends that genuine change requires transformation in three areas: (1) laws and an electoral process that integrate all sectors of society and eliminate discrimination; (2) the development of tax systems based on progressive taxation and a just distribution of wealth; (3) the development of an education system with firm moral and social foundations and based on the principles of pluralism and secularism.

In the third article Abdullah Saaf inquires into the nature of reforms that can promote democratic transition by reviewing the experience of the Maghreb. Despite progress made in relations between the regime and the opposition and the introduction of liberal reforms in the political sphere in the Maghreb region, the power of the ruling regimes to resist pressures for reform has grown. As the Arab Democracy Index indicates, most regimes have only implemented reforms to texts, donning the garb of reform to avoid having to institute genuine reforms to actual practices. Saaf's article examines five areas that illustrate this phenomenon: institutional reforms, electoral law, political parties law, the protection of human rights, and social laws.

An article written by Sarah Anne Rennick addresses the issue of access to information in the Arab world that relates to the government, its work, and its effects on the citizen. She argues that, despite some recent positive momentum in this area, access remains poor. The author argues that although the culture of secrecy has spread, along with associated restrictions on the dissemination of information and research, the year 2009 nonetheless witnessed some progress in this regard. Free access to information helps to promote accountability and the rule of law, and allows the citizens to monitor the actions of his or her government. It also strengthens the status of the media and civil society within the political regime, thereby advancing the process of democratic transition. Rennick points to a relationship between the authoritarianism of ruling regimes and the level of freedom allowed in accessing information in the Arab world: the more authoritarian a regime, the more it restricts the ability to access information. Most Arab countries deny access to information; however, some recent patterns suggest a degree of progress. In Jordan, for example, the law allows citizens access to information, but serious problems remain in the application of the law. In Lebanon and Yemen pressures are being brought to bear and efforts being made to formulate a law that provides for greater freedom of access to information. Similar pressures are being felt in other countries, such as Morocco and Egypt. Collaboration between networks and non-governmental organisations in the Arab world is also helping to promote a culture of openness and demands for greater freedoms. Rennick contends that amendments to existing legislation are required if people are to be able to exercise the right to know, as well as shifts in technology and the social culture. She further discusses the need for an independent body able to oversee the process and to guarantee citizen's access to information.

The fourth part contains a list of general and specific recommendations. While the general recommendations are based on the Index's overall results, the specific recommendations rely on the results of individual countries. The general recommendations focus on four issues: freedoms, social justice, educational affairs, and strengthening public institutions. The recommendations call for guarantees of greater political and civil freedoms, in particular by promoting monitoring and the role of human rights organisations, and for issues of social justice to be given a pivotal role in the reform process in the Arab world. The recommendations also stress the urgent need for reform in educational affairs through the allocation of additional budgetary resources, combating illiteracy, reducing school drop-out rates, and improving educational standards and conditions, particularly for girls and women. Finally, the general recommendations identify the need to reinforce public institutions vital to the reform process, such as parliaments, the judiciary and the law enforcement authorities, through parliamentary accountability, respect for judicial freedom and oversight of the security services.

The report includes four annexes that contain a description of the indicators and systems of calculation; detailed results from each country's indicators; a table that presents changes in the measurement tools and sources of information between the two surveys; and an annex providing a brief description of the prevailing conditions in each of the surveyed countries with respect to the character of the political regime and major events that took place during the period of the survey.

There is no doubt that the process of quantification used in this report poses a number of problems, for there are significant aspects of the political process that are difficult to adequately quantify or measure. One might also argue 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. A measurement naturally has to start at a given point, but the nature of this point may be insignificant, since what is of greater concern to us is where this point stands relative to other countries, and the amount of progress or regression in relation to previous years. However, this comparison with other countries presents problems of its own since it raises questions about the feasibility of ranking countries whose political and social systems are fundamentally very different. Since there is no entirely satisfactory answer to this question, we have attempted to compensate for this limitation in the report 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

anl/rep10 ang 3/16/10 8:47 PM Page 14

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 research centres adhered to a standardised 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. The fact that there were many data-gathering centres and discrepancies in the estimates and impressions acted as a restraining factor, one that is inherent to teamwork. However, the progress made by these centres in working together more effectively on this report bodes well that these constraints will be overcome in the future.

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.

The Index in its second edition covers ten Arab countries (two more than last year, adding Syria and Kuwait) 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 year's index covers, as much as possible,[1] the period from early January 2008 to the end of December 2008, and includes Jordan, Algeria, Saudi Arabia, Palestine, Lebanon, Egypt, Morocco, Yemen, Syria and Kuwait. Unlike the first index, all forty indicators were used thanks to the introduction of certain amendments designed to avoid the serious problems the working group faced regarding accessing documented information during the preparation of the first edition of the index. The central working group has made a decision to suspend (with retroactive effect) the indicators of last year's report, whose method of measurement has changed, in addition to four previous indicators that had already been suspended. This was necessary to maintain coherence throughout the data, allowing for the use of grades given to each indicator in the index over time. The working group hopes that these limitations will be sufficient to reach a solid foundation for comparison over time, and between different countries, so as to maximize the benefit of this index.

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" [2]. 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

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

[2] 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 www.pcpsr.org

anl/rep10 ang 3/16/10 8:47 PM Page 16

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. The availability of the working groups in Syria and Kuwait played a vital role in joining these two countries to the other Arab countries in which the index is taking place.

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, three 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[3]. Each has its own set of detailed sub-indicators and a specific way of calculating respective scores,[4] 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,[5] meaning that each indicator contributed 2.5% to the Index. 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 examines a given domain that reflects the process of democratic transition in the Arab world, and quantitatively reflects the examined data.

[3] See annex No. (1), which contains a list of indicators used in the Arab Democracy Index
[4] See annex No. (1), which contains a list of detailed indicators, the sources of information and the manner of calculating respective scores.
[5] 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 it we find that there is a possibility to harmonize between various pictures emerging from various research efforts in the field.

anl/rep10 ang 3/16/10 8:47 PM Page 18

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 regimes 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. Wherever it was impracticable to carry out opinion surveys, experts' estimations were used as an alternative through the organization of focus groups. (6)

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 thy 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

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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.

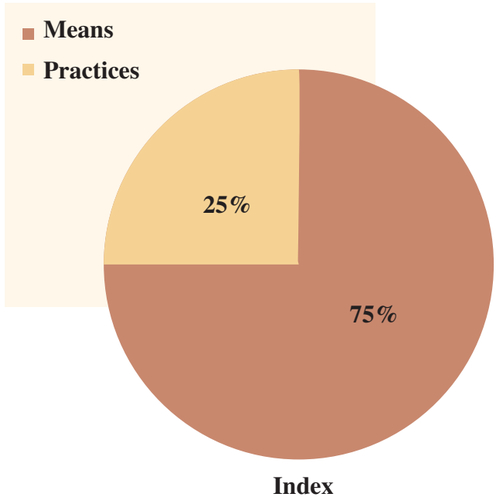


Figure 1-1: The Index's First Classification Based on the Kind of Indicator (Practices and Means)

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 1-2, 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); cover issues like people's evaluation of public institutions' performance, of the rule of law and whether the public feels personally safe.

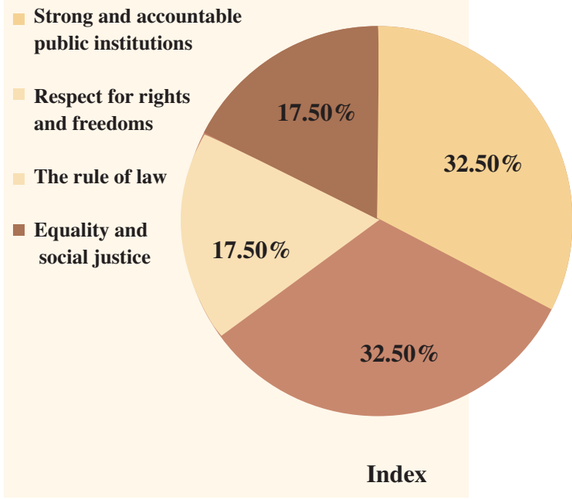
Respect for rights and freedoms (13 indicators: 4-7; 21-29); cover issues like licensing new political parties, appearance of opposition political party views in the press, and the people's assessment of press freedom.

The rule of law (7 indicators: 7, 8, 25-29); 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.

Figure 1-2: 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

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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.

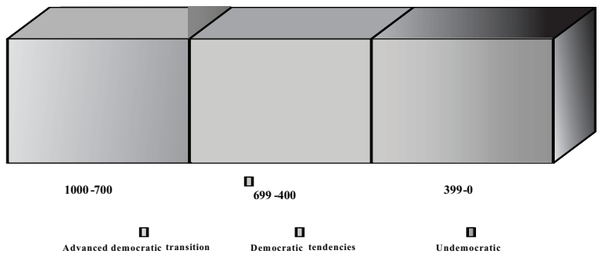

Figure 1-3: The Index's Democracy Score Level

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, 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.

Remarks on the Current Edition

This edition represents the beginning of a process to enhance the structure and the tools of measurement in the Arab index, as the first edition was a pioneering project and largely experimental (being the first of its kind.) The working team made a number of changes following multifaceted deliberations over the results of the first edition, including checking certain indicators, modifying the means of measurement and,

anl/rep10 ang 3/16/10 8:47 PM Page 24

consequently, the calculations. Other modifications occurred due to changes in circumstances (a new working team in Algeria, the introduction of opinion surveys in some countries such as Egypt, a switch of institute carrying out the opinion survey in Algeria, the lack updated official statistics for reasons beyond the efforts of the working team in Saudi Arabia).

Palestine could not be covered in the same way due to the separation of the West Bank and Gaza Strip. The aim of the working team was to cover Palestine as a whole unit wherever possible and accessible. This was successful in domains pertaining to the public irrespective of its relationship with the divided authority. This approach was thus applied to the practices, as there is unanimity that the valid laws are those issued by President Mahmoud Abbas, both before or after the division. It was also applied to the social and economic indicators, the data of which was gathered from the West Bank and Gaza Strip as a whole unit. As for the rest of the indicators (indicators 11 to 34), which are associated with the practices that cannot be separated from the authorities (such as freedom of expression, human rights, state of law, and institutional structure), the data was collected only in the West Bank under the government of Salam Fayyad, and was not collected in Gaza Strip under the government of Ismail Hanniyeh. The working team also had to suspend one indicator, indicator 15, due to the fact that the Legislative Council did not convene as a united institution.

These changes, regardless of why they had to occur, will limit the ability of the team, as well as the readers, to make useful comparison between the results of this edition with the previous one. The central working team estimated the consequences of these changes and made the decision to suspend (with retroactive effect, as mentioned above) some results from the previous edition in the cases where amendments to the way of measurement rendered the index of both editions incoherent, and – therefore – useless. The team also decided to keep some data while mentioning the changes that have taken place and the need for caution; while the level of accuracy which this report seeks may not have been retained, the data can still shed some light on the situation. The details of these changes, as well as their consequences with regards to reading the results, are listed in detail in the chapter “Findings”, and the changes are listed in Appendix 3.

The absence of grades for seven indicators in the previous edition sheds doubt on the possibility of making useful comparison between the two. However, the possibility to read the current indicators has become remarkably complete. The process of suspension does not affect any indicator as a whole, but was restricted to cases that are related to the circumstances of certain countries: the suspension of the indicator regarding hindering the performance of the parliament in Saudi Arabia as there is no such parliament in the country and in Palestine because the parliament was incapacitated, and the suspension of the indicator regarding taking executive authorities to trial due to the absence of the necessary information on this topic.

The process of collecting the information and revising the data has led to conclusions related to the previous edition. The grades of the first edition have been amended to the best of the working team’s ability. The grades given in this report regarding the previous edition should replace those published in the first report.

One of the methodological challenges in this report lies in the disparity in sensitivity of the indicators, which results from the nature of the information reflected, its source, or the way in which an indicator is measured. This disparity can arise for example from opinion surveys, where data can change when the sample is changed, or from adopting a calculation mechanism which puts under a microscope changes occurring as a result of the percentage error in the index or due to rounding up figures, etc... The indicator on school dropout rates is a good example, as it moves up or down a hundred points for each 0.5% of change in the dropout rate. While harmony should be achieved between the sensitivity of the indicator and the sensitivity of the measuring tool, it will be impossible in an indicator like this one, where governments seek a 0% school dropout rate, to neglect fractions of the percentage, which no matter how small still reflect high numbers of students. Nevertheless, the team still hopes to continually check this data and to better calculate in the future, especially as multiple national and international statistics can provide data for this indicator.

In other cases, the seasonal political activities play a remarkable role in the fluctuation of the indicator’s factors. The indicator on government accountability is a good example. The legislative authority questions the government, sometimes heavily and sometimes more lightly. This creates a natural fluctuation in the performance of the legislators. This is quite worthy to be measured; however, its political significance remains limited if each edition stands alone. Nonetheless, these fluctuations acquire critical significance if a sustained growth takes place, or if it were to be proved that the accountability tool which is under measurement has been neglected.

On the other hand, the working team decided that the results of the previous edition remain sufficient in certain cases where little or no new data was available and in cases where there are no expectations of new data in the future. For example, the team used the same data that was available in the previous edition regarding equality in wages in Morocco and Yemen due to the lack of updated information, and likewise for the school dropout rate in Saudi Arabia.

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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 referred to in the methodology. The various sub-indicators will be compared where anything of significance or interest arises, and the findings of this survey will be compared to those of the previous survey (conducted in 2008), wherever feasible.

There will then be a review of each of the forty indicators, followed by a description of any figures that deviate from the general methodology, for example the use of different sources of information in one of the countries, the suspension of an indicator, etc...

Regional Findings

The Index's overall score stands at 538, compared to 522 in the previous survey. This score, like the previous overall score, means that the ten countries whose indicators were examined show a certain tendency towards democratic transition, and reflects an initial willingness in the Arab region to democratise, though this tendency remains at an embryonic stage.

The 16 point improvement in the Index's score is an indication that the scores of some of the countries improved by a greater margin than the scores of other countries decreased. It is noteworthy that the addition of two countries to the Index did not raise the overall score: the Index's score in the current survey minus Syria and Kuwait (i.e. the score for the eight countries that were included in the previous survey) is 542 points, compared to 538 points for the ten countries. However, this increase was mainly caused by the addition of the scores of indicators that were suspended in the previous survey.

The individual countries' scores (see Figure 2-1 below) indicate that the discrepancies between the ten countries are staggering, although the variation between the ten countries falls within a normal distribution of differences. Jordan, with a score of 620 points, tops the list of countries that show progress in the process of democratic transition, followed closely by Morocco (601 points), which had the highest score in the previous survey,[6] then Egypt (596), Lebanon (583), Algeria (570), Kuwait (553), Palestine (506), Syria (461), Yemen (457) and finally Saudi Arabia (402). Thus the ten countries scored above the 400 point mark, which the team had determined a priori as the cut-off point between autocracy and signs of democratic transition. It is therefore possible to speak of a tendency towards democratic transition in the region as a whole, a result that is consistent with the findings of the previous survey, as Figure 2-2 shows.

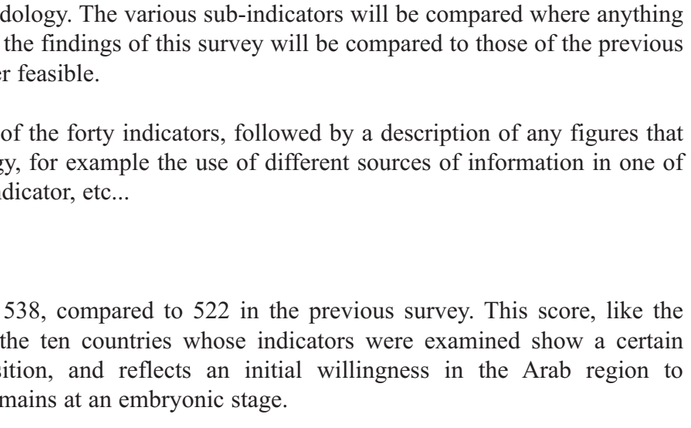

Figure 2-1: Index, by Country, 2009

[6] Although Jordan was ranked first in the previous survey, new data obtained by the research team during the information-gathering process for the second survey, in addition to the retroactive suspension of some of the indicators, as discussed in the Methodology, altered the scores for the previous survey, and as a result Jordan and Morocco exchanged positions.

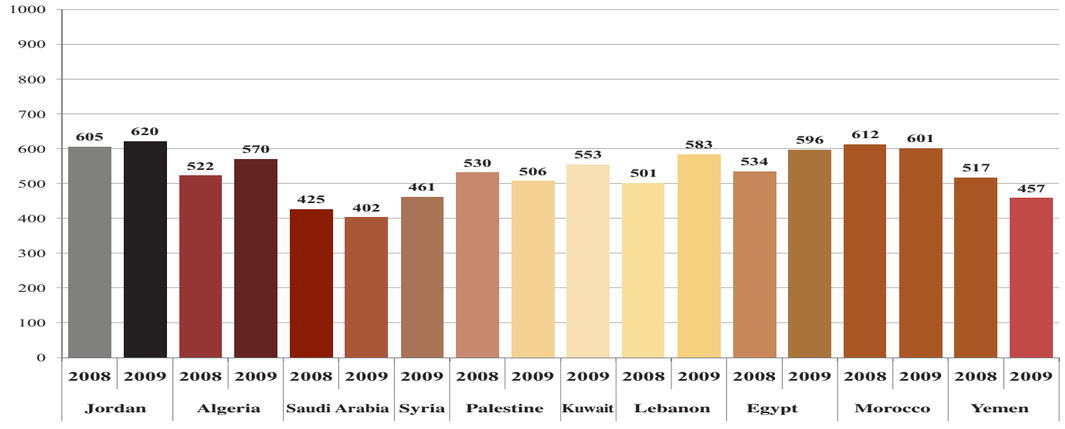

Figure 2-2: Index, by Country (Comparative) in the First and Second Surveys

The reader will note that the differences between the first and the second surveys were not dramatic, and reflected the sum of the changes that took place in the surveyed countries. As Figure 2-3 illustrates, on average there was a difference of 4 points between the 2008 and 2009 surveys (i.e. a change of less than 1%), and scores changed within a range of ±11 and ± 82 points among the eight countries included in the two surveys.

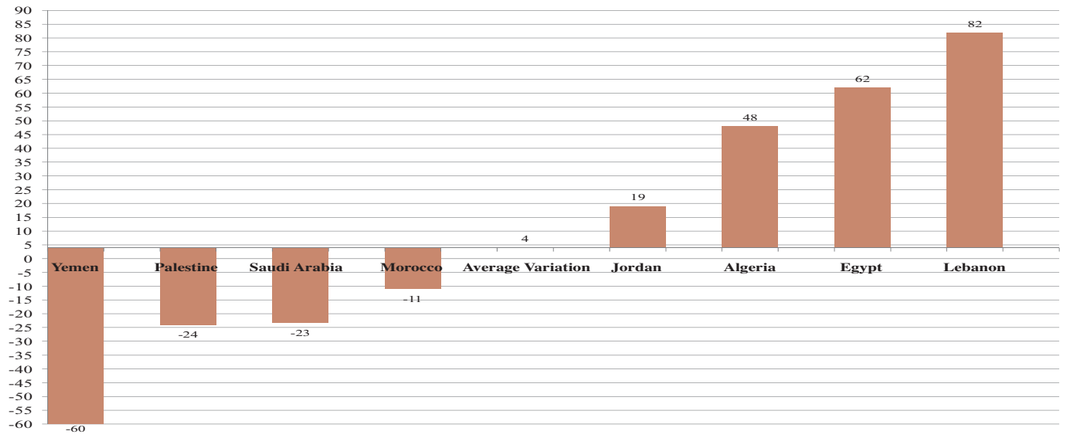

Figure 2-3: Discrepancies in Scores between the First and Second Surveys

We can also state that democratic transition is still at an embryonic stage and remains largely reliant on external encouragement. As Figure 2-4 indicates, what signals the embryonic nature of democratic transition is the fact that the score for the indicators relevant to the means (782 points) is almost double the score for practices (457 points). Here one should bear in mind that indicators relevant to the means only relate to constitutional and legal texts, and that legal reform processes receive encouragement from abroad, encouragement that has been gaining momentum since the early 1990s, but whose impact on actual political practices is still weak. However, there are no indications that the legal or constitutional reform

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process has the power to advance reform at the level of practices. Despite a decline in the score for the means between the two surveys from 803 to 782 points (as a result of the addition of the two new countries), the score for practices increased by a significantly greater amount than the score for means, from 400 to 457 points (i.e. by 57 points, or around 14% higher than the score for practices recorded in the previous survey).

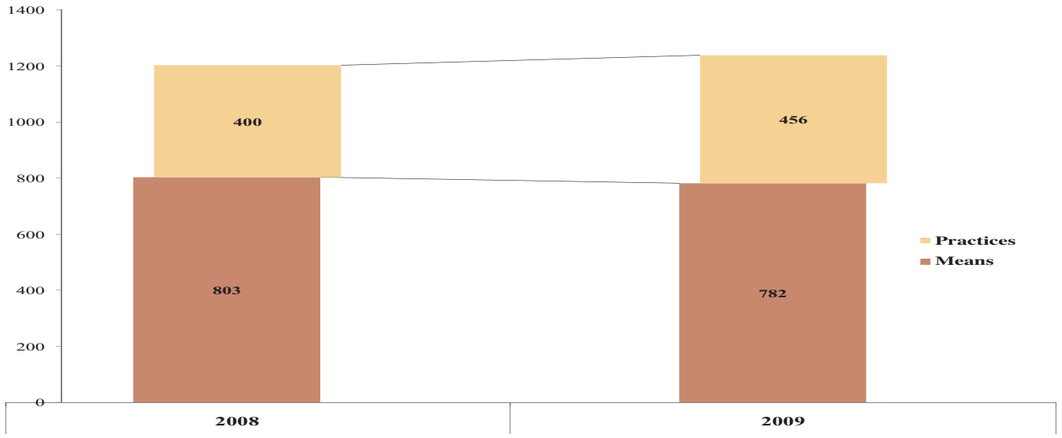


Figure 2-4: Comparative Arab Average by Type of Indicator (Means-Practices) and Year

These two features – the embryonic nature of the democratic transition process, 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, as Figure 2-5 indicates, remains high in the countries whose overall score increased, which means that the process of democratic transition is still incomplete. Its transformations do not extend to all aspects of life, and it is therefore liable to regress or to be reversed.

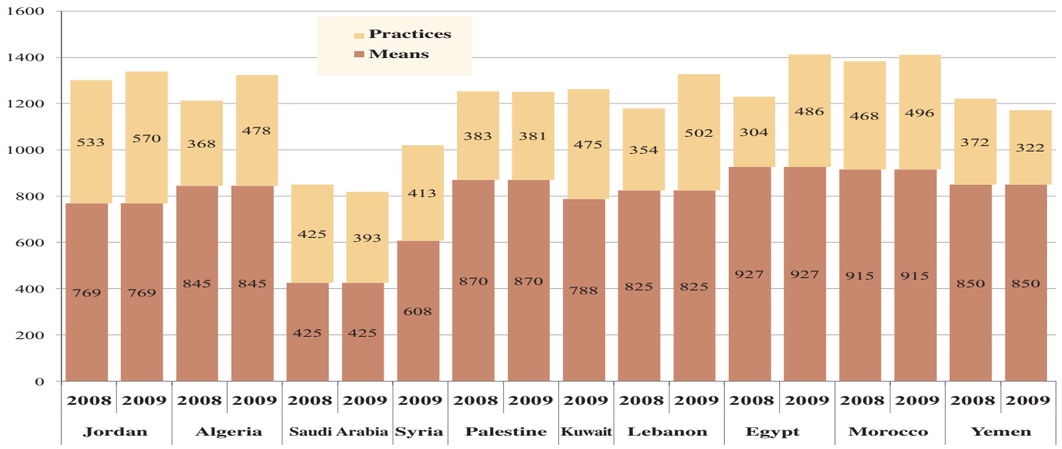
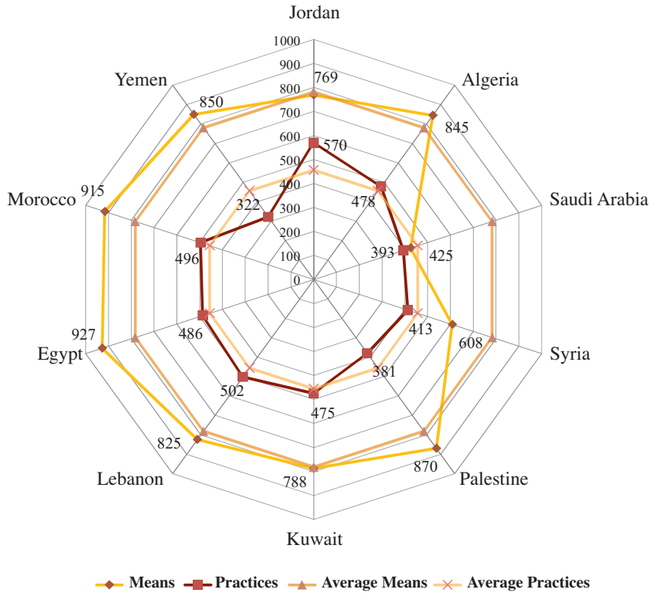


Figure 2-5a: Comparative Indicator Scores by Type (Means-Practices), Country and Year

The reader will note that the gap between the scores of the means and practices, as indicated by Table 2-1, below, is at its smallest in Saudi Arabia, which had the lowest scores in the Index, and a ratio of 11:10, followed by Jordan, which had the highest score in the Index, and a ratio of 14:10. The gap then widens for the other countries, ranging from 15:10 in Syria and 25:10 in Egypt. One should note that these figures

The gap between regional average means and practices versus means and practices per country for 2009



are consistent with those obtained in the previous survey, and that the figures for Kuwait and Syria, which were added to those of the eight countries examined in the previous survey, corroborate this finding.

Figure 2-5b

Table 2-1: Ratio of Scores for Practices versus Means in 2008 and 2009

	Ratio in 2008	Ratio in 2009	Average ratio
Jordan	14:10	13:10	14:10
Algeria	23:10	18:10	20:10
Saudi Arabia	10:10	11:10	11:10
Syria	—	15:10	15:10
Palestine	23:10	23:10	23:10
Kuwait	—	17:10	17:10
Lebanon	23:10	17:10	19:10
Egypt	30:10	19:10	23:10
Morocco	20:10	19:10	19:10
Yemen	23:10	26:10	24:10
Average scores	20:10	17:10	19:10

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 the framework has remained unchanged for a long period of time, or because changes within it have successfully moved on to a practice mode acceptable to society.

This phenomenon suggests that a democratic reform process that is built on reform measures involving a country's ruling elite, i.e. one that does not happen as a result of a dramatic political shift (like a revolution) that leads to a radical change in this elite, cannot produce a major change in political practices. This is because the elite wish to preserve their status, as well as to ensure a minimum level of political stability by limiting turbulence during the period of transition, an unstable time by nature. To avoid any undesirable surprises resulting from the transition process, local elites and the various conservative elements within society work alongside the international community to support the slow pace of the transition process. The figures also support the view that the democratisation of practices is not linked to legal reform as much as

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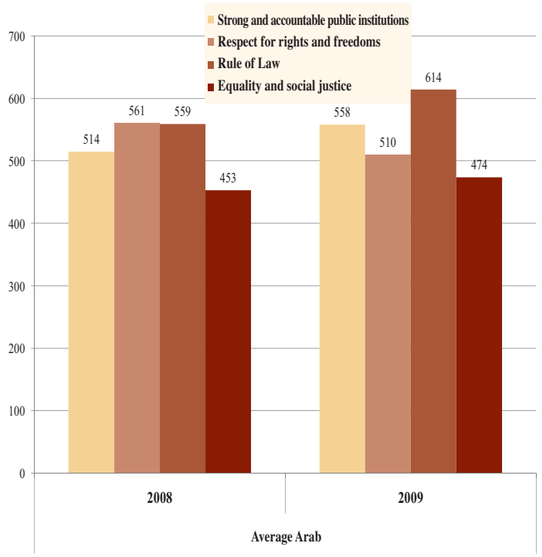

it is linked to public pressure and the requirements of government stability, and that legal reform is "an expression of intentions" rather than a guarantee of the success of democratisation itself.

The reader will note that disparities between the principles (values) of democratic transition from country to country appear to be quite consistent with their respective socio-economic conditions. The Index's average scores for values, or principles, as indicated by Figure 2-6, vary from 614 points for the rule of law (which represents a marked increased from a score of 559 in the previous survey) to 558 for strong and accountable public institutions (up from 514 in the previous survey), 510 for respect for rights and freedoms (a substantial drop from 561 in the previous survey), and 476 points for equality and social justice (an improvement on the score of 453 obtained in the previous survey).

Figure 2-6: Comparative Arab Average Scores for Values or Principles

It is noteworthy that the overall ranking of scores for the Index's sub-indicators relevant to the values of equality and social justice and strong, accountable public institutions differed markedly, as Figure 2-7 shows. These values moved up in the ranking of indicators when the means are left out and only practices are considered. Conversely, there is a drop in the rank of the sub-indicators for the values of the rule of law and respect for rights and freedoms when they are confined to practices.

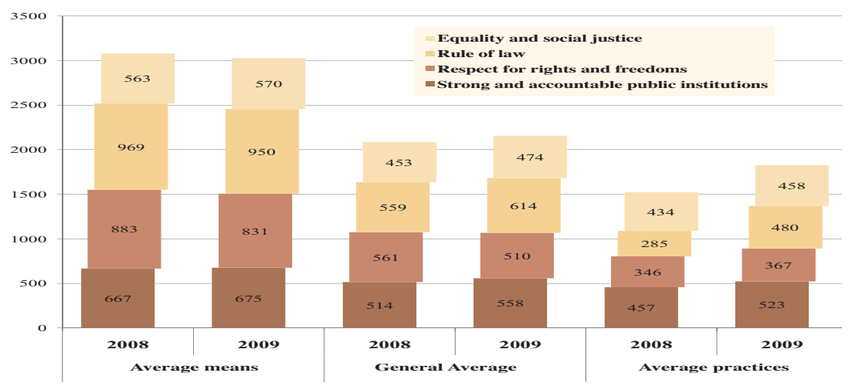

Figure 2-7: Average Scores for the Index's Sub-Indicators Relative to Democratic Values Compared to Indicators Relative to Practices, Means and the General Average

When we study the distribution of the Index's scores for individual countries regarding the sub-indicators relative to the four values or principles (see Figure 2-8), we find a discrepancy in the order of the sub-indicators' scores in the ten countries. While the sub-indicator respect for rights and freedoms is at the top of the list of values in Yemen (for the second consecutive year) and Lebanon (also for the second consecutive year), it comes at the bottom of the list in Saudi Arabia (for the second consecutive year), Syria, Palestine and Egypt. The sub-indicator relative to the rule of law tops the list in Jordan (for the second consecutive year), Algeria, Saudi Arabia (for the second consecutive year), Kuwait and Morocco (for the second consecutive year). The sub-indicator for equality and social justice is first in the list in Palestine, and last in Jordan (for the second consecutive year), Algeria (for the second consecutive year), Kuwait, Lebanon, Morocco (for the second consecutive year), and Yemen (also for the second consecutive year). The sub-indicator for strong and accountable public institutions heads the list in Syria and Egypt (for the second consecutive year), and was second in Jordan (for the second consecutive year in 2009, alongside respect for rights and freedoms), Kuwait, Lebanon (for the second consecutive year), Morocco (for the second consecutive year), and Yemen (for the second consecutive year).

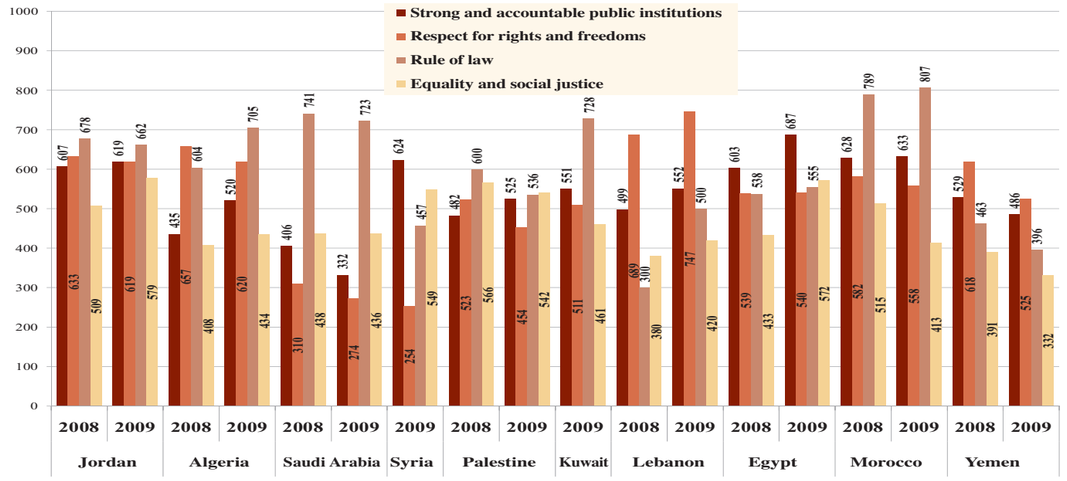

Figure 2-8: Comparative Sub-Indicators According to Democratic Values for Individual Countries

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

- Jordan achieved the highest score in the general index. It also had the highest rank for the sub-indicator relative to equality and social justice.

- Algeria had the second highest rank for the sub-indicator relative to respect for rights and freedoms, and made the third largest improvement compared to the 2008 survey.

- Saudi Arabia was ranked tenth in the general index and in the sub-indicator relative to means in the current survey. It was also tenth in strong and accountable public institutions, and ninth in respect for rights and freedoms.

- Syria was ranked third for the sub-indicator relative to strong and accountable public institutions, eighth in the general index, and ninth for the sub-indicator relative to means. It was ranked last in respect for rights and freedoms, and second-to-last in the rule of law.

- Palestine was ranked seventh in the general index, and was the country that recorded the second largest drop in its score in the general index compared to 2008. It was third for the sub-index relative to the means, and second-to-last in the sub-index relative to practices. It made slight progress in the indicators for equality and social justice in relation to the remaining values.

- Kuwait had the second highest rank in the sub-indicator relative to the rule of law.

- Lebanon was the country that made the most progress in the general index compared to the 2008 survey. It had the highest rank in respect for rights and freedoms and the second highest rank in the sub-index relative to practices.

- Egypt was ranked third in the general index. It was second in progress achieved since the 2008 survey, and maintained its ranking of first in the sub-index relative to the means. It also had the highest rank in the sub-indicator relative to strong and accountable public institutions, and was second in the sub-indicator for equality and social justice.

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- Morocco was second in the general index and also in the sub-index relative to the means. It was ranked third in the sub-index relative to practices, first in the sub-indicators for the rule of law, and second in the sub-index relative to strong and accountable public institutions.

- Yemen was ninth in the general index, and recorded the largest fall in its score compared to the 2008 survey. It had the lowest rank in the sub-index relative to practices, in the rule of law and equality and social justice, and ranked second-to-last in the sub-indicator for strong and accountable public institutions.

When evaluating each of the ten countries' average indicator scores, we find most of the scores fall within a very small range of difference. An examination of the standard deviation relative to values reveals that the similarity in the scores is limited to indicators that received very low scores (ill-treatment of detainees, the use of *wasta* or favouritism in public employment, and government expenditure on the social sectors) and very high scores (legal guarantees against torture, and the independence of the judiciary).

The scores for some indicators showed a high standard of deviation compared to other indicators, such as the indicators for the ability of human rights organisations to operate, the licensing of political parties, violations of the constitution, the right to form political parties, arbitrary detention, and the organisation of demonstrations and protest activities.

As Figure 2-9 shows, two indicators obtained a score of 1,000 in all of the ten countries, namely legal guarantees against torture, and independence of the judiciary. Two other indicators received average scores in the ten countries of 900 points and over, which were the discussion of bills, and the right to a fair trial. The following five indicators scored between 800 and 899 points: prosecution of the executive authorities, the right of assembly, equality in wages, the separation of powers, and freedom of the media. Two indicators scored between 700 and 799 points, namely those related to obstruction of the work of parliament, and the organisation of demonstrations and protest activities. Five other indicators scored between 600 and 699; six between 500 and 599; five between 400 and 499; seven between 300 and 399; three between 200 and 299 points (the indicators relating to the opposition press and arbitrary detention); and two indicators scored between 1 and 99 points (relating to the use of *wasta* in public employment, and government expenditure on the social sectors). One indicator – the ill-treatment of detainees – scored zero in all countries.

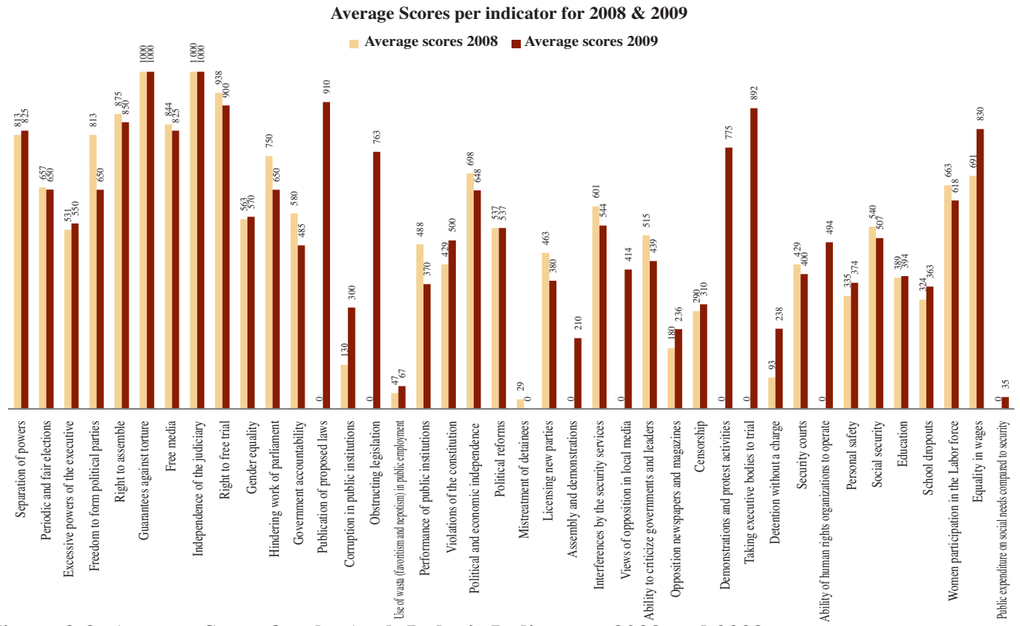


Figure 2-9: Average Score for the Arab Index's Indicators, 2008 and 2009

Results by Country

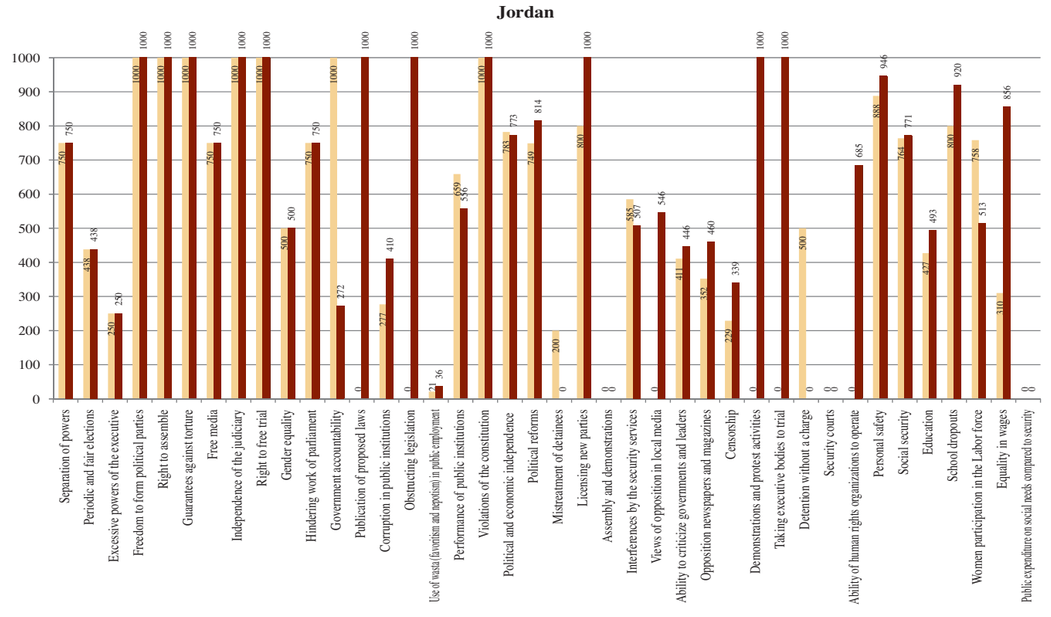
1- Jordan

At 620 points, Jordan obtained the highest score among the ten surveyed countries, 82 points above the overall average Index score, and 15 points higher than its score in the previous survey. As Figure 2-10 shows, eleven indicators received a score of 1,000 points, some relative to means, namely the right to form political parties, the right of assembly, legal guarantees against torture, the right to a fair trial, and independence of the judiciary, and others to practices, which were the discussion of bills, obstruction of the work of parliament, violations of the constitution, licensing of political parties, the organisation of demonstrations and protest activities, and prosecution of the executive authorities. Five indicators, related to state security courts, arbitrary detention, the organisation of demonstrations and protest activities, ill-treatment of detainees, and government expenditure on the social sectors, received a score of zero. Of the remaining indicators, two scored between 900 and 999 points; two between 800 and 899; five between 700 and 799; and one between 600 and 699 points. Five other indicators scored between 500 and 599 points; another five between 400 and 499; one between 300 and 399; two between 200 and 299 points; and one indicator scored between 1 and 99 points.

A comparison of the results of the 2008 and 2009 surveys indicates that there was a significant decline in government accountability, and a fall in the scores for the performance of public institutions, treatment of detainees, interference by the security services and arbitrary detention. Conversely, there was an improvement in impressions of corruption, political reform, the ability to criticise the authorities, censorship of publications, and personal safety, and an increase in the indicator scores for licensing of political parties, education, school drop-outs, and the opposition press.

The discrepancy in the scores for women's participation in the labour force and equality in wages is unaccounted for, despite the fact that the information in the two surveys was obtained from comparable sources. It is an issue that calls for future research.

Figure 2-10: Jordan's Comparative Scores for Individual Indicators for 2008 and 2009



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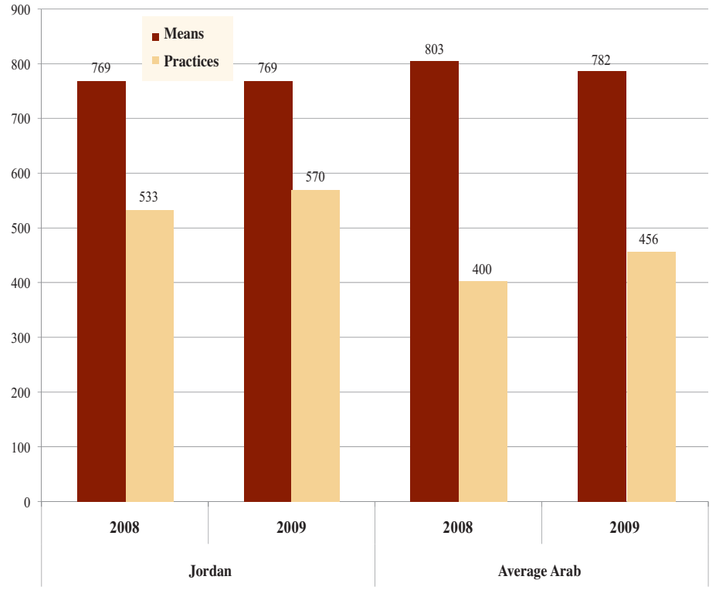
While the score for the sub-indicator relative to the means is close to the ten countries' average, as Figure 2-11 shows, the sub-indicator for practices is markedly higher than the average. Sub-indicators relative to democratic values and principles are above the sector's average score for all four sub-indicators, while the score relative to equality and social justice appears markedly higher, as Figure 2-12 shows.

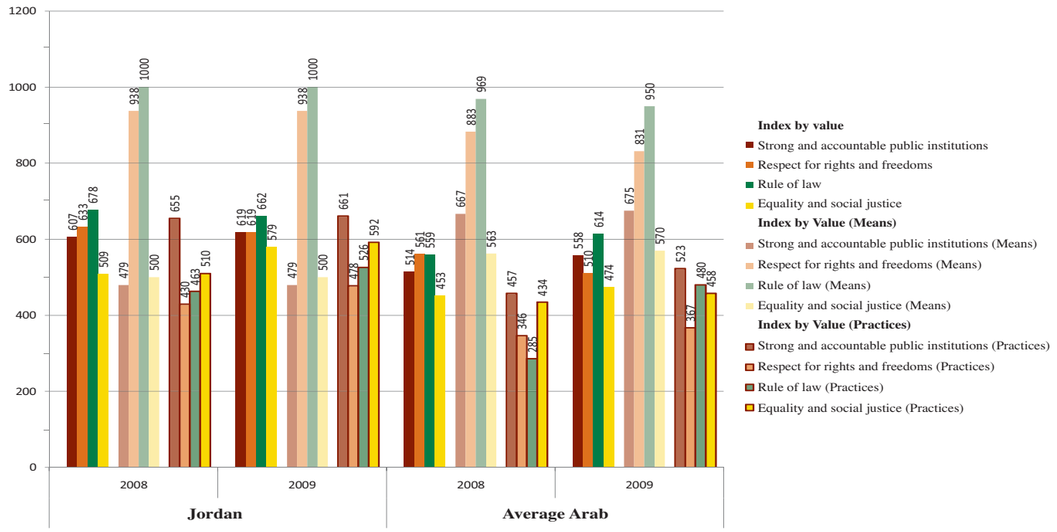
Figure 2-11: Jordan's Sub-Index According to Type, Compared to the Average Scores of the Arab Sub-Index



The score for indicators relevant to means, as Figure 2-12 shows, remains higher in Jordan than the sub-indicators relative to principles (values), as it was for the general average and the other countries (apart from Saudi Arabia), with the exception of those related to public institutions and equality and social justice. For the second consecutive year, these are the only two cases (except for two similar cases in Saudi Arabia) in which the sub-index for practices is not higher than the sub-index for means or the Arab average.

This result suggests that there is need to carry out a detailed study into the reasons for the relative progress made in the domain of public institution-building in Jordan.

Figure 2-12: Jordan's Comparative Sub-Index According to Democratic Principles (Values) Compared to the Average Scores of the Arab Sub-Index



2- Algeria

Algeria ranked fifth on the Index in this survey with 570 points, compared to a ranking of seventh out of eight countries in the previous survey. The average score of its indicators increased by 48 points. Six out of ten indicators relative to means received the highest possible score (1,000 points), as did five indicators relative to practices. As indicated by Figure 2-13, five indicators received a score of zero.

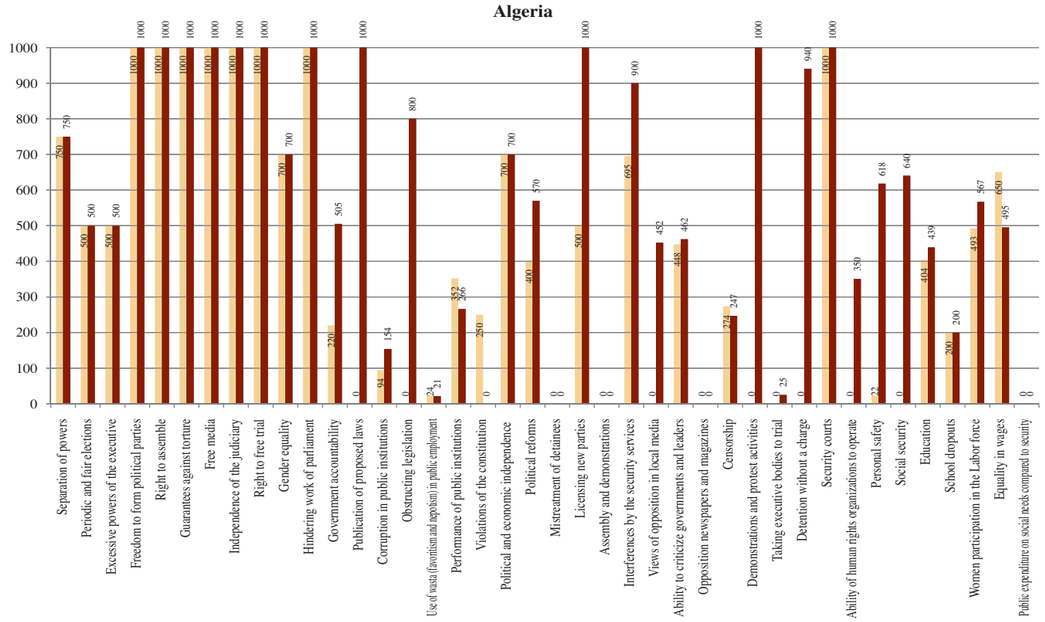
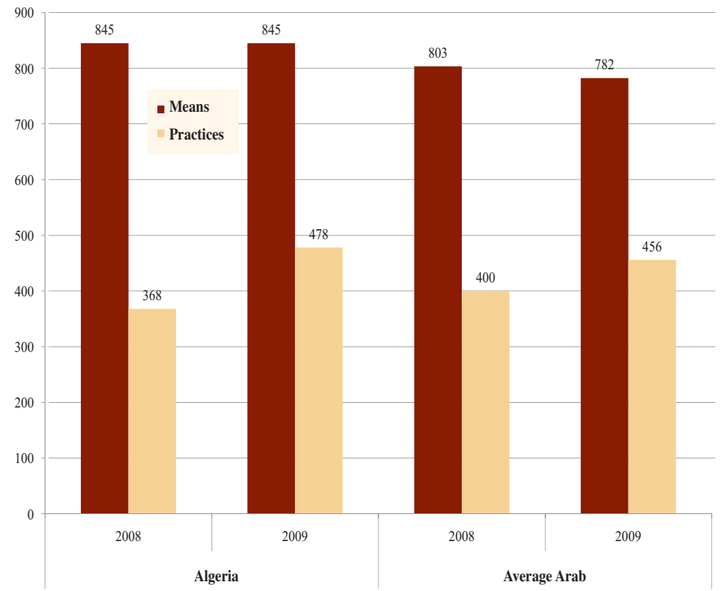


Figure 2-13: Algeria's Comparative Scores for Individual Indicators for 2008 and 2009

The sub-index relative to the type of indicator (see Figure 2-14) shows that Algeria scored higher than the Arab average in both means and practices.

Figure 2-14: Algeria's Sub-Index According to Type, Compared to the Average Scores of the Arab Sub-Index

The sub-indicator for values or principles of democracy (see Figure 2-15) 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, for the second consecutive year.



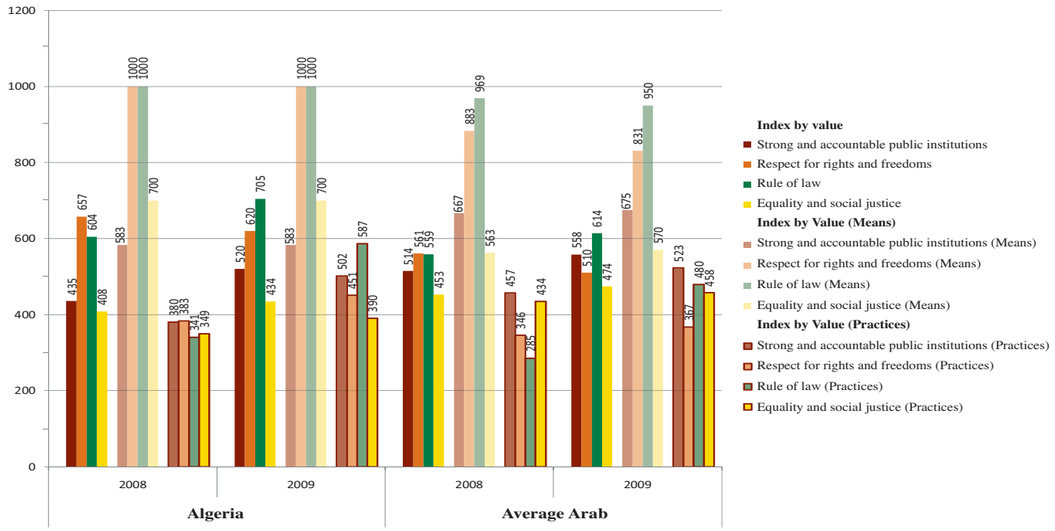


Figure 2-15: Algeria's Comparative Sub-Index According to Democratic Principles (Values) Compared to the Average Scores of the Arab Sub-Index

While indicators for the means receive the sub-index's highest scores for respect for public freedoms and the rule of law, indicators for practices receive the lowest score in the sub-indicator for equality and social justice (see Figure 2-15). 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.

The reader will also note that the improvement in Algeria's scores were limited to practices relating to equality and social justice (by 41 points), compared to practices relative to other values (145 points on average).

The political shifts that promoted stability in Algeria during the current survey period reflected positively on the indicator; however, the wide gap between means and practices and inconsistent improvement in the practices point to the need to strengthen, deepen and institutionalize this process.

3- Saudi Arabia[7]

Saudi Arabia ranked tenth in the Index with an overall score of 402 points, which represents a fall of 23 points in its score in the previous survey. Eight indicators (four of which were relative to means) received the highest score (1,000 points) and thirteen scored zero. We were unable to evaluate the indicator related to obstruction of the work of parliament in the Saudi case, and it was therefore suspended. The scores for the remaining indicators ranged between 100 and 762 points, as shown in Figure 2-16.

[7] Data relevant to Saudi Arabia in the Arab Democracy Index should be evaluated with a degree of flexibility. Comparing Saudi Arabia to the other countries in the Index, just like applying a number of the Index's indicators to the Saudi case, 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 the mechanisms of political change.

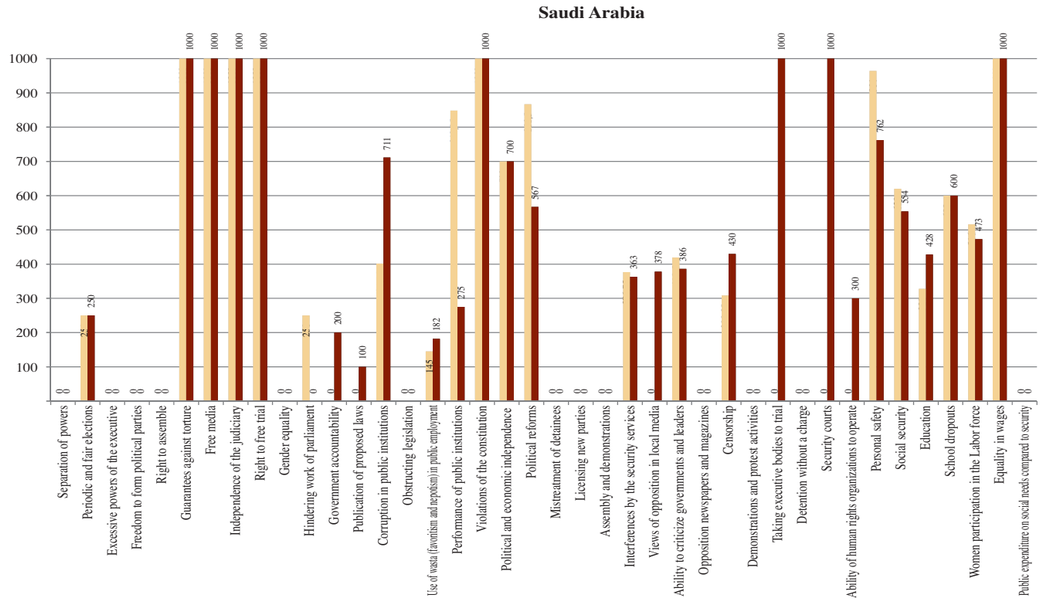


Figure 2-16: Saudi Arabia's Comparative Scores for Individual Indicators for2008 and 2009

There was an improvement in the scores for the indicators related to governmental accountability, the use of *wasta* in public employment, censorship of publications and internet sites, and education. There was a drop in the scores for indicators related to the obstruction of parliament's work by the executive authority, the performance of public institutions, political reform, interference by the security services, the ability to criticise the authorities, social security, and the participation of women in the labour force.

From these figures, it appears that the reason for the decline in Saudi Arabia's overall score is related to the tightening grip of the executive authority. The reader should also note that some of the change in the score does not reflect a shift in conditions in Saudi Arabia as much as the ability of the research team to measure a greater number of indicators. Six of the indicators measured in this survey were suspended in the previous survey (some were suspended in all countries and others only in Saudi Arabia).

According to the sub-index of the type of indicator (see Figure 2-17), Saudi Arabia received a significantly lower score than the

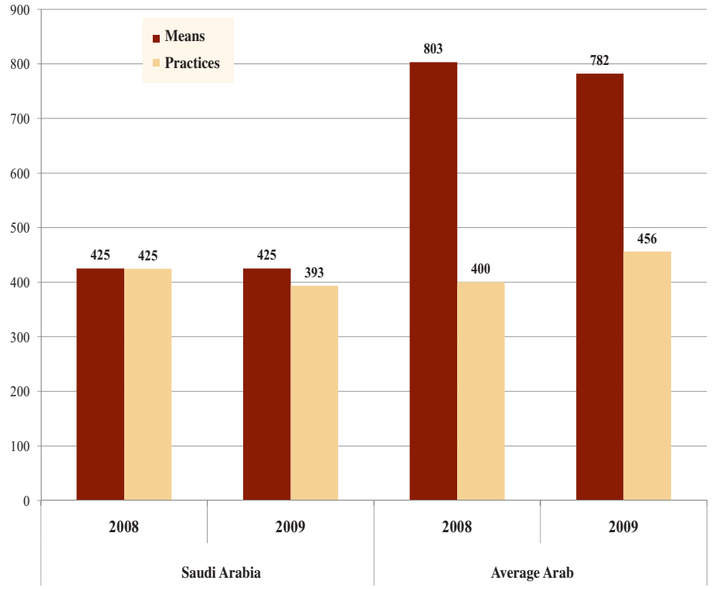


Figure 2-17: Saudi Arabia's Comparative Sub-Index According to Type, Compared to the Average Scores of the Arab Sub-Index

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Arab average in matters related to means, while the sub-index for practices is far closer to the average (though was not higher than the average in this survey, as it was previously).

As to the sub-indexes for principles and values, as Figure 2-18 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 above the Arab average for the second consecutive year.

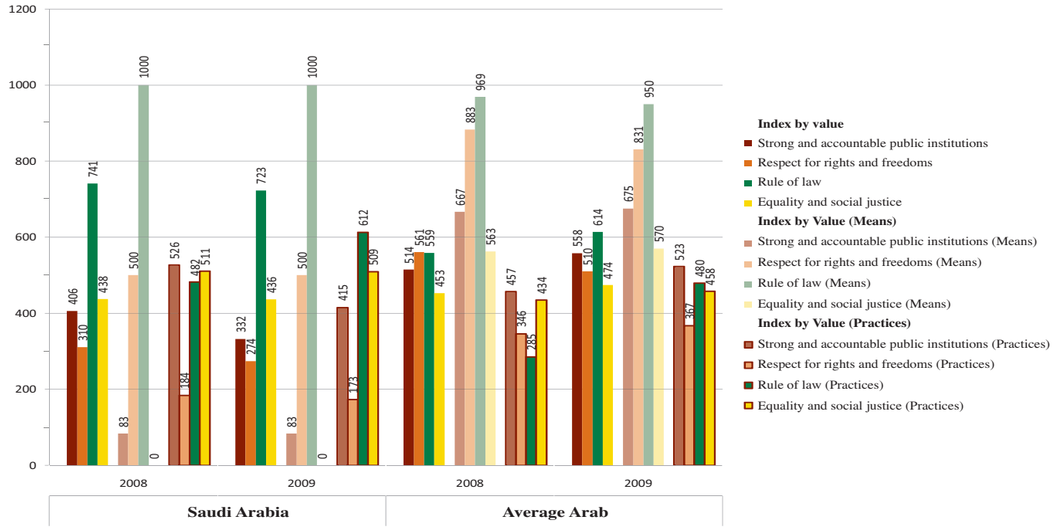


Figure 2-18: Saudi Arabia's Comparative Sub-Index According to Democratic Principles (Values) Compared to the Average Scores of the Arab Sub-Index

Once indicators for practices and means are separated in the sub-indexes relevant to democratic principles or values, Saudi Arabia parts ways with the other countries in that the means index, which is usually higher, received a score of zero for equality and social justice, and a very low score (83 points) for strong and accountable public institutions, as Figure 2-18 shows.

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

4- Syria

The survey was carried out in Syria for the first time in 2009 for the purposes of this report. It received a score of 461 points and was therefore ranked eighth among the ten countries.

As Figure 2-19 shows, eight individual indicators scored the highest score, two of which are relative to means and six to practices. Syria therefore constitutes a unique case among the ten countries in the Index. In general, the indicators that score 1,000 points have a ratio of means to practices of 1:1, and not 1:3, as is the case here.

Ten indicators received a score of zero (including one indicator relative to means). The indicators that scored zero related to the right to form political parties, corruption of public institutions, the use of *wasta* in public employment, ill-treatment of detainees**,** licensing of political parties, the opposition press, censorship of publications and internet sites**,** arbitrary detention, state security courts, and the ability of human rights organisations to operate.

The indicators that received a score of 1,000 related to legal guarantees against torture, independence of the judiciary, governmental accountability, the discussion of bills, obstruction of the work of parliament, violations of the constitution, prosecution of the executive authorities, and equality in wages.

The scores of the remaining indicators ranged from 50 to 800 points, which included seven indicators with low scores of between 50 and 330 points.

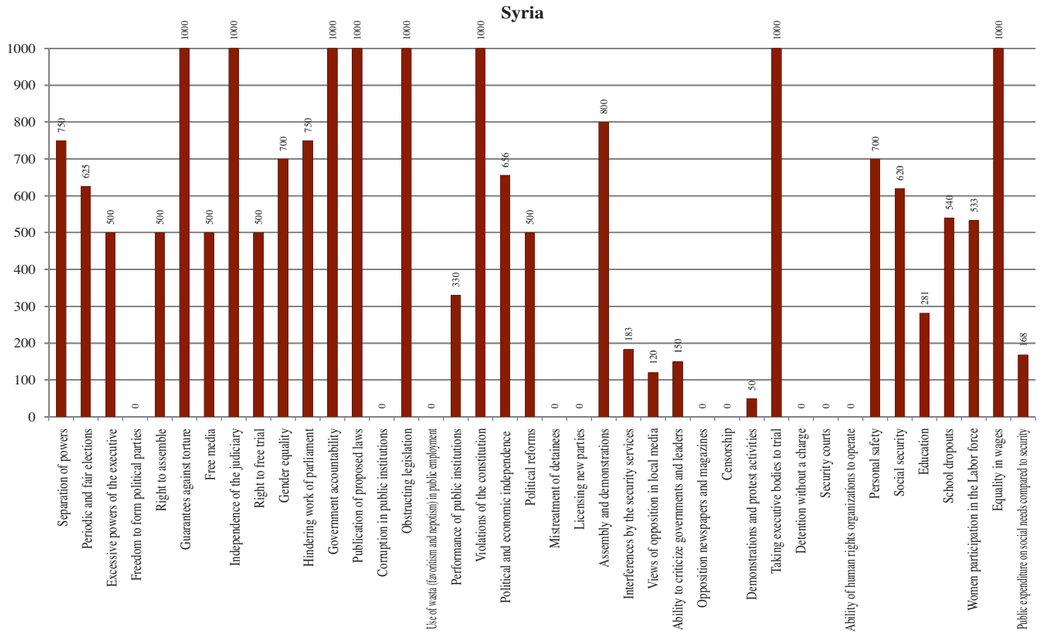
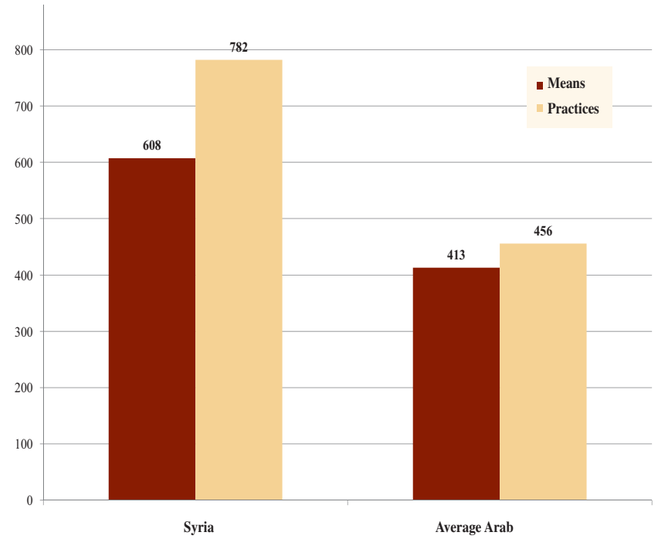


Figure 2-19: Scores for Individual Indicators, Syria

Syria's scores were lower than the Arab average for both means and practices, as Figure 2-20 shows.

Figure 2-20: Syria's Sub-Index According to Type, Compared to the Average Scores of the Arab Sub-Index



Syria's scores for the sub-indicators relative to democratic values (see Figure 2-21) were higher than the Arab average in the area of equality and social justice for both the means and practices. The score in the area of

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strong and accountable public institutions was also higher than the Arab average both overall and for practices. However, this sub-indicator received a lower than average score for the means. The score for the sub-indicator relative to respect for rights and freedoms was lower than the Arab average for both means and practices. The score for the sub-index related to the rule of law was below the Arab average overall, and for both means and practices.

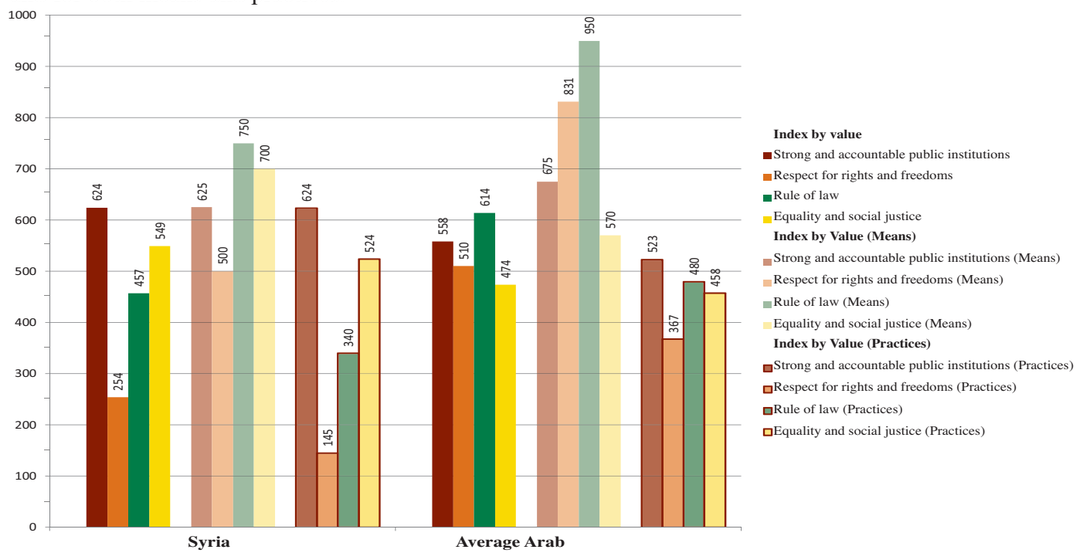


Figure 2-21: Syria's Sub-Index According to Democratic Principles (Values) Compared to the Average Scores of the Arab Sub-Index

5- Palestine

Palestine's score of 506 points in the overall Index places it in seventh place in the list of ten surveyed countries, compared to a position of third from eight countries in the previous report. Its score fell by 24 points, the second largest decrease after Yemen. Seven of the ten indicators that received the maximum score of 1,000 points were relative to means, due to the relatively late drafting of the Palestinian Basic Law. Three of the indicators relevant to practices had the same score, all of which had been suspended in the previous survey. The one indicator for practices that scored 1,000 points in the previous survey – the trial of civilians in state security courts – fell to zero in the current survey. As Figure 2-22 shows, eight of the indicators received a score of zero. These indicators, in addition to that mentioned above, related to governmental accountability, licensing of political parties, arbitrary detention, ill-treatment of detainees, right of assembly and peaceful demonstrations, personal safety, and government expenditure on the social sectors. The colonial condition under which Palestine continues to lives doubtlessly plays an important role in this matter, which has been rendered more acute by the split between Fatah and Hamas and between the West Bank and Gaza Strip. Two indicators received scores above 800 points; two scores between 600 and 800; four between 500 and 600; and three between 1 and 499 points.

The score of two indicators increased in comparison to the previous survey (for 2008), one for violations of the basic law (from zero to 250 points), and the other for corruption in public institutions (from 80 to 235 points). However, the scores for fourteen other indicators fell.

The reader will note that the indicator for the obstruction of the work of parliament was suspended for a second year in a row in Palestine due to the fact that the Legislative Council did not meet.

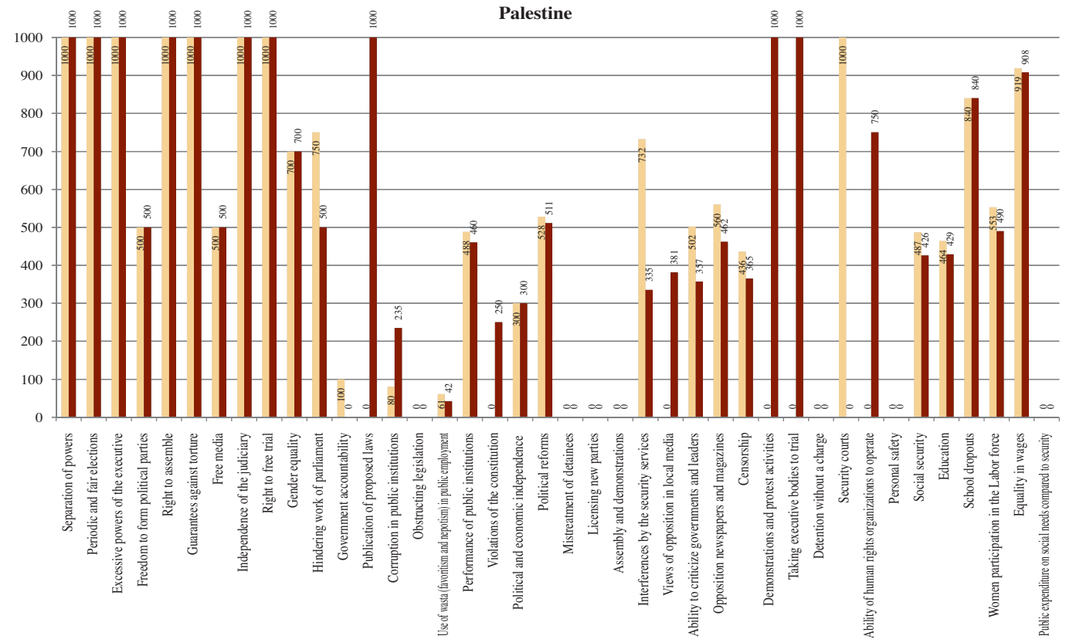
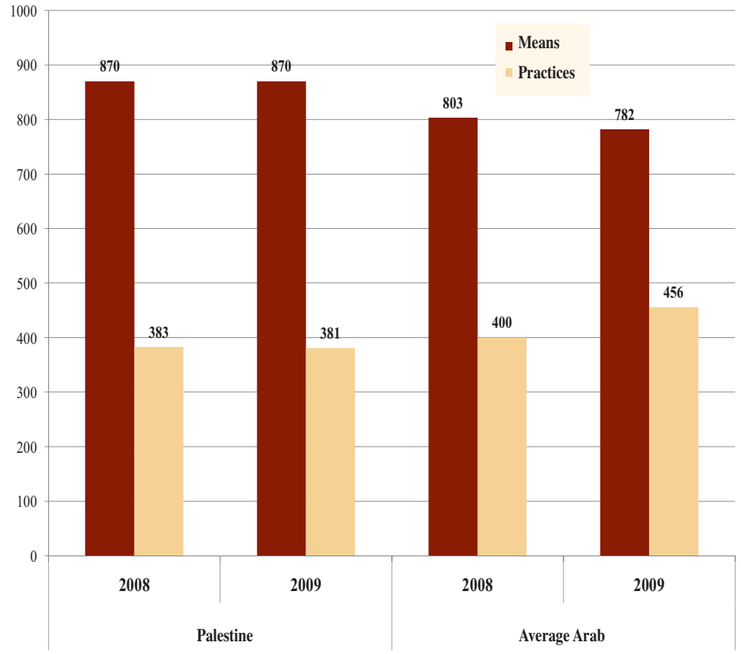


Figure 2-22: Palestine's Comparative Scores for Individual Indicators for 2008 and 2009

The sub-index according to indicator type, as Figure 2-23 shows, indicates that for the second consecutive year Palestine scored slightly above the Arab average for means, but below average for practices.

Figure 2-23: Palestine's Sub-Index According to Type, Compared to the Average Scores of the Arab Sub-Index

The sub-index relative to democratic principles (see Figure 2-24) shows that Palestine's scores are higher than the Arab average for the sub-indicator for the values of equality and social justice and lower for the remaining sub-indicators. When the sub-indicators are classified according to type into means and practices, we find that the sub-indicators relative to means are higher than the average for public institutions, the rule of law, and equality and social justice, and lower than the average for respect for rights and freedoms. This is a similar picture to that



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revealed by the previous survey for 2008. The sub-indicators for practices were all below the Arab average, with the exception of those related to equality and social justice.

Palestine had the third highest scores in the sub-index relevant to means, after Egypt and Morocco.

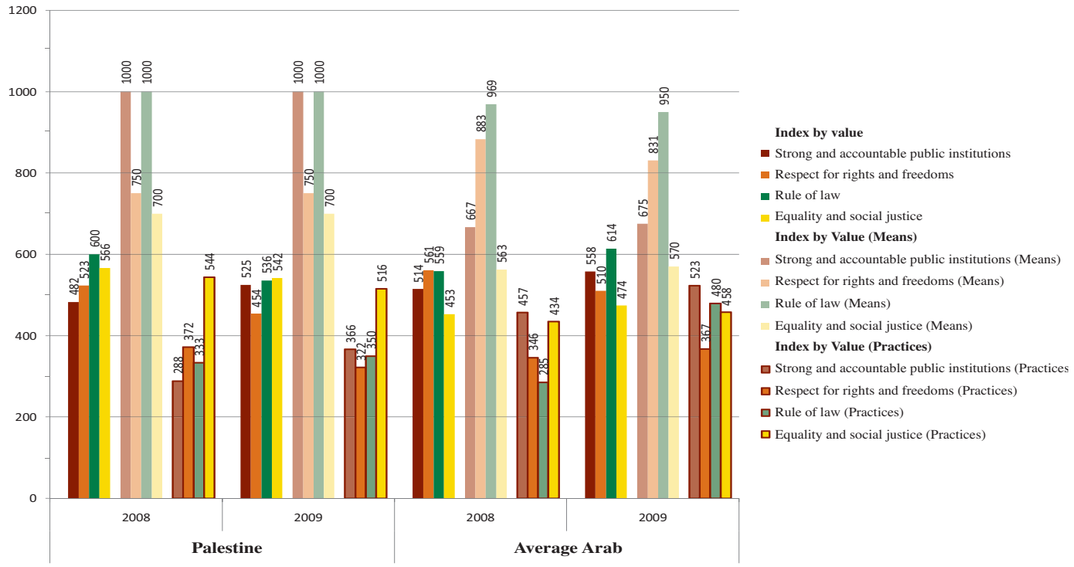

Figure 2-24: Palestine's Sub-Index According to Democratic Principles (Values) Compared to the Average Scores of the Arab Sub-Index

The improvement in the score for the sub-indicator relative to strong and accountable public institutions resulted from an improvement in the scores of the indicators for practices, as the scores of the indicators for means remained unchanged (scoring 1,000 points in the two surveys). Particularly noteworthy is the drop in the position of Palestine in the sub-index relevant to practices, as the country moved down from fourth among eight countries in the 2008 survey to ninth among ten countries in the current survey.

6- Kuwait

The survey was carried out in Kuwait for the first time in 2009 for the purposes of this report. It received 553 points, which is 15 points higher than average score, and the country was ranked sixth among the ten countries.

As Figure 2-25 shows, eleven individual indicators scored the highest possible score in Kuwait, six of which are relative to means and five to practices.

Seven indicators received a score of zero (including one indicator relative to means). The indicators that scored zero related to the right to form political parties – as was also the case in Syria and Saudi Arabia – the obstruction of the work of parliament, ill-treatment of detainees, licensing of political parties, arbitrary detention, school drop-outs, and government expenditure on the social sectors.

The indicators that received a score of 1,000 related to the separation of powers, the right of assembly, legal guarantees against torture, freedom of the media, independence of the judiciary, the right to a fair trial, the discussion of bills, violations of the constitution, prosecution of the executive authorities, state security courts, and the participation of women in the labour force.

The scores of the remaining indicators ranged from 219 to 750 points.

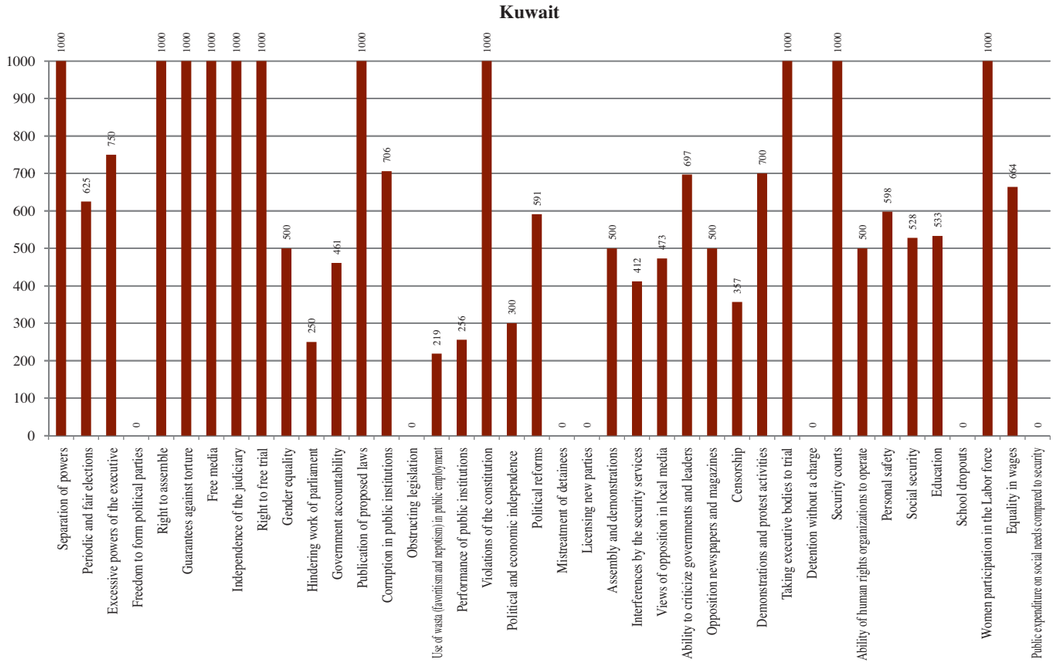

Figure 2-25: Scores for Individual Indicators, Kuwait

The scores for the sub-indexes relevant to means and practices were slightly higher than the general average, as was Kuwait's overall score, as shown in Figure 2-26.

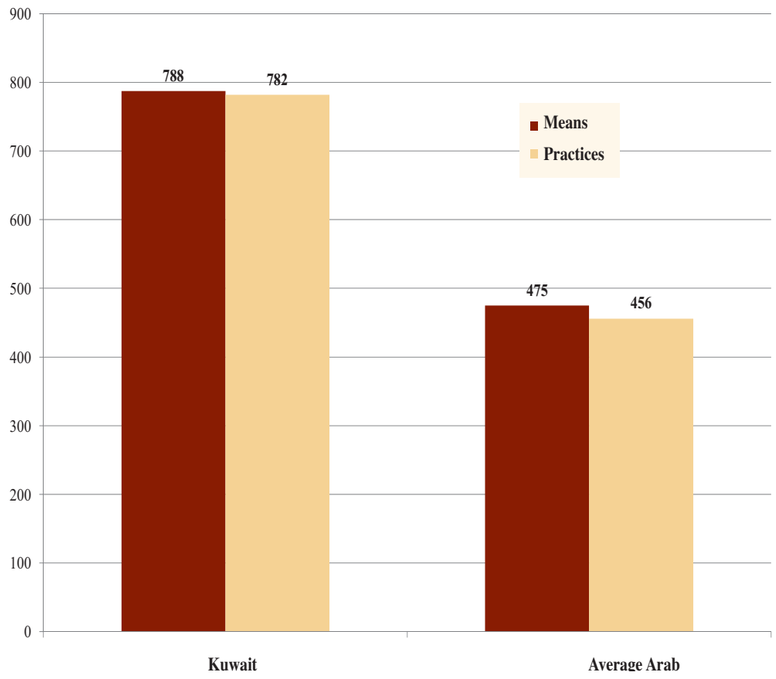

Figure 2-26: Kuwait's Sub-Index According to Type, Compared to the Average Scores of the Arab Sub-Index

Kuwait's scores for the sub-indicators relative to democratic values were in the range of the Arab average in all areas, as Figure 2-27 illustrates, slightly below average in the area of strong and

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accountable public institutions, and slightly higher than the average with regard to respect for rights and freedoms, which also applies to the overall picture. The scores for the means are lower than the Arab average in relation to respect for rights and freedoms, and equality and social justice. In terms of practices, the score for strong and accountable public institutions was lower than the average, while the score for respect for rights and freedom was above average.

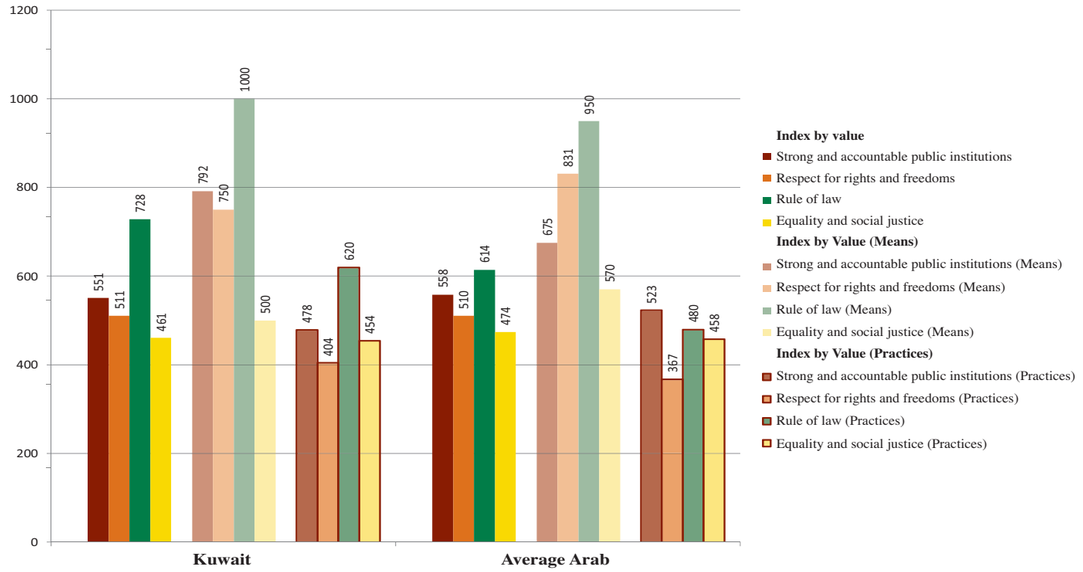


Figure 2-27: Kuwait's Sub-Index According to Democratic Principles (Values) Compared to the Average Scores of the Arab Sub-Index

7- Lebanon

With a score of 583 points, Lebanon ranked fourth in the Index, moving up in the ranking from sixth position among eight countries to fourth among ten countries. Its score improved compared to the last survey by 82 points, making Lebanon the country that recorded the greatest increase in its overall score from the previous survey.

While Lebanon remained in sixth place for indicators relevant to the means, it assumed second position (up from seventh in the previous survey) in indicators relevant to practices.

Thirteen indicators (six of which were relevant to the means) received the highest score (1,000 points). Seven indicators received a score of zero (see Figure 2-28), for violations of the constitution, the ill-treatment of detainees, arbitrary detention, personal safety, government expenditure on the social sectors, military courts (indicator 32), and school drop-outs. Two of the remaining indicators received scores over 900 points; five between 600 and 800 points; six a score of around 500 points; and the rest between 2 and 378 points.

The scores of seven indicators increased compared to the previous survey, while five fell.

The sub-index relative to type, as Figure 2-29 shows, indicates that Lebanon received higher than average scores for both means and practices, while in the previous survey its score for practices was

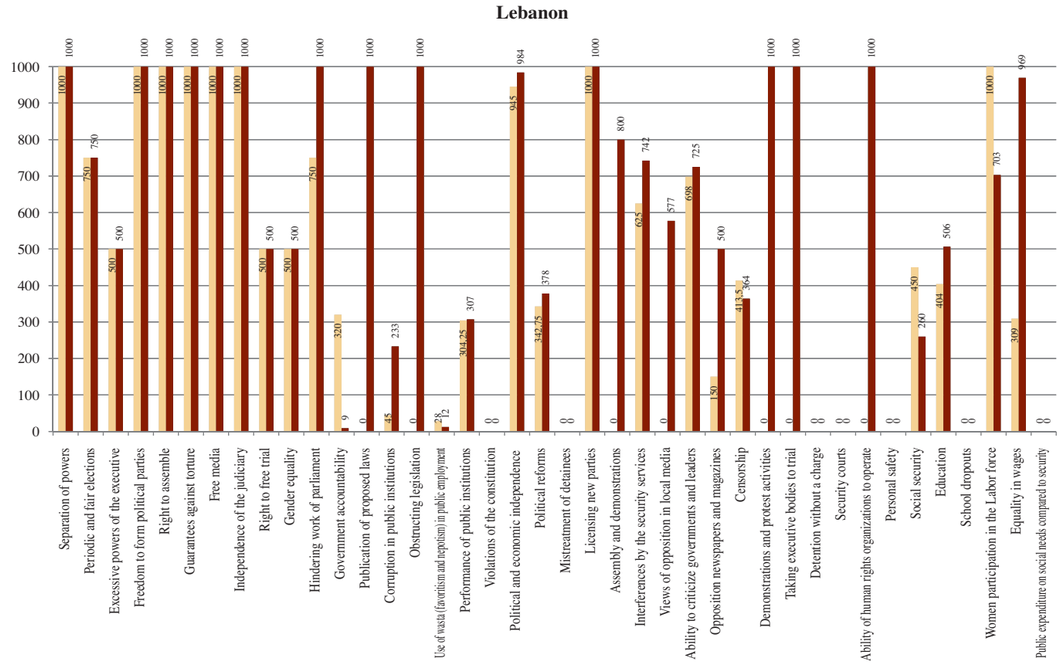


Figure 2-28: Lebanon's Comparative Scores for Individual Indicators for 2008 and 2009

below the Arab average.

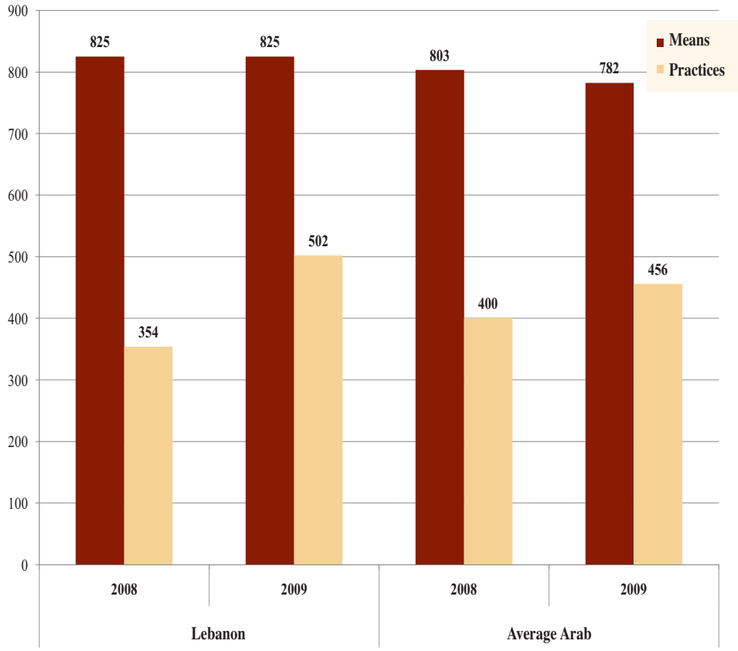


Figure 2-29: Lebanon's Sub-Index According to Type, Compared to the Average Scores of the Arab Sub-Index

According to the sub-index relative to democratic principles (see Figure 2-30), Lebanon's scores are lower than the Arab average for all sub-indicators except for the sub-indicator for respect for rights and freedoms, for which it received the highest mark of all the ten countries.

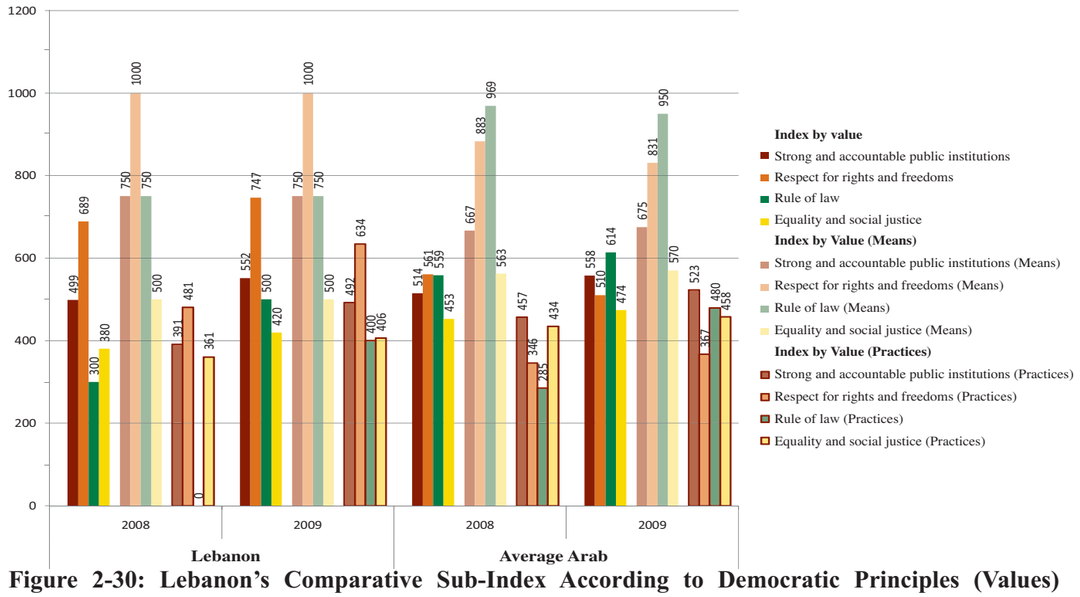


Figure 2-30: Lebanon's Comparative Sub-Index According to Democratic Principles (Values) Compared to the Average Scores of the Arab Sub-Index

When indicators relevant to practices are separated from those relevant to means to calculate the sub-indexes relevant to democratic values, it becomes clear that the rule of law receives the lowest score among all sub-indexes, despite the fact that it increased from zero to 400 points, and that the sub-index for respect for rights and freedoms remains higher for the means than for practices, as Figure 2-30 shows. Lebanon's scores remained lower than the Arab average for all the sub-indexes relevant to democratic values or principles in the field of practices other than for respect for rights and freedoms, which is one of Lebanon's strong points. In terms of means, the scores for the sub-indicators for democratic values relevant to the rule of law and equality and social justice were below the average.

Lebanon has made clear progress compared to the previous survey, apparently as a result of the country's political détente. This progress was expressed in the area of the rule of law, which received a score 200 points higher than in the previous survey, while the scores for the remaining sub-indicators increased by an average of around 50 points.

8- Egypt

Egypt was ranked third in the Index, compared to fourth in the previous survey. It received a score of 596, up from 534 in the previous survey, which is the second largest increase in the score of any country, after Lebanon. Seven indicators relevant to means obtained 1,000 points, as did six indicators relevant to practices. Six indicators received a score of zero, namely the indicators for the ill-treatment of detainees, state security courts, violations of the constitution, licensing of political parties, censorship of publications and the internet, and organisation of demonstrations and protest activities. As Figure 2-31 shows, seven indicators received scores ranging from 700 to 815 points; five scored between 500 and 674; five between 300 and 460; and five other indicators between 70 and 270 points.

An opinion survey was conducted in Egypt during the survey period, allowing the research team to calculate all indicators; in the previous survey a number of indicators were not calculated because of the inability to conduct an opinion survey.

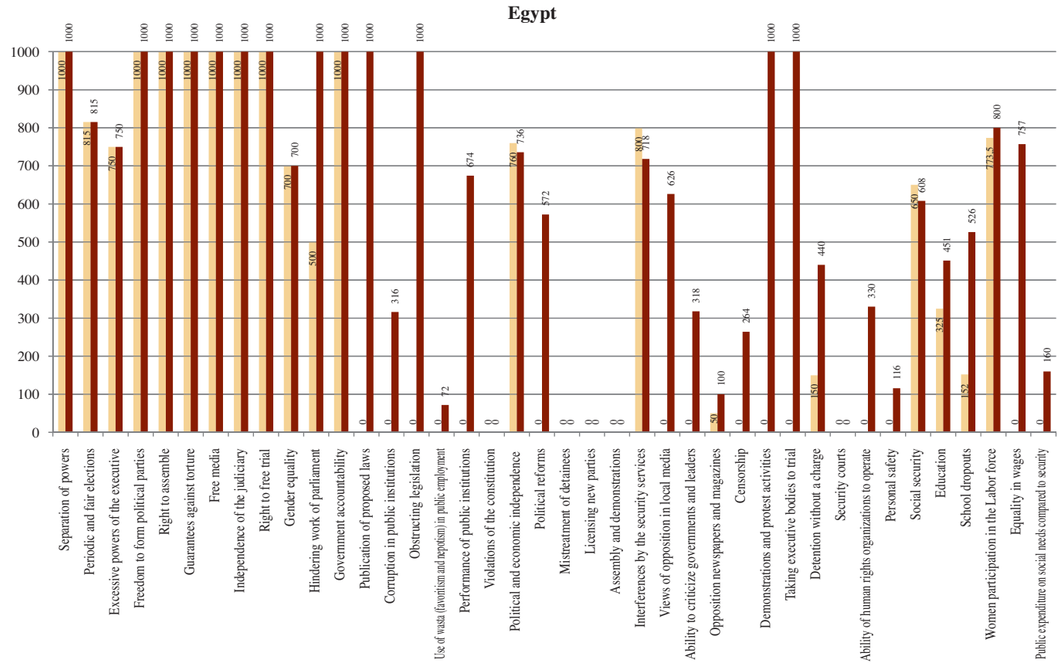
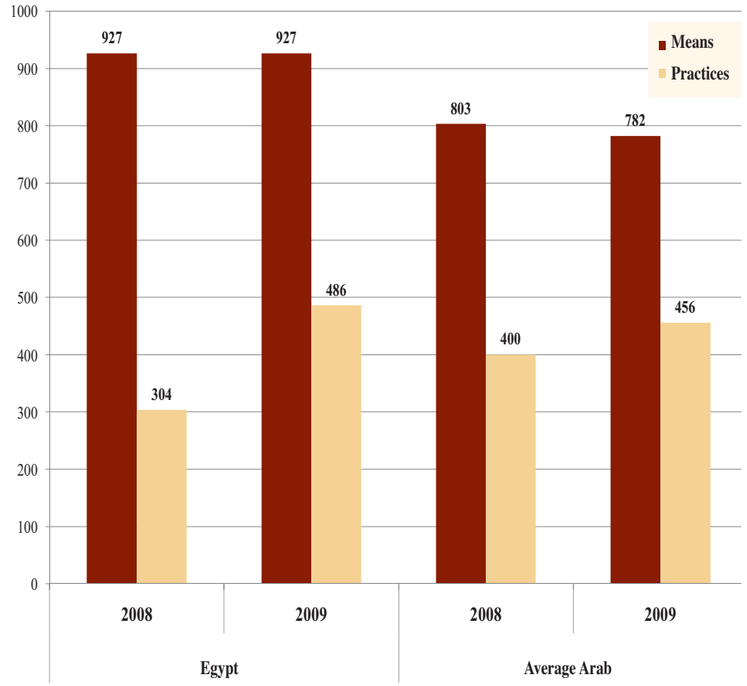


Figure 2-31: Egypt's Comparative Scores for Individual Indicators for 2008 and 2009

The sub-index according to type shows, as in Figure 2-32, that Egypt received high scores for means (the highest among all counties for the second successive year). The score for practices was markedly higher than in the previous year, increasing from 304 to 486 points, which is higher than the average score, while in the first survey Egypt received the lowest scores among the eight countries in the sub-index for practices.

Figure 2-32: Egypt's Sub-Index According to Type, Compared to the Average Scores of the Arab Sub-Index

In the sub-index relevant to democratic principles (see Figure 2-33) Egypt's scores were higher than the Arab average for equality and social justice (an area in which it scored below the average in the previous survey), in the area of strong



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and accountable public institutions (for the second consecutive year) and respect for rights and freedoms. Figure 2-33 also indicates that Egypt's score for the rule of law was lower than the Arab average for the second year in a row.

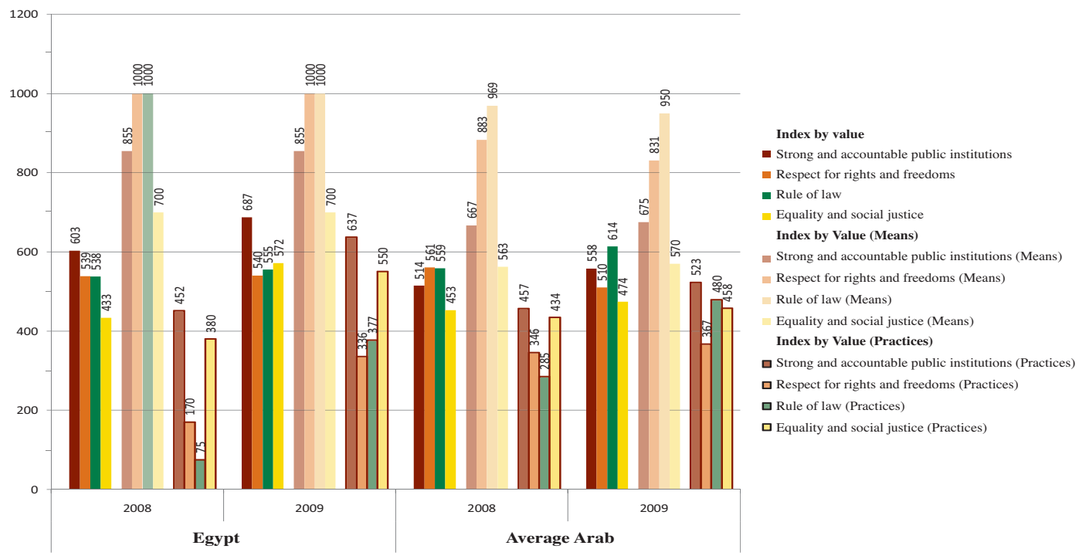


Figure 2-33: Egypt's Comparative Sub-Index According to Democratic Principles (Values) Compared to the Average Scores of the Arab Sub-Index

In the case of Egypt, there was a marked improvement in the scores for practices in the sub-index relevant to the rule of law, and there continued to be a gap between means and practices with regard to respect for right and freedoms (see Figure 2-33). There was an improvement in the area of practices in the four sub-indicators related to democratic values or principles.

These figures offer hope that Egypt has begun to work on making the transition from creating the legal framework for political liberalism to the liberalism of political life, and that there has been a realisation of the need to address the negative effects of the liberalisation of the economy when not accompanied by the conditions for genuine social security.

9- Morocco

Morocco was ranked second in the Index with a score of 601 points, which represents a slight decrease from the previous survey. Of the fourteen indicators that received 1,000 points, seven were indicators for means. As Figure 2-34 shows, five indicators received a score of zero, for the ill-treatment of detainees, the licensing of political parties, organising meetings and protests, personal safety, and school drop-outs. Two of the remaining indicators scored 900 points and above; two received a score of 750; four a score between 650 and 750; and five a score of approximately 500 points. The scores for six other indicators ranged between 150 and 350, and two indicators between 1 and 100 points.

According to the sub-index according to type, Morocco scored higher than the Arab average for both means and practices, for the second consecutive year (see Figure 2-35).

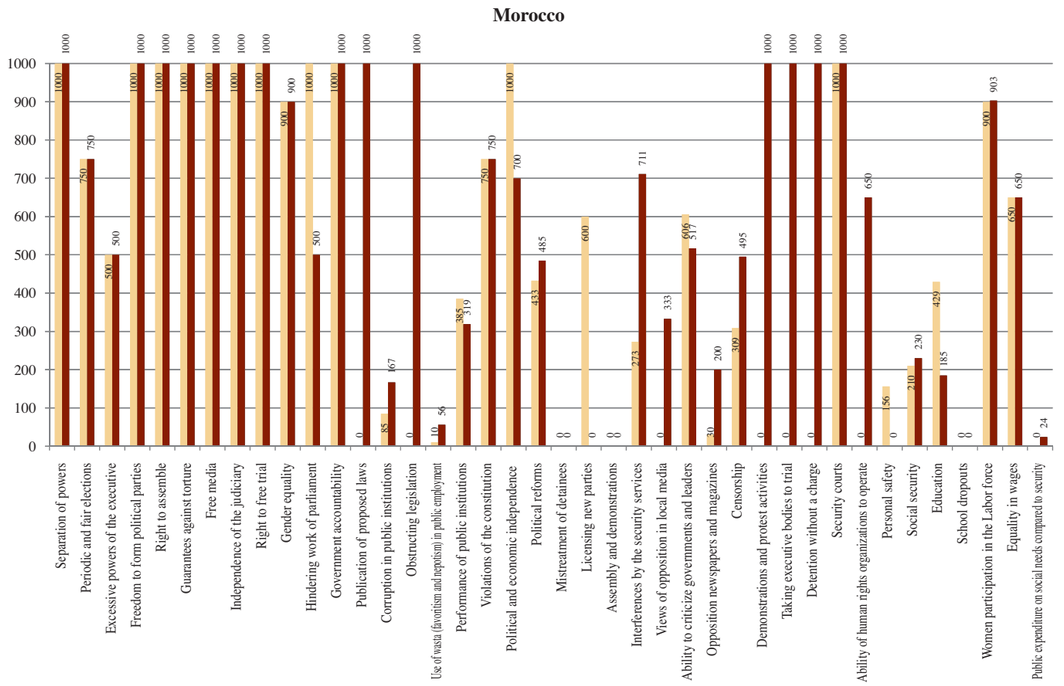
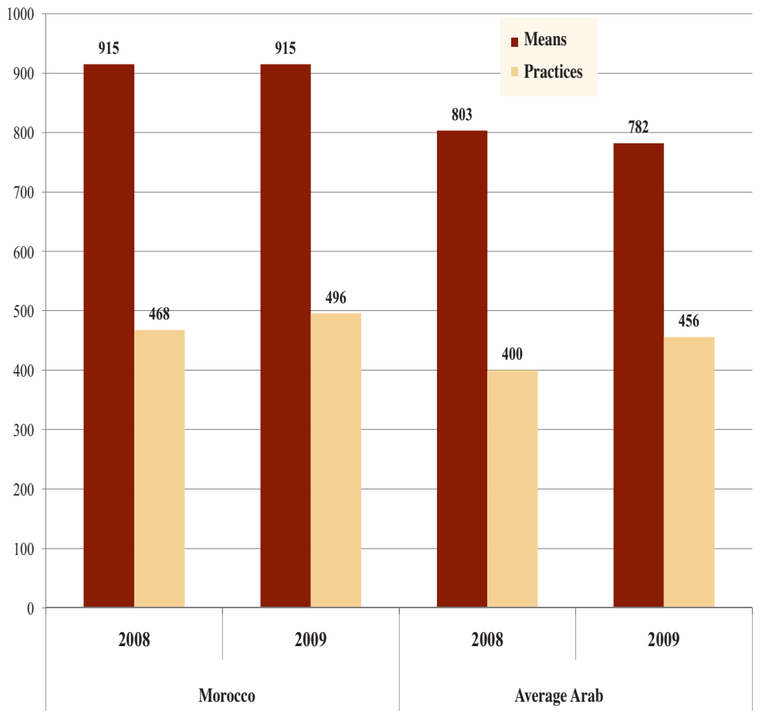


Figure 2-34: Morocco's Comparative Scores for Individual Indicators for 2008 and 2009

Figure 2-35: Morocco's Sub-Index According to Type, Compared to the Average Scores of the Arab Sub-Index



The sub-indicator relevant to democratic principles (see Figure 2-36) reveals that Morocco scored above the Arab average in all sub-indicators other than in the area of equality and social justice. The average score of indicators relevant to practices in this area dropped to 332 points, compared to the Arab average of 458 points, and 438 points in the previous survey, as Figure 2-36 shows. On the other hand there was a marked increase in the sub-indicators for

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practices in the area of the rule of law, which stood at 730 points, which is higher than the Arab average (480) and indicates progress since the previous survey (578). Progress made in this area can be attributed to our ability to measure indicators that could not be measured in the previous survey, for example prosecution of the executive authorities, arbitrary detention, and the ability of human rights organisations to operate (see Figure 2-34).

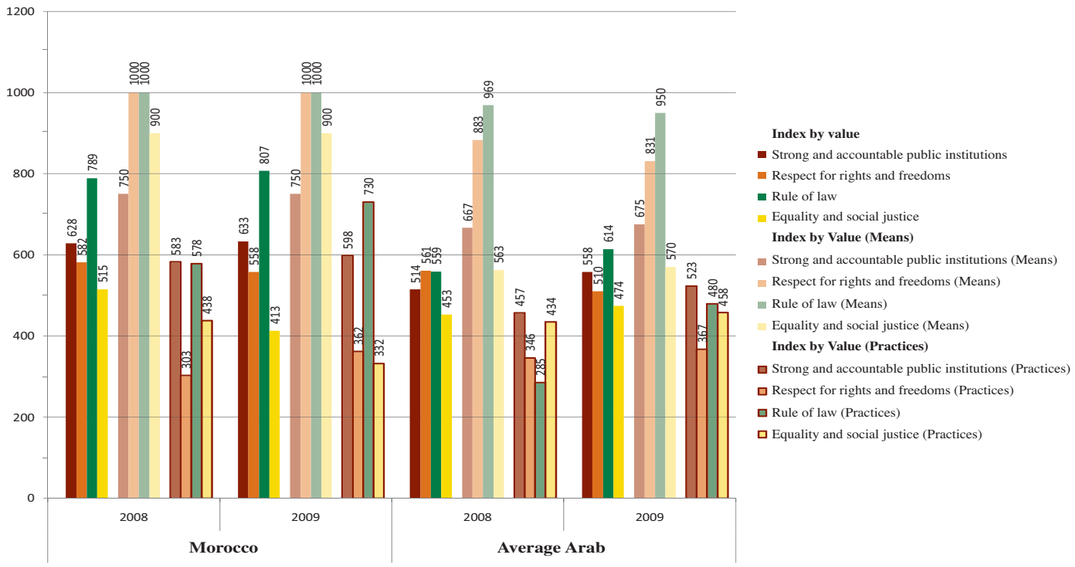

Figure 2-36: Morocco's Sub-Index According to Democratic Principles (Values) Compared to the Average Scores of the Arab Sub-Index

10- Yemen

Yemen was ranked ninth in the Index with a score of 457 points. It was ranked fifth of eight countries in the last survey, and is therefore the country that recorded the largest drop in points between the two surveys (60 points).

Among nine indicators that received 1,000 points, six were related to means. As the Figure 2-37 shows, eight indicators received a score of zero, namely those relating to violations of the constitution, arbitrary detention, ill-treatment of detainees, state security courts, school drop-outs, government expenditure on the social sectors, personal safety (which received a score of zero compared to 314 points in the previous survey), and right of assembly and peaceful demonstrations. One of the indicators scored 800 points; four 750 points; three between 500 and 630 points; ten between 100 and 430 points; and two scored less than 100 points.

The sub-index according to type shows (see Figure 2-38) that Yemen scored higher than the Arab average in the area of means, and lower than the average for practices (it was ranked tenth for practices).

The sub-indicator relevant to democratic principles or values reveals (see Figure 2-39) that Yemen scored slightly higher than the Arab average for respect for rights and freedoms, and lower than average in the areas of strong and accountable public institutions (ranking second lowest in the current survey,

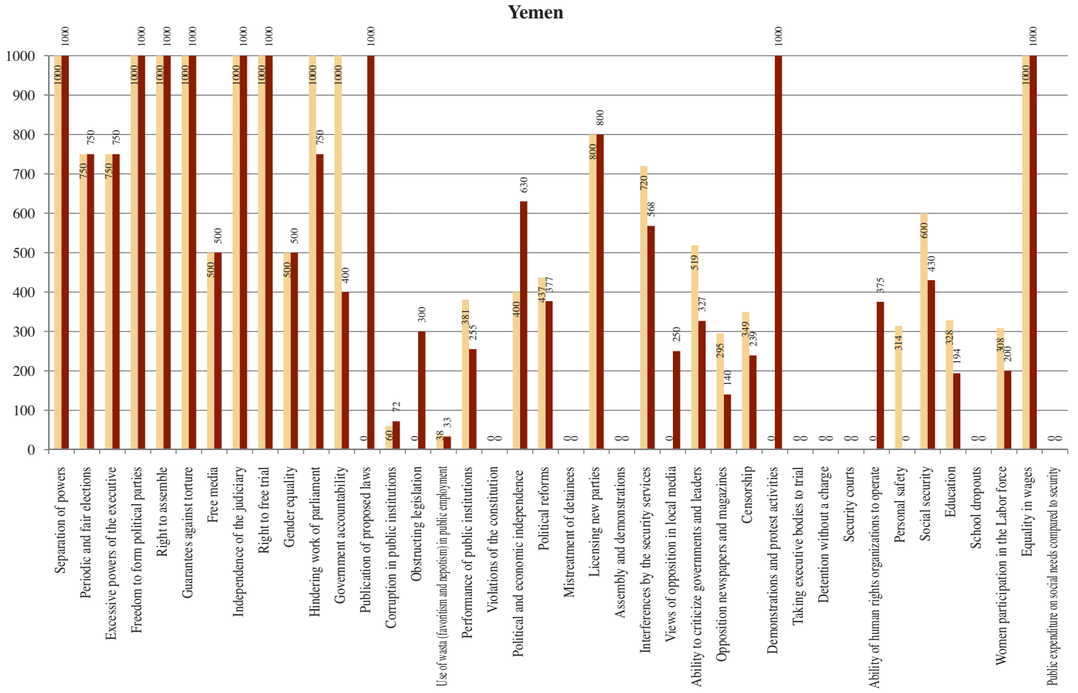

Figure 2-37: Yemen's Comparative Scores for Individual Indicators for 2008 and 2009

having scored higher than the average in the previous survey), equality and social justice (where it ranked last), and the rule of law (where it also ranked last).

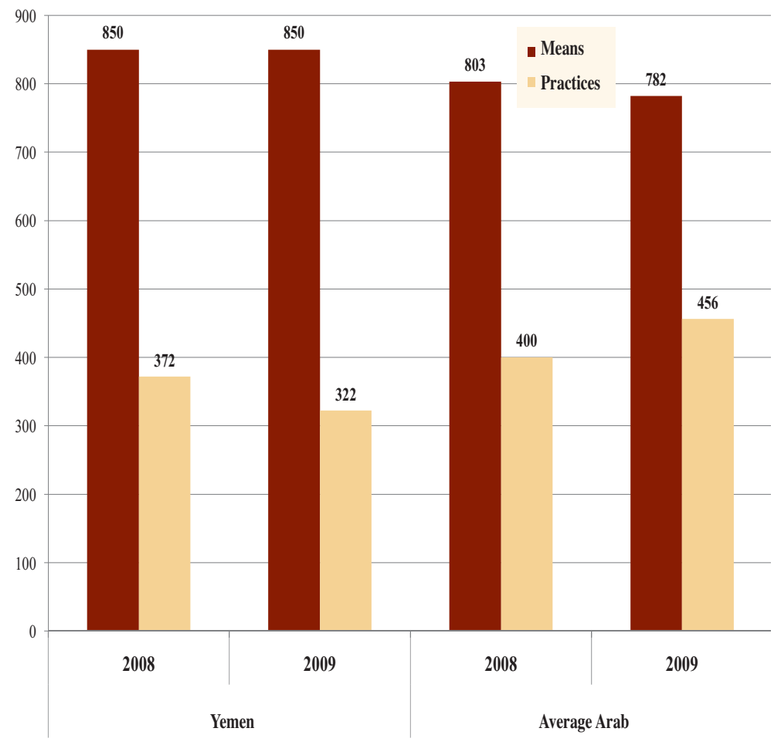

Figure 2-38: Yemen's Sub-Index According to Type, Compared to the Average Scores of the Arab Sub-Index

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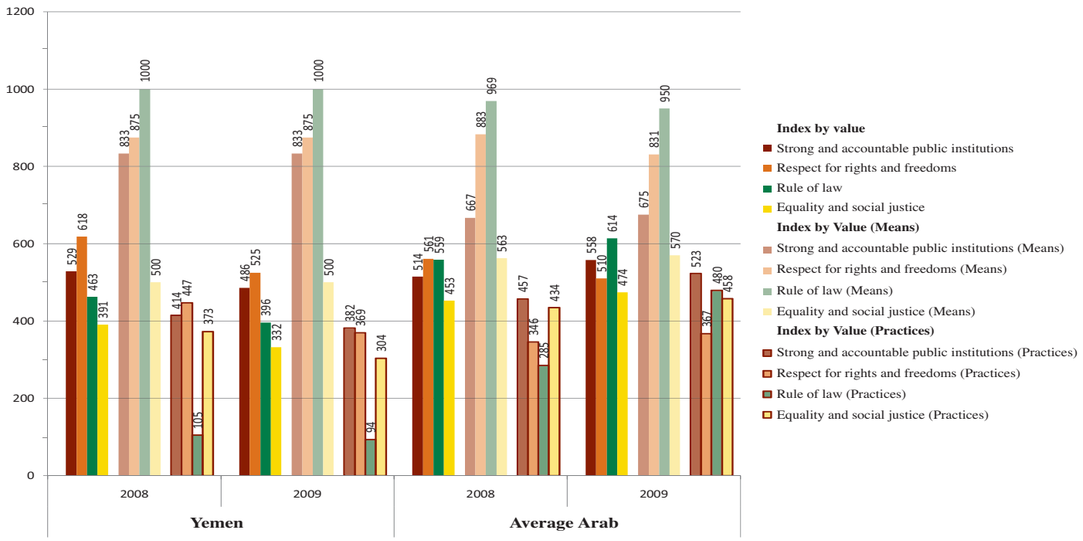

Figure 2-39: Yemen's Comparative Sub-Index According to Democratic Principles (Values) Compared to the Average Scores of the Arab Sub-Index

Of note is the gap between the average scores of the indicators related to practices (94) compared to those related to means (1,000) in the sub-index for the rule of law, as Figure 2-39 shows. It is also noteworthy that in Yemen the scores for all sub-indicators relevant to practices fell. The link between this fall and the country's current state of instability calls for further investigation.

Individual Indicators

Indicator 1: The separation of powers

Indicator's details: 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.

Average Score	Jordan	Algeria	Saudi Arabia	Syria	Palestine	Kuwait	Lebanon	Egypt	Morocco	Yemen	Country Year
813	750	750	0	--	1000	--	1000	1000	1000	1000	2008
825	750	750	0	750	1000	1000	1000	1000	1000	1000	2009

- 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 Council of the Nation's members.
- 250 points were deducted from Syria's score due to the absence of constitutional or legal provisions by which the Parliament is required to pass a vote of confidence in the government.

Indicator 2: Periodic and fair elections

Indicator's details: 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.

Average Score	Jordan	Algeria	Saudi Arabia	Syria	Palestine	Kuwait	Lebanon	Egypt	Morocco	Yemen	Country Year
657	438	500	250	--	1000	--	750	815	750	750	2008
650	438	500	250	625	1000	625	750	815	750	750	2009

- 562 points were deducted from Jordan's score for three reasons: the fact that the executive authority has the power to postpone local elections for six months; the absence of limitations on election finance; and the absence of an independent body for monitoring elections.
- 500 points were deducted from Algeria's score for two reasons: restrictions in the constitution and the election law on eligibility to the position of President of the Republic requiring that candidates prove that they participated in the 1954 revolution for independence or that neither of their parents were involved in anti-revolutionary activities; secondly, because of the non-existence of an independent election monitoring body.
- 750 points were deducted from Saudi Arabia's score because the Shoura Council is not elected, because of the absence of an independent election monitoring body and the absence of legal limitations on (or legislation regulating) electoral campaigns' budgets.
- 375 points were deducted from Syria's score due to the absence of legislation (texts) establishing an independent election monitoring body and guaranteeing equal access to official media for all parties and candidates.
- 375 points were deducted from Kuwait's score due to the absence of an independent election monitoring body, the absence of legal provisions limiting electoral campaign budgets and the absence of guarantees for equal access to official media for all candidates in the election law.
- 250 points were deducted each from the scores of Lebanon and Morocco due to the absence of legal provisions for an independent election monitoring body.
- 185 points were deducted from Egypt's score for the absence of limitations on spending on parliamentary election campaigns (or budget?), for the absence of legal guarantees for equal access to official media for all candidates to Parliament or the Presidency.

anl/rep10 ang 3/16/10 8:48 PM Page 54

- 250 points were deducted from Yemen's score due to the absence of legal provisions setting limitations on electoral campaign budgets and the absence of regulations for candidates' access to official media.

Indicator 3: Excessive powers of the executive

Indicator's details: 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.

Average Score	Jordan	Algeria	Saudi Arabia	Syria	Palestine	Kuwait	Lebanon	Egypt	Morocco	Yemen	Country Year
531	250	500	0	--	1000	--	500	750	500	750	2008
550	250	500	0	500	1000	750	500	750	500	750	2009

Indicator 4: Freedom to form political parties

Indicator's details: Presence of constitutional or legal guarantees ensuring the right to form political parties.

Average Score	Jordan	Algeria	Saudi Arabia	Syria	Palestine	Kuwait	Lebanon	Egypt	Morocco	Yemen	Country Year
813	1000	1000	0	--	500	--	1000	1000	1000	1000	2008
650	1000	1000	0	0	500	0	1000	1000	1000	1000	2009

- 500 points were deducted from Palestine's score due to the absence a political parties law.

Indicator 5: Right of assembly

Indicator's details: Presence of constitutional or legal guarantees ensuring the right of assembly and peaceful demonstrations.

Average Score	Jordan	Algeria	Saudi Arabia	Syria	Palestine	Kuwait	Lebanon	Egypt	Morocco	Yemen	Country Year
875	1000	1000	0	--	1000	--	1000	1000	1000	1000	2008
850	1000	1000	0	500	1000	1000	1000	1000	1000	1000	2009

- 500 points were deducted from Syria's score due to the presence within the law on printed material of a provision granting the government the right to refuse authorization for reasons deemed justified.

Indicator 6: Guarantees against torture

Indicator's details: Presence of constitutional or legal guarantees banning the use of torture.

Average Score	Jordan	Algeria	Saudi Arabia	Syria	Palestine	Kuwait	Lebanon	Egypt	Morocco	Yemen	Country Year
1000	1000	1000	1000	--	1000	--	1000	1000	1000	1000	2008
1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	2009

Indicator 7: Freedom of the media

Indicator's details: 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 impossible or very difficult basic, financial or bureaucratic conditions.

Average Score	Jordan	Algeria	Saudi Arabia	Syria	Palestine	Kuwait	Lebanon	Egypt	Morocco	Yemen	Country Year
844	750	1000	1000	--	500	--	1000	1000	1000	500	2008
825	750	1000	1000	500	500	1000	1000	1000	1000	500	2009

- 500 points were deducted from Palestine's score due to the restrictions introduced by law dated 4/9/2006 granting the government the right to deliver licences to television and radio networks.
- 250 points were deducted from Jordan's score due to a legal provision granting the government the right to refuse a licence to television and radio networks without justification.

Indicator 8: Independence of the judiciary

Indicator's details: 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.

Average Score	Jordan	Algeria	Saudi Arabia	Syria	Palestine	Kuwait	Lebanon	Egypt	Morocco	Yemen	Country Year
1000	1000	1000	1000	--	1000	--	1000	1000	1000	1000	2008
1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	2009

Indicator 9: Right to a fair trial

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

Average Score	Jordan	Algeria	Saudi Arabia	Syria	Palestine	Kuwait	Lebanon	Egypt	Morocco	Yemen	Country Year
938	1000	1000	1000	--	1000	--	500	1000	1000	1000	2008
900	1000	1000	1000	500	1000	1000	500	1000	1000	1000	2009

- 500 points were deducted from Syria's score due to the primacy of the emergency law over all other laws which allows for the use of security courts and grants the President of the Republic the right to suspend a trial.
- 500 points were deducted from Lebanon's score due to a lack of clarity in legal provisions concerning the right to a fair trial and the principle of presumption of innocence until proven otherwise.

Average Score	Jordan	Algeria	Saudi Arabia	Syria	Palestine	Kuwait	Lebanon	Egypt	Morocco	Yemen	Country Year
938	1000	1000	1000	--	1000	--	500	1000	1000	1000	2008
900	1000	1000	1000	500	1000	1000	500	1000	1000	1000	2009

Indicator 10: Gender equality

Indicator's details: Presence of constitutional or legal guarantees regarding gender equality.

Average Score	Jordan	Algeria	Saudi Arabia	Syria	Palestine	Kuwait	Lebanon	Egypt	Morocco	Yemen	Country Year
563	500	700	0	--	700	--	500	700	900	500	2008
570	500	700	0	700	700	500	500	700	900	500	2009

- 100 points were deducted from Morocco's score due to the inequality in inheritance rights between men and women.
- 300 points were deducted from the scores of Algeria, Syria, Palestine and Egypt due to the inequality of rights between men and women in inheritance and divorce.
- 500 points were deducted from the scores of Jordan, Kuwait, Lebanon and Yemen due to the inequality in rights between men and women in inheritance, divorce, and the right of women married to foreigners to grant their citizenship to their children.

Indicator 11: The obstruction of parliament's work by the executive authority

Indicator's details: 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.

Average Score	Jordan	Algeria	Saudi Arabia	Syria	Palestine	Kuwait	Lebanon	Egypt	Morocco	Yemen	Country Year
750	750	1000	250	--	750	--	750	500	1000	1000	2008
625	750	1000	0	750	500	250	1000	1000	500	750	2009

- An expert's opinion was relied upon in Jordan.
- 250 points were deducted from Saudi Arabia's score due to the government's decision to postpone local elections for two years.
- Palestine's score was reduced due to the failure to hold local elections initially scheduled for late 2008.
- Morocco's score was reduced due to the Minister of Interior's decision to dismiss three presidents of local councils.
- Yemen's score was reduced due to the executive authority's obstruction of the elected local councils' work through controlling the funds collected by the Ministry of Finance at the central level for the benefit of the local councils.

Indicator 12: Government accountability

Indicator's details: 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.

Average Score	Jordan	Algeria	Saudi Arabia	Syria	Palestine	Kuwait	Lebanon	Egypt	Morocco	Yemen	Country Year
580	1000	220	0	--	100	--	320	1000	1000	1000	2008
485	272	505	200	1000	0	461	9	1000	1000	400	2009

- Palestine's score was zero because the current legislative council failed to fulfil its role in holding the government accountable as a result of the continued conflict between the two main parliamentary blocs (Fatah and Hamas) and the PLC's failure to hold a session.
- The scores of Jordan, Lebanon and Yemen were substantially reduced due to the scarce use by parliament of existing monitoring mechanisms to control the executive authority, while the score of Algeria was increased due to the high number of questions (a total of 505) filed by members of parliament to question members of the executive authority.

Indicator 13: Publication of draft laws

Indicator's details: Publication of information on the existence and the content of a public debate around laws or amendments of laws in preparation such as the publication of draft laws, press information about workshops for discussing draft laws or opinion editorials discussing a draft law.

Average Score	Jordan	Algeria	Saudi Arabia	Syria	Palestine	Kuwait	Lebanon	Egypt	Morocco	Yemen	Country Year
--	--	--	--	--	--	--	--	--	--	--	2008
910	1000	1000	100	1000	1000	1000	1000	1000	1000	1000	2009

- This indicator was suspended in the previous survey due to a lack of information from most countries.

Indicator 14: Corruption in public institutions

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

Average Score	Jordan	Algeria	Saudi Arabia	Syria	Palestine	Kuwait	Lebanon	Egypt	Morocco	Yemen	Country Year
130	277	94	402	--	80	--	45	0	85	60	2008
300	410	154	711	0	235	706	233	316	167	72	2009

- The opinion poll was replaced with focus groups in the case of Syria.
- Regarding the second part, i.e., corruption cases referred to the law, no information was available from Lebanon only.

Indicator 15: Obstruction of the work of parliament

Indicator's details: Number of cases in which the executive authority sought to obstruct legislative work, such as: not issuing and publishing laws approved by the legislative bodies; attempting to void laws of their content by issuing executive orders that contradict their provisions; non-attendance by ministers of parliamentary sessions dedicated to questioning the government; interference of the executive authority to ban MPs from attending parliament sessions or banning the media from broadcasting parliament's debates.

Average Score	Jordan	Algeria	Saudi Arabia	Syria	Palestine	Kuwait	Lebanon	Egypt	Morocco	Yemen	Country Year
--	--	--	--	--	--	--	--	--	--	--	2008
763	1000	800	--	1000	--	0	1000	1000	1000	300	2009

- This indicator was suspended in the previous survey due to lack of information.
- This indicator was suspended in the case of Palestine because the legislative council is not functioning.
- The indicator was suspended in the case of Saudi Arabia due to the absence of a parliament and the lack of separation of executive and legislative branches of power.

Indicator 16: Use of *wasta* (favoritism) in public employment

Indicator's details: The people's perception regarding the use of *wasta* in public sector employment (includes government administration and institutions financed by the state such as parliament, the presidency or local authorities).

Average Score	Jordan	Algeria	Saudi Arabia	Syria	Palestine	Kuwait	Lebanon	Egypt	Morocco	Yemen	Country Year
47	21	24	145	--	61	--	28	--	10	38	2008
67	36	21	182	0	42	219	12	72	56	33	2009

- Variations in this indicator have no statistical impact.
- Focus groups substituted for the opinion poll in the case of Syria.

Indicator 17: Performance of public institutions

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

Average Score	Jordan	Algeria	Saudi Arabia	Syria	Palestine	Kuwait	Lebanon	Egypt	Morocco	Yemen	Country Year
488	659	352	848	--	488	--	304	--	385	381	2008
370	556	266	275	330	460	256	307	674	319	255	2009

- Focus groups substituted for the opinion poll in the case of Syria.

Indicator 18: Violations of the constitution

Indicator's details: Number of cases in which the constitution was violated, and other equivalent violations by the executive authority.

Average Score	Jordan	Algeria	Saudi Arabia	Syria	Palestine	Kuwait	Lebanon	Egypt	Morocco	Yemen	Country Year
429	1000	250	1000	--	0	--	--	0	750	0	2008
500	1000	0	1000	1000	250	1000	0	0	750	0	2009

- The opinion of an expert was used in Lebanon, Syria and Kuwait.

anl/rep10 ang 3/16/10 8:48 PM Page 58

Indicator 19: **Political and economic independence**

Indicator's details: 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.

Average Score	Jordan	Algeria	Saudi Arabia	Syria	Palestine	Kuwait	Lebanon	Egypt	Morocco	Yemen	Country Year
698	783	700	700	--	300	--	945	760	1000	400	2008
648	773	700	700	656	300	300	984	736	700	630	2009

- 300 points were deducted from Morocco's score due to the state budget's reliance on foreign support (21% of public income is dependent on foreign aid) whereas the budget for 2006 (used in the previous report) did not rely on any foreign aid.
- In the case of Yemen the source used to build this indicator changed compared to the previous report. Therefore the increase by 230 points should take into consideration that new data was available (while the previous calculation relied on an expert's opinion, the present calculation relied on data from the Central Bureau of Statistics).

Indicator 20: **Political reforms**

Indicator's details: 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.

Average Score	Jordan	Algeria	Saudi Arabia	Syria	Palestine	Kuwait	Lebanon	Egypt	Morocco	Yemen	Country Year
537	749	400	867	--	528	--	343	--	433	437	2008
537	814	570	567	500	511	591	378	572	485	377	2009

- Focus groups substituted for the opinion poll in the case of Syria.

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

Indicator's details: Number of torture or death cases involving detainees during their detention period or disappearances.

Average Score	Jordan	Algeria	Saudi Arabia	Syria	Palestine	Kuwait	Lebanon	Egypt	Morocco	Yemen	Country Year
29	200	--	0	--	0	--	0	0	0	0	2008
0	0	0	0	0	0	0	0	0	0	0	2009

- In the case of Algeria, documented cases of missing persons remain unchanged from the previous report.

Indicator 22: **Obstruction of the activities of political parties**

Indicator's details: 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 means.

Average Score	Jordan	Algeria	Saudi Arabia	Syria	Palestine	Kuwait	Lebanon	Egypt	Morocco	Yemen	Country Year
463	800	500	0	--	0	--	1000	0	600	800	2008
380	1000	1000	0	0	0	0	1000	0	0	800	2009

- The opinion of an expert was used in Saudi Arabia and Algeria.
- All points were deducted from the scores of Morocco due to the detention of political activists, of Palestine for the Ministry of Interior's refusal to consider requests for licences for new political parties, from Egypt for freezing /suspending three political parties, and for Saudi Arabia, Kuwait and Syria for not allowing political parties to operate.

Indicator 23: **Suppression of protests and demonstrations**

Indicator's details: Cases of suppressing protest activities (demonstrations, public gatherings, sit-ins, etc…).

Average Score	Jordan	Algeria	Saudi Arabia	Syria	Palestine	Kuwait	Lebanon	Egypt	Morocco	Yemen	Country Year
--	--	--	--	--	--	--	--	--	--	--	2008
210	0	0	0	800	0	500	800	0	0	0	2009

- This indicator was suspended in the previous report.
- 500 points were deducted from Kuwait's score for suppressing demonstrations by foreign workers.

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

Indicator's details: Number of cases in which a citizen putting in a request for a license or government documentation is asked to seek the approval of the security services first, obtain a certificate of good conduct or non-objection from them before taking a job.

Average Score	Jordan	Algeria	Saudi Arabia	Syria	Palestine	Kuwait	Lebanon	Egypt	Morocco	Yemen	Country Year
601	585	695	377	--	732	--	625	800	273	720	2008
544	507	900	363	183	335	412	742	718	711	568	2009

- Focus groups substituted for the opinion poll in the case of Syria.
- No information other than the opinion poll was available in Kuwait and Yemen.
- An expert's opinion was relied upon for the first part of the question in the cases of Algeria, Saudi Arabia and Syria.
- The score for Palestine was reduced compared to last year due to the change in the data sources (the previous score was based exclusively on the opinion poll) and secondly due to the increase in the role of the security agencies as a result of the conflict between Fatah and Hamas.
- Morocco's score rose significantly this year due to the change in the data sources. The score in the previous report was based exclusively on the opinion poll whereas it is also based in this report on field survey to investigate the frequency of requests for clearance from the security sector (this part of the indicator scored 450 points out of 500); the opinion poll also confirmed a decrease in the number of those polled who said they were required to seek clearance from security from 67.8% to 39.2%, while the number of those who said they were not required to seek clearance increased from 22.4% to 44.6%.
- The score for Algeria rose by 205 points in this report due to the change in the data sources and also because the question asked in the public opinion survey covered the second part of the indicator only; the first part was left out.
- Lebanon's score rose by 117 points because the first part of the indicator scored 500 points (namely the part related to information concerning the requirement to seek clearance or approval from the security agencies in order to obtain a document or take a job). The previous report relied on the opinion poll only as in the case of Morocco.
- Egypt's score dropped by 82 points in this report. Variation is estimated to result from the fact that the score in the previous report was based on the first part of the indicator only and because the opinion poll was not conducted for the previous report.

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

Indicator's details: Citizens' belief that the government withholds important, sensitive news and conceals information on the activities and stances of opposition in the daily press.

anl/rep10 ang 3/16/10 8:48 PM Page 60

Average Score	Jordan	Algeria	Saudi Arabia	Syria	Palestine	Kuwait	Lebanon	Egypt	Morocco	Yemen	Country / Year
--	--	--	--	--	--	--	--	--	--	--	2008
414	546	452	378	120	381	473	577	626	333	250	2009

- The scores for all countries were suspended in the previous report for lack of reliable information.
- Focus groups substituted for the opinion poll in the case of Syria.

Indicator 26: **Criticism of the authorities**

Indicator's details: The people's assessment of the citizen's ability to criticise the government and leaders without fear.

Average Score	Jordan	Algeria	Saudi Arabia	Syria	Palestine	Kuwait	Lebanon	Egypt	Morocco	Yemen	Country / Year
515	411	448	420	--	502	--	698	--	606	519	2008
439	446	462	386	150	357	697	725	318	517	327	2009

- Focus groups substituted for the opinion poll in the case of Syria.
- There is a noticeable drop in the scores of Palestine and Yemen who are both undergoing a period of internal strife, and a rise in Lebanon's score due to the positive prospects for an end to the political crisis at the time of the opinion poll.

Indicator 27: **Opposition newspapers and magazines**

Indicator's details: Number of opposition newspapers and magazines compared to the total number of newspapers and magazines.

Average Score	Jordan	Algeria	Saudi Arabia	Syria	Palestine	Kuwait	Lebanon	Egypt	Morocco	Yemen	Country / Year
180	352	0	0	--	560	--	150	50	30	295	2008
236	460	0	0	0	462	500	500	100	200	140	2009

- The opinion of an expert was used in Syria, Saudi Arabia and Kuwait.
- Information was available on newspapers only (not magazines) in the cases of Lebanon, Yemen, Morocco, Egypt, Algeria and Jordan.

Indicator 28: **Censorship of publications and internet sites**

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

Average Score	Jordan	Algeria	Saudi Arabia	Syria	Palestine	Kuwait	Lebanon	Egypt	Morocco	Yemen	Country / Year
290	229	274	308	--	436	--	414	0	309	349	2008
310	339	247	430	0	365	357	364	264	495	239	2009

- Focus groups substituted for the opinion poll in the case of Syria.
- No information was available for Saudi Arabia regarding the second part of this indicator (based on available data); the indicator was therefore based entirely on the opinion poll.
- The opinion of an expert was used in Algeria for the second part of the indicator.

Indicator 29: **Ability to organise protest activities**

Indicator's details: Number of demonstrations organised by individuals, labour and professional unions, political parties and human rights organisations.

- The content of the indicator was modified compared to the previous report as the sources of

Average Score	Jordan	Algeria	Saudi Arabia	Syria	Palestine	Kuwait	Lebanon	Egypt	Morocco	Yemen	Country / Year
--	--	--	--	--	--	--	--	--	--	--	2008
775	1000	1000	0	50	1000	700	1000	1000	1000	1000	2009

information and the issues surveyed changed. In the 2008 edition, the indicator was based on mapping the number of demonstrations and protest activities (part 1 of the indicator) and participation through the opinion polls (part 2 of the indicator), while in this edition, the indicator surveyed only the number of demonstrations and protest activities.

Indicator 30: **Prosecution of the executive authorities**

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

Average Score	Jordan	Algeria	Saudi Arabia	Syria	Palestine	Kuwait	Lebanon	Egypt	Morocco	Yemen	Country / Year
--	--	--	--	--	--	--	--	--	--	--	2008
892	1000	25	1000	1000	1000	1000	1000	1000	1000	--	2009

- This indicator was suspended in the previous survey.
- No information was available from Yemen.

Indicator 31: **Detention without a charge**

Average Score	Jordan	Algeria	Saudi Arabia	Syria	Palestine	Kuwait	Lebanon	Egypt	Morocco	Yemen	Country / Year
93	500	0	0	--	0	--	0	150	--	0	2008
238	0	940	0	0	0	0	0	440	1000	0	2009

Indicator's details: Number of detainees jailed without trial.

- The opinion of an expert was used in Morocco as well as reports of local human rights organizations.
- The source of information for Algeria changed in this edition. Whereas the opinion of an expert was relied upon in the previous edition, data from Amnesty International was used here.

Indicator 32: **Security courts**

Indicator's details: Number of cases in which civilians were tried in state security courts, in military

Average Score	Jordan	Algeria	Saudi Arabia	Syria	Palestine	Kuwait	Lebanon	Egypt	Morocco	Yemen	Country / Year
429	0	1000	--	--	1000	--	0	0	1000	0	2008
400	0	1000	1000	0	0	1000	0	0	1000	0	2009

courts, or the like.

- The opinion of an expert was used in Algeria.
- The score for Morocco was revised in this edition to integrate new information related to the nature and prerogatives of the tribunal of Salé (specialized in the trials of members of Islamists groups).
- The score for Palestine dropped from 1000 to zero due to the resumption of the practice of trying civilians in military courts following the President's issuing of a decree legalizing this practice again in light of the conflict with Hamas.

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

Indicator's details: Presence of local and international human rights organizations and their ability to work freely.

anl/rep10 ang 3/16/10 8:48 PM Page 62

Average Score	Jordan	Algeria	Saudi Arabia	Syria	Palestine	Kuwait	Lebanon	Egypt	Morocco	Yemen	Country Year
--	--	--	--	--	--	--	--	--	--	--	2008
494	685	350	300	0	750	500	1000	330	650	375	2009

- The method for calculating this indicator was changed compared to the previous edition. Comparison with the 2008 figures is therefore not relevant
- The opinion of an expert was relied upon in addition to data from local human rights organizations in the cases of Saudi Arabia, Morocco and Syria.

Indicator 34: Personal safety

Indicator's details: 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.

Average Score	Jordan	Algeria	Saudi Arabia	Syria	Palestine	Kuwait	Lebanon	Egypt	Morocco	Yemen	Country Year
335	888	22	964	--	0	--	0	--	156	314	2008
374	946	618	762	700	0	598	0	116	0	0	2009

- Focus groups substituted for the opinion poll in Syria.
- The rise in Algeria's score is due to a change in policies leading to a reduction in the level of violence, including the national reconciliation measures and the declaration by leaders of key armed groups to give up violence.
- The score for Yemen dropped due to the dire security situation that prevails since the year 2008.

Indicator 35: Social security

Indicator's details: Rate of participation in the social security system to earn a pension in all employment sectors (public, private and non-profit).

Average Score	Jordan	Algeria	Saudi Arabia	Syria	Palestine	Kuwait	Lebanon	Egypt	Morocco	Yemen	Country Year
540	764	--	620	--	487	--	450	650	210	600	2008
507	771	640	554	620	426	528	260	608	230	430	2009

- An expert's opinion was relied upon for Algeria and Lebanon.
- The data is based on the opinion poll in the five cases of Saudi Arabia, Kuwait, Palestine, Egypt and Yemen.

Indicator 36: Education

Indicator's details: Illiteracy levels among men and women, and ratio of university graduates based on gender.

Average Score	Jordan	Algeria	Saudi Arabia	Syria	Palestine	Kuwait	Lebanon	Egypt	Morocco	Yemen	Country Year
389	427	404	328	--	464	--	404	325	429	328	2008
394	493	439	428	281	429	533	506	451	185	194	2009

Indicator 37: School drop-outs

Indicator's details: Drop-out rates.

- The score for Egypt rose from 152 to 526 due to the decrease in the percentage of drop-outs from schools from 4.24% to 2.37% according to data from the statistics yearbook of the Central Bureau of Statistics for 2008.

Average Score	Jordan	Algeria	Saudi Arabia	Syria	Palestine	Kuwait	Lebanon	Egypt	Morocco	Yemen	Country Year
324	800	200	600	--	840	--	0	152	0	0	2008
363	920	200	600	540	840	0	0	526	0	0	2009

- Similarly, the same score rose for Jordan from 800 to 920 due to a decrease in the percentage of drop-out from 1% to 0.4% in 2008 according to the Ministry of Education's website.
- The same score as 2008 was used for Saudi Arabia due to the unavailability of data for this period.
- It should be noted that variations in this indicator are minimal. The team took Egypt and Jordan as test cases and found that the scores do not reflect any fundamental change in the state of education in either of the two countries.

Indicator 38: Participation of women in the labour force

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

Average Score	Jordan	Algeria	Saudi Arabia	Syria	Palestine	Kuwait	Lebanon	Egypt	Morocco	Yemen	Country Year
663	758	493	516	--	553	--	1000	774	900	308	2008
618	513	567	473	533	490	1000	703	800	903	200	2009

- Data for Algeria was drawn from the Ministry of Family and Women's Issues while in the previous report it was based on the opinion of an expert.
- Data for Saudi Arabia and Jordan was drawn from the general statistics unit of each country and the public bureau of statistics and information. For Lebanon, the source changed from the International Labour Organization for the first report to the UNDP for the current report; similarly for Yemen, the second annual report of the Yemeni human rights monitoring organization was used for the previous report while this edition relied on the Central Bureau of Statistics.
- In this report, the scores dropped for Jordan (down to 245 points), Saudi Arabia (43 points), Palestine (63 points), Lebanon (297 points) and Yemen (108 points) compared to the scores in the previous report. This drop is unusually high and is probably due to the impact of the economic crisis and the fragility of women's status in the labour market.

Indicator 39: Equality in wages

Indicator's details: Equal wages for men and women.

Average Score	Jordan	Algeria	Saudi Arabia	Syria	Palestine	Kuwait	Lebanon	Egypt	Morocco	Yemen	Country Year
691	310	650	1000	--	919	--	309	--	650	1000	2008
830	856	495	1000	1000	908	664	969	757	650	1000	2009

- Jordan's score rose significantly (by 546 points) due to the change in the source of data (the previous report relied on the UNDP report for 2006 which measures income as a percentage of domestic product while the current edition uses data from the Jordanian public statistics unit).
- Lebanon's score rose (by 660 points) due to change in the source (the previous edition used data from the UNDP report of 2006 while the current edition relied on data from the World Bank report of April 2009).
- Algeria's score dropped (by 155 points) also due to a change in the source (the previous edition relied on the opinion of an expert while the current edition draws information from the UNDP Human Development report of 2008).
- The same scores from the previous edition were used in the current edition for Morocco and Yemen due to the unavailability of new data.

Indicator 40: Public expenditure on social needs compared to security

Indicator's details: Government expenditure on the health and education sectors, compared to expenditures on security related matters.

Average Score	Jordan	Algeria	Saudi Arabia	Syria	Palestine	Kuwait	Lebanon	Egypt	Morocco	Yemen	Country Year
691	310	650	1000	--	919	--	309	--	650	1000	2008
830	856	495	1000	1000	908	664	969	757	650	1000	2009

anl/rep10 ang 3/16/10 8:48 PM Page 64

The Security-Democracy Nexus, or the Negative Link between Insecurity and Regression in Democracy

Bassma Kodmani*

When examining the link between the security environment and the democratic transition process, it is fairly easy to assume that when a country is exposed to insecurity, it witnesses a general regression in reforms. The current edition of the Arab Democracy Index illustrates this correlation with clarity in two cases out of the ten countries surveyed, namely Palestine and Yemen, in which a context of increased insecurity over the year 2009 translated into clear negative outcomes in the area of democratic reforms. These two cases will be examined in some detail here.

The inverse proposition, namely that a stable regional environment - perceived or real - is conducive to progress in democratic reforms is more debatable. In Morocco for example, progress in democratic openings was explained (retroactively) by two decades of unprecedented stability. After years of fighting the Polisario movement supported by Algeria in the Western Sahara, the Moroccan monarchy had initiated ambitious development plans and succeeded in stabilizing the region. Morocco had no imminent threats at its borders for the following 20 years. Observers believe this was a key factor in the monarch's decision to launch sweeping political changes in the late 1990s.

This is more difficult to ascertain for countries which enjoyed some stability over a shorter period of time. Egypt and Algeria witnessed a relatively more stable security environment in the period 2008-2009 covered by this report, with fewer terrorist attacks on their territories. The slightly improved performance of Algeria according to the country index compared to 2008 is not necessarily a result of improved governance and democratic practices so much as of a more effective data collection process. The same is true in Egypt, where the country index's signs of improvement do not necessarily reflect actual changes in practices. In one critical area, the government has not reduced its high level of spending on the security sector (the crisis at its border with Gaza is probably an important factor), but the huge needs in health and education which have been identified as sources of serious human insecurity by development agencies, are not seen as justifying a redistribution of public spending. Hence, the evidence is insufficient to allow for stating that increased stability over a short period of time leads to progress in democratic change.

Other countries such as Syria continue to lag behind in terms of political openings. While its leadership justifies delaying political openings and significant reforms by referring to the state of war with Israel as a permanent latent threat, the report could not verify the correlation in this case. First, Syria is covered for the first time this year which does not provide the scope for comparison. Second, Syria has been in a formal state of war with Israel for the last sixty years during which there were periods of relative openings and others of harsh repression which had little to do with the level of tension with Israel.

Palestine

In the period 2008-2009 covered in this report, the impact of the internal conflict has affected the overall country index, although the split between the West Bank and Gaza and the deepening discrepancy between the two parts of Palestine is a feature that indicators cannot reflect fully.

The general regression in the democratic process is most salient in the areas of freedoms and the rule of law, which holds for both territories. Examples are the increased number of detentions without trial, the hindering of activities by political parties, the restrictions on the capacity to criticize the government (both of the PA in the West Bank and of the Hamas government in Gaza), and on the freedom to organize demonstrations. Censorship increased in both territories as did the cases of intervention of the security forces in areas where it has no legitimate reasons for doing so.

Regarding the rule of law, regression appears in two main areas: arbitrary arrests and detentions without trial or trials of civilians before security courts, which have grown in an alarming way and are a direct result of the split between Hamas and Fatah.

In the area of social justice, the correlation is less easy to trace except in the area of public spending on education where the comparison with 2008 shows that the budget for the security sector has increased in 2009 to the detriment of education.

One major discrepancy between the West bank and Gaza is in the area of the performance of public institutions. One trend that the indicators show and which requires an explanation is the strengthening of public institutions in 2009. There was indeed a better performance of public institutions due to two different sets of factors, one technical and the other relating to actual change on the ground. On the technical side, the institutions monitored in the report are those of the West Bank only. In fact, 40% of the indicators for this report were built on data from the West Bank only (see the chapter on findings by country and the country analysis on Palestine). If Gaza had been included, it is likely that we would have seen a regression in the areas of accountability and efficiency. On the content side, there was indeed significant improvement in the government of Prime Minister Salam Fayyad. Evaluation of performance by the public was significantly better and perceptions of corruption went down. Thus while the overall figure for Palestine is lower in 2009, there is an exception in the area of public institutions.

The link between specific events and regression of certain indicators

Through a careful monitoring of the situation on the ground, some specific events can be considered as having had a direct impact on the indicators. One such event was the clashes between the security forces of Fatah and Hamas in the town of Qalqilya in early 2009. Fatah saw these clashes as representing a real threat to its authority and the PA resorted to measures that violated the laws, with the targeted killing of three Hamas militants.

In Gaza, such violations were much more frequent, particularly when Hamas confronted some of the extremist groups but also as it used arms against civil society organizations, exerted pressure on women in schools, universities, markets and other public places, and undertook a series of repressive measures against members of Fatah. These violations could not be documented but it is safe to say that if Gaza had been covered effectively, the overall picture would have been more negative.

Concerning the West Bank, regressions in democratic practices resulted mainly from measures taken by the PA. The Authority closed a number of civil society organizations accused of being affiliated with Hamas and pressured partisan (especially Hamas) media. This appears clearly in the quantitative measuring of the indicators (although the indicators are not able to show for example if the media exercised self-censorship).

Has internal conflict resulted in a loss of independence from outside support or interference from outside players?

The case of Palestine is special as it is not a sovereign entity and relies entirely on foreign aid for its survival. In this context, we can only speak of reduced or increased dependence. But while in the nineties the Palestinian Authority had started to acquire some elements of statehood by developing its political institutions, its administration, its own security forces and the economy had begun to function with the participation of a dynamic private sector, all of this regressed after the start of the intifada in 2000 and the tighter restrictions introduced by Israel. Hence the regression was already measured in the 2008 report and this trend has only increased over the last year. Two years ago, the international community was boycotting

* This paper was written with the contribution of Khalil Shikaki and Mohamed Mikhlafi.

anl/rep10 ang 3/16/10 8:48 PM Page 66

the Palestinian Authority and had withdrawn aid, causing enormous strain on the society. With the appointment of Salam Fayyad as prime minister in 2007, foreign trust in the PA gradually returned; international aid was increased in a spectacular way and reliance on outside support grew tremendously. But this support was gained at a high cost for the democratic process, namely the ousting of Hamas from the West Bank and the prolonged split in two of the Palestinian society.

The inability of the Palestinian Legislative Council to meet and the delay in the elections are not, on the surface, a result of outside intervention. However it is obvious to all analysts that there is a decisive though hidden role of the outside players (Israel, the US and Europe): the delay in holding elections over the last two years, for example, is largely the result of the United States policy (the White House and Congress) of actively discouraging the Palestinian president Mahmoud Abbas from calling elections because they were opposed to Hamas's participation. It would be inaccurate however to blame the political deadlock entirely on outside parties; the internal feud between Hamas and Fatah should not be under-estimated and it is a fact that Hamas itself was opposed to holding elections at that time.

The combination of the internal divisions between Fatah and Hamas, and the fact that Palestine is subject to direct outside interference because it is not a state, drove the outside parties to become very negative on the democratic process and contributed to the serious setback in democracy-building.

Of all sectors, the security sector in Palestine was most strongly affected by the negative spiral of internal political conflict, regression of democracy, and increased outside interference. Security agencies of the Palestinian Authority saw an increase of direct outside intervention in response to the internal conflict, through enhanced financial support, training, equipment and sharing of intelligence. When assessing the impact of this foreign role on the professionalization and the democratization of the sector, we see that it had both positive and of negative effects. On the positive side, the US role through the Dayton mission resulted in significant improvements in the performance of the security sector over the last year. The training of the national security (*amn watani*) in particular included laying off old leaders, bringing in new non- partisan elements and providing them with professional training, mostly in Jordan. The result is that this force was brought up to the level of a pre-army with members behaving like serious professionals and where the factionalism that plagued it since its formation has been almost eliminated. One sign of improvement is that the national security force was not involved in any arbitrary arrests, interrogations, or other bad practices.

On the negative side however, the other PA security agencies (intelligence and preventive security) resorted to arbitrary detentions and mistreatment of detainees including torture with the full knowledge of and alleged encouragements from foreign intelligence agencies such as the CIA. It can thus be said that the outside players had a negative impact on the democratization of the security sector, because their priority was efficiency (mainly defined by Israel's security needs) rather than security sector reform of the kind that is implemented in other countries as part of democracy promotion schemes.

The Palestinian scene has developed some features of schizophrenic behavior. The political and territorial split between Fatah and Hamas led to strengthening the control of Fatah in the West Bank while Hamas worked to consolidate its grip on Gaza. Each side is eager to prove to the population that life is better under its control. This seems to have served as a strong incentive for both parties to improve their practices in various areas. In the West bank, signs of the PA shaping up are the appointment of Fayyad as prime minister due to his good reputation in financial and administrative management, the new willingness to improve practices within certain security forces as mentioned already with a clear improvement in people's evaluation of the security sector, and the provision of services to society with the clear aim of outdoing Hamas's reputation as being closer to people and more attentive to their needs. Even at the level of relations with Israel, the president of the PA has shown stronger resistance to Israel's demands and conditions in an attempt to remain in line with the public's mood, largely as a result of Hamas's firm position on negotiations which seemed to be supported by public opinion. Last but not least, the decision to convene Fatah's 6th congress in August 2009 after 14 years indicated a stronger willingness within the movement to question the past, conduct self-criticism, and draw the lessons, leading to the appointment of the main figures of the younger leadership in key institutions of Fatah and of the PLO.

It can therefore be argued that although the internal conflict between Fatah and Hamas has led to increased violations of the rule of law and certain bad practices, it has also forced Fatah to undertake important steps towards regaining support among different constituencies for the purpose of self-preservation, thus making it a more democratic movement.

Yemen

In Yemen, the regression of the democratic process translates into a drop in the indicators with a loss of 55 points in the total country index compared to the index in 2008. Yemen has dropped in ranking from 5th out of eight countries to 9th (or second worst) out of ten countries this year. In light of the sudden and dramatic deterioration of the security situation, the loss appears limited. However, the depth of the crisis in security, its multi-layered nature, and the responses from the ruling elite suggest that the indicators have not yet measured the full impact of the crisis and that the index is likely to fall sharply in the following years.

In Yemen, the question of the link between increased insecurity and regression in the democratic process is very different from the case of Palestine if not reversed altogether. The relevant proposition is not that increased insecurity has negatively impacted the democratic process. It is rather that the deterioration of the security situation is a *result of* the halt in the democratization process and of the failure of the political authorities to respond to political demands from society.

The decision in 2008 to postpone elections for two years resulted from a compromise between the government and the opposition by which the government committed to undertake specific changes that would allow elections to be more democratic and representative. This postponement was not considered a setback in the democratic process because the opposition was satisfied with the deal. A year and a half later, however, the government seems to have hijacked the agreement with the opposition.

Human rights organizations and opposition parties accuse the regime of deliberately preventing the political opposition from playing a part in the resolution of national issues and of preferring external mediation to domestic compromises. Deception and rogue behavior from the rulers led large groups to lose hope in seeing peaceful change occur. But the perverse conclusion propagated by the authorities is that the earlier openings for political participation and the democratic changes are responsible for the chaotic situation.

Over the last three to five years, Yemen underwent an alarming transformation of the political regime from one that negotiated with and mediated between the different pillars of power (regional, tribal, social and political) to a form of authoritarianism that relies exclusively on the person of the President and his family with increased practice of clientelism leading to a paralysis of public institutions. The origins of the crisis date back to 1994, two years after the reunification of the country. Gradually, the regime thwarted the participation of society in the political process and resorted increasingly to security as a means of managing political demands. Over more than a decade leading up to the open conflict in 2004, the forces of the south united and mobilized against the ruling power. In the first instance, protests were of a peaceful nature but as the government responded with violent suppression, opposition in the south evolved into armed rebellion. The coinciding of the protest from the south with the tribal awakening of the Saada region in the north as of 2007 led the government to resort to systematic repression of any form of protest. The performance of public institutions dropped 125 points (from 380 to 255). Interference by the security sector to crush peaceful protests multiplied. Military action was used to censor independent media, arrest journalist and opinion leaders, and occupy newspaper premises.

While precise data collection on arbitrary arrests, trials of civilians in security courts, and mistreatment of detainees was not possible, local human rights organizations monitoring violations and abusive practices

anl/rep10 ang 3/16/10 8:48 PM Page 68

report a sharp increase in the resort to repressive measures, disappearances of opposition leaders, and a host of measures that indicate a strategy of putting an end to pluralism, dividing political parties and seeking to create new fake ones. (footnote on *almarsad alyamani li hoqouq el insan*).

As in Palestine, the regression is most visible in the role played by the security forces. As the government sought to tighten its control over society, secrecy and lack of information about the security sector, its composition, budget and practices have become the rule. While the security agencies are identified by the Constitution as civil institutions, there has been a process of militarization of the sector over the last 15 years with a sharp increase in the number of security leaders coming from a military background. Divisions and factionalism within security agencies are also reportedly on the rise although no precise information is available. The sector has also increased its dependency on outside parties (mainly the United States) for funding, training and information-sharing. While this enhanced cooperation is justified in face of the real threat from terrorism, the authorities use terror as a pretext to suppress active reformists who have no proven links to terror groups.

These reformists lament that foreign agencies supporting the security sector have failed to link it to their alleged concern for democratic change. While the democratic process has been all but annihilated, there are no condemnations or criticism from outside partners. In fact, foreign interference in support of the government has deepened the rift between the authorities and the opposition. The London conference in January 2010 provided the regime with the means to pursue its repressive policies against the political parties and civil society. As such, the London conference saved the regime but not the Yemeni state.

The Yemeni state is facing an existential crisis. All civilian institutions, the legislative and judiciary in addition to the security sector are facing a process of militarization. The risks of a new partition of the country are real and the extreme polarization might well lead to a regression of democratic practices inside the political parties (something that the indicators do not capture). One example is the current position of the socialist party, a truly national party that represents society from the north and south equally, whose leaders are opposing the convening of the party's congress from the various regions for fear of demonstrating some form of normalcy of the situation in the south. The government on the other hand is equally opposed to the socialist party's congress for opposite reasons, namely that it is keen to show that there is no organized political force in the country other than itself.

An alarming feature that cannot be captured by the indicators or measured from outside is the increased support for violence among the population, reported by observers inside the country. Violence has acquired legitimacy in the eyes of society as the only effective mean to confront the government. There is also open sympathy for the Houthi rebels as well as frequent expressions of support for the most extreme ideas, including those propagated by elements of Al Qaeda who seem to circulate among the population without being disturbed.

In Yemen, the indicators have not yet measured the full impact of the crisis and the index is likely to fall sharply in the following years. This differentiates Yemen from Palestine. In Palestine the uncertainties are of a different nature: an Israeli massive intervention is always within the realm of possibility, a resumption of violent resistance can occur from certain groups, a larger regional confrontation (Israel-Iran-Hezbollah) can badly affect security and the democratic process. But if the current trend continues, Palestine seems to have developed a saving mechanism through a new pattern of governance that has brought important improvements, which are reflected in the indicators. Yemen, on the other hand, is on a downward trajectory that does not present for the moment any signs of a domestic ability to redress the situation and limit the damage to the state and society.

Which Reforms are Triggers of Democratic Change? The Experience of the Mashreq

Sufian Obeidat*

In 2008, the Arab Reform Initiative published the first report *State of Reform in the Arab World* (available at the organization's website www.arab-reform.net). Carried out by specialists fully qualified to read the regional scene, the report consists of an analysis of democracy indicators in the Arab world and the factors hindering reform. Through a diagnosis of the status quo and comparison with the indicators, the report represents an extremely thorough analysis covering every dimension of reform in Arab countries accurately and in depth. The specialists covered external factors related to financial aid, factors related to political Islam (a common concern of Arab regimes and their Western allies), and other relevant factors that cast shadows on discussions of the means and challenges of reform. Despite variations and differences in approach, what has been written about the democracy indicators in the Arab world is essential background reading for all additional research in the field. The study serves as a database and a very useful analytic approach.

Nonetheless, the report addresses circumstance which could potentially affect the accuracy of the results, including shortage or even complete lack of information, or distortion of information by those that provided it. Taking Indicator 1- which monitors separation of powers- as an example, the report deducts 250 points from Jordan's score for a provision in the constitution that authorizes the king to appoint the speaker and members of the Council of Notables. While this information is correct, other provisions in the Jordanian constitution might have led to additional deductions from the country's score for this indicator, such as a provision that creates a special court to try ministers. The court consists of members of the legislative and judicial branches, is headed by the speaker of the Council of Notables, and places the speaker of the Council of Representatives in the role of Public Prosecutor. This alone is a violation of the principle of separation of powers. Another example is Indicator 10, regarding gender equality. Due to a lack of information, this indicator implies that there is gender equality in Jordan, even though the citizenship law does not give Jordanian women the right to pass citizenship to their children.

The Arab Democracy Index is an extremely important database of the concurrence of democratic means (laws) and democratic practices. It is a given that there is a gap between means and practices. Legal amendments that seek to strengthen the rule law and to enhance human rights and rights of expression, as well as to impose periodic elections and the rotation of power, exist on paper only. In practice they are not observed at all, which implies disrespect for legal rules. This costs these rules their objective value, which in turn raises doubt about the efficacy of attempting reform by amending laws, as the indicators in the report show. In the end, this raises questions about other circumstances that surround the reform process- circumstances that allow for the means of reform in the form of laws but at the same time render their implementation impossible.

This paper will focus on the Arab states of the Levant, namely Syria, Jordan, Lebanon, and Palestine. The political systems in these countries vary in form and detail but have one factor in common: the regimes themselves are the major obstacle to achieving reform that goes beyond mere legal amendment. As such, a different approach is required to achieve real change.

Many factors interact and overlap in the field of reform, varying with the international and regional circumstances and the interests of the major players. However, there is one invariable factor: ruling groups cling to their positions and refuse to relinquish their monopoly of power and to engage the majority in governance and decision-making. There is, in sum, no political will for reform amongst the groups that are in the strongest position to oppose change.

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anl/rep10 ang 3/16/10 8:48 PM Page 70

Text and Practice

Examining the quantitative indicators of the countries covered in the Arab Democracy Index shows that means get higher scores than practices. This implies that commitment is in words only, not in practice or application. In banners and headlines, most countries declare their commitment to the rule of law, freedom, equality, and social justice. Yet declarations lead nowhere. The application of commitments in order to allow the declared intentions of laws to lead to actual democracy is something else entirely. This is the most prominent indicator of the direction reform is heading. Reform that that is not practiced needs to be studied carefully. Perhaps it is necessary to create additional indicators, dealing with possible new means and areas for reform.

In contrast to the Arab countries of the Levant, the indicators for Saudi Arabia show only a narrow gap between means and practices. This is because the means in Saudi Arabia do not aspire to democracy and its values in the first place. Consequently, the results for the practices indicators are close to those for the means indicators. The constitutions and structures of authority of the Arab countries of the Levant, on the other hand, have the shape of modern states. There are also demographic differences between Levantine countries and Saudi Arabia. Democracy in the Levant is a concept rooted in the consciousness of the people and in the culture. The struggle for democracy has always existed in these countries. This makes the relationship between the different sides of the equation more complicated. Diagnosis of the mission of political systems and the role of citizens is also complicated: the political systems are obliged – in order to deal with external pressures and internal situations – to produce an illusory image and vague laws that can be *flexible* in application. This complexity makes the mission of reformers tough as they confront states that are well experienced in evasiveness. Reformers also find it difficult to address the international community, which is often influenced by views and interests that are affected by the images created by the political regimes. These various elements create confusion for someone trying to understand the indicators.

Countries that respond by enacting reforms of the judicial system but with no serious intention of applying them are no better than countries that don't. They are in effect constantly buying time in the face of pressure from internal and external parties. Claims of reform in such countries create false impressions, even among certain domestic groups, which only increases confusion, reduces the possibility of understanding the real situation, and divides and scatters the work of groups that call for reform, rendering their efforts ineffective.

Reform Obstacles as Rooted in the Political Regime

It is no easy task to categorize the political regimes of the Levant, as they are hybrid in nature with special characteristics that do not match textbook examples. Neither the concept of interest nor that of the social contract describes them clearly, nor do they match examples of democracy or of regimes that enjoy legitimacy. In Lebanon, the state is unlike any other regime in the world with its sectarian appropriation system that contradicts the principle of equality. In Syria, there is a hereditary republican regime, where rotation of power takes place via inheritance. In Jordan, there is a parliamentary hereditary monarchy whose king has absolute immunity from any responsibility, according to the constitution. Although it is still early to talk about a state in Palestine, one can anticipate an extended period of struggle for governing authority between the powers headquartered in Ramallah and Gaza.

On the other hand, the political systems of the Levant are identical in one respect: all lack the essential characteristics of democratic regimes. In none of these countries are there institutions that are both strong and subject to accountability. Only with little confidence can we say that laws guaranteeing freedom, equality, and social justice are effective in these states. Instead there are alliances among the ruling groups,

the oligarchy, and those in charge of security and military forces. These alliances hold the government and the economy firmly in their grip, which they do not intend to loosen either wholly or in part. Accordingly, political life is limited to the ruling class, while the majority can only struggle to find a way to be in the field as a player and must forget about undertaking any democratic political endeavor. Political reform and advancement can only be achieved through participation in the government, expression of opinion, and shared responsibility, all of which are off limits for people outside the ruling circle.

Nonetheless, what the political regimes in the Levant share is not identical in form. For example, we cannot say that political action in Lebanon is forbidden in the same way it is in Syria, nor can we say that the state of public freedoms is the same in Lebanon, Syria, and Jordan. However, each of these countries has robust barriers to democratic reform, even when it is enacted as law. Political life in Jordan is a crystal clear example: it is full of legislation that responds in form to the requirements of democratic reform but with a huge gap in practice, which gives Jordan the same characteristics as the other countries of the Levant.

Although the Jordanian constitution states that the governing system is a parliamentary hereditary monarchy, in reality it is an autocracy with real governing authority in the hands of the king. The monarch has full constitutional immunity and is commander-in-chief of the army. He exercises the real power, forms and dismisses governments whenever he wishes, calls parliamentarian elections, dissolves parliament, and keeps the country without a parliament if he so desires. This situation has been established by consecutive constitutional amendments that have led the political system to its present form. In addition, without a democratic system, democratic principles, or accountability, institutionalization has faded away, basic freedoms have been demeaned (in order to support the authoritarian regime), law has been marginalized, and, consequently, the basis of social justice has collapsed. The past decade has witnessed the rise of a new class, the oligarchy, which has converged around the king and has started to assume political positions. This has changed the face of the government and the manner of decision-making radically. As is widely known, the new oligarchy cannot bear differing opinions, nor can it stand monitoring and democratic accountability. Therefore, it restricts the media and tampers with elected institutions, such as the Council of Representatives and the municipalities. This happens frequently through brazen falsification of elections by the security apparatus, and through dissolution of the Council of Representatives and constant suspension of parliamentary life. Such actions have led to two results. First, the ruling circle has appropriated privileges it does not seem willing to give up, and which it therefore defends vigorously against any attempt at reform that may lead to a state of law and institutions. Second, the political field has become a private area for the ruling circle, where it can exercise authority and where there is no room for the opposition to play a peaceful role criticizing the government. Consequently, political action has been reduced to a mere struggle to make the political regime accept the democratic game and its tools: elections, political parties, rotation of power, and freedom of expression. Reform has become essentially a demand that the ruling circle acknowledge the rights of citizenship of the majority.

The same two points can be made about Lebanon. Notwithstanding important differences on the level of general freedoms and rotation of power through periodic elections, the sectarian regime, which contradicts the principle of equality and justice, has created an exclusive club of political feudalism whose members cling to it and resist all efforts at reform in order to maintain their privileges. This situation has kept Lebanon a weak state with an admirable (?) level of freedom but without strong institutions. Individuals have the right to express their views as they wish, but their political rights are limited according to the sect to which they belong. Elections are determined by the money spent on them.

The political regime in Syria is completely indifferent to the appearance of democracy, whether internally or externally, and the ruling class does not seem willing to give up its monopoly of power. Citizens, for their part, have no opportunity to practice politics within a democratic framework.

anl/rep10 ang 3/16/10 8:48 PM Page 72

It is, thus, not difficult to see that the only constant between the regimes of the Arab Levant is the alliance against change and radical reform, which makes the status quo in each country part of a regional situation that will be very difficult to change at the national level. This condition affects the way the West views the necessity and priority of democratic reform for each country of the Levant. It also enhances Western fears and interests that agree with this way of thinking, and will lead to deals and alliances with the local regimes that only result in further cursory rather than real reform.

Real Change

Reform that is more than mere amendment of laws needs political will for essential political, social, cultural, and economic change. Such reform can be expressed in legal texts, but cannot be replaced by legal texts. If the political will for reform exists, a social contract that formulates new rights and duties for all components of society in the Levant and establishes principles of government legitimacy, including rotation of power, will be required. This can be achieved through new constitutions or through substantial amendments of existing laws and constitutions. In either case, they must ensure political conditions that cannot be ignored, as is the case in democratic countries.

Judicial reform should focus on drafting and developing legislation essential to social, economic, and cultural change, which is inseparable from democratic reform. Such legislation should help build a culture supportive of the basic values of democracy and should build modern tax systems and balanced social security systems that ensure the dignity of individuals and guarantee their place in the political system. Among the most important types of legislation are modern election laws that include all elements of society, reduce the tension of conflicting interests, abolish all kinds of discrimination, and make citizenship the basis of society. In addition, tax laws should be fair, require progressive rates, and guarantee the just distribution of wealth. And it goes without saying that laws controlling education should reflect values that help society understand and absorb the foundations of civil society, the principle of pluralism, and the acceptance of the other. Such values should contribute to a secular culture that appreciates ideological pluralism and respects all religions.

Which Reforms are Triggers of Democratic Change? The Experience of the Mashreq

Abdallah Saaf*

During the last five to ten years, the Arab world has seen a wave of different types of reform, each varying in scale and touching diverse sectors of political life. These reforms are concerned with both political and institutional dimensions, the rules of the political game, the configuration of the political landscape, the political actors, and the electoral processes. First signaled through discourse and institutional, legislative, and regulatory production, reform has also been witnessed in an opening of the adopted approach towards the political field. These past years have seen reexaminations, the opening of dialogues - namely with the opposition - and the readapting of regulatory instruments. A more or less large liberalization has enveloped the political atmosphere of the Maghreb and a certain exit from the repressive character of the former authoritarianism that prevailed in the wake of independence has been initiated.

Yet paradoxically, the capacity to withstand external pressures on achieving reform has been reinforced. This has been accomplished via the appropriation of the political reform theme by the different authoritarian regimes of the region. Most if not all have introduced changes in texts, i.e. constitutional and legislative reforms, suggesting the ground is laid for democratic practice and that guarantees exist against arbitrary and suppressive practices. In the Maghreb, the appropriation of reform is witnessed in debates between the supporters of externally imposed reform and those who oppose internal reform, those advocating progressive reform and partisans of a democratic transition without concession. By assuming a reformist approach that distances itself from these different strategies, the authoritarians and neo-authoritarians of the region have managed to attenuate the effect of pressure. Tunisia is the most frequently cited example of this, but other regimes are also more or less concerned. The Mauritanian situation represents an exception, and is in fact linked to the question of the state's existence. Despite the organization of elections and the existence of parties, the question is whether the Mauritanian state is truly present. In this case, are we in the presence of a state or a tribal-military alliance? Other regimes in the region do not seem to have included political reform in their agenda, having only sparse texts (as demonstrated by Saudi Arabia in the report, with low scores for the means indicators). Bolstered by oil rents and lacking the ability to put into place a true democracy, this other variant of Arab authoritarianism has oriented itself toward the offer of a "democracy of services," combined with roles of intermediation in regional conflicts. The authoritarian welfare state, represented by Libya, is a perfect illustration of this brand of regime.

As a manifestation of these various phenomena, there is a noticeable gap in the Maghreb between constitutional amendments and laws pointing towards democratic reform, and actual practices. This can be particular seen in five domains: institutional reform, electoral law, political party law, human rights protection and social laws.

Firstly, in looking at the reference texts, there appears to be an ordinary democratic landscape in countries such as Morocco and Algeria. The constitutional texts of the two countries, for example, have inscribed the principle of separation of powers, freedom of political parties, legislation concerning human rights, freedom of expression, the ban on torture, the independence of the judiciary, etc…as well as the establishment of relations between the two countries. However, actual practices go in a different direction. From this point of view, there has been a sort of downgrading of demands for constitutional reform, which no longer seems to be in favor for political actors in the region.

Instead, the Arab ruling elites have shown themselves to be very active within the field of institutional reform, with the creation of new institutions such as consultative councils, regulatory bodies, commissions and management bodies. This orientation has instigated at each instance contradictory readings: the first reading never fails to see a conspiracy accusing the states to be feigning reform through the creation of new structures while emptying the central institutions of their content (the powers of the founding fathers of

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anl/rep10 ang 3/16/10 8:48 PM Page 74

modern democracy: legislative power, executive power, judicial power), already limited from the outset. According to other analyses, the new institutions aim to render political representation denser, to participate in the management of elites themselves in waiting. Another category sees in the creation of such institutions a functional and technical dimension designed to carry out tasks and fill the voids. The trajectories of institutional reform demands are expressed in this regard in Morocco, Algeria, and Mauritania. The cases of Libya, and to a lesser degree Tunisia, are similar to those of Syria and Saudi Arabia, which remain exceptional by their slowness in affirming political reform.

Secondly, with regards to election laws, there is a large gap which separates the content of the laws and the political realities, even as the conditions of politics seem to have changed. In Morocco, we have observed the withdrawal of the state at the moment of elections, preferring positions of observation and regulation as opposed to intervention which was de rigueur in the past. The field has henceforth been occupied by hegemonic social forces.

Different experiences in the Maghreb, for example in Morocco or Algeria, show that the problem of this tendency towards de-participation has not been resolved. Indeed, this non-participation has become the major preoccupation of governments during electoral periods because of the fear inspired by the vacuity of large zones in terms of political representation and in terms of regime legitimacy. New election laws supposed to guarantee better representation continue to lack credibility and fail to convince citizens to participate in elections due to abuses in practice.

The level of consciousness of the society has changed. The inefficiency of comportment and the urgency of needs have transformed ideological convictions, projects, and the advocacy of actors whether they are economic, social, historical, or even political elites. Clientelism of the electorate prevails. Choices are henceforth based on utility. It is worth noting, however, that the problem of political reform has less to do with obstruction of representation than with other factors. The suspension of presidents of local councils, as mentioned in the Moroccan report,[8] was decided not as a deliberate attempt to impede the democratic functioning of local institutions but was more an expression of the bureaucratic culture of centralized administrative control of their management.

Thirdly, the political party laws elaborated in numerous Arab countries during the last four years do not reflect the cross-section of parties which actually exist; instead, these laws have slipped towards legislation attempting to fabricate a new political landscape. The reform of electoral processes has permitted the deployment of approaches marked by a certain transformative will. We are witnessing efforts to remake the political landscape, the desire to reabsorb the parties or to dissolve them, to create new and fewer poles, etc… A new tendency has arisen among governments to circumvent problems of mobilization and representation by adopting formulas for large democratic groupings or large historical blocks, such as the *Mouvement de Tous les Démocrates,* the majority alliance in Algeria, and the hegemonic party in Tunisia. This party industry has provoked resistance on the part of the real parties themselves, in particular those whose history goes back before the appearance of such reforms.

Another important area is human rights where there seems to have been some significant evolutions. The Arab world over the past several years has undertaken diverse initiatives in different forms; yet the indicators regarding the two Maghreb countries covered in the report cite the persistence of grave violations, such as detentions without a trial, the practice of torture. New waves of detention, in particular of Islamists of all stripes, have reanimated this battlefield. Rights movements have intensified their efforts as a result.

One of the experiences that seems to have gone the farthest in this domain is that of Morocco. The judicial, institutional, and political reparation for human rights violations was recognized and institutionalized with the creation of the *Instance Equité et Reconciliation* (Equity and Reconciliation Commission). Yet this is today in competition with the demand for economic, social, and cultural reparation in favor not only of individuals but also collectively.

* Saaf, Abdallah and Abdelrahim Manar Al Slimi, et al. "Morroco 1996-2007: A Decisive Decade of Reforms?" Arab Reform Initiative Country Report. April 2008.

Within the configuration of human rights' new activism, the current orientation demands not only the reform of institutions and of the behavior of elites but also a change of society. This has not silenced local human rights organizations but has rather transformed their action into continuous protest movements. The question of reparation first addressed through the work of the Equity and Reconciliation Commission has come to concern the whole of society.

Finally, in the area of social justice, there has been progress towards stronger codification of the field. Arab societies have marked a change in attitudes vis-à-vis political reforms and appear much more attentive to the satisfaction of economic and social demands. Governments have introduced important reforms of family codes, reforms linked to women's status, to employment, and other diverse economic reforms.

The actions and protest movements in support of the vulnerable and marginalized groups seem to be bearing fruit. Social movements in the Maghreb have garnered support as they compensate for the collapse of intermediation tools. Protests are oriented against the work of the governments - their public policies, laws and regulations, their management of the populations' daily life. At the same time, as reforms conceived and driven from above intensify, the rift between public action and social demands tends to widen. A strong and significant debate opposes the partisans of macro-level reform with the supporters of micro-level reforms (sector reforms), which seem to better respond to the fundamental needs of the populations. It is almost as if the belief in reform is eroded to the point that small tangible reforms in the field are preferred to the reform of important texts.

anl/rep10 ang 3/16/10 8:48 PM Page 76

Access to Information in the Arab World: Gaining Momentum but Still Lagging Behind [9]

Sarah Anne Rennick*

The past three decades have seen a surge in access to information (ATI) legislation at the global level. The right to freely review government information has become a component of political liberalization movements in countries transitioning to democracy as well as reform efforts in already established democracies. ATI is seen as an important measure in fighting corruption and promoting transparency but also in building a more effective social and economic model. Championed by a variety of actors - human rights organizations, the press, private enterprises, international institutions, as well as members of parliament – access to information laws have been passed in numerous regions. The Arab world, however, has a heavy legacy to shun: a culture of secrecy is deeply ingrained within the political systems and their bureaucracies. Access to information is treated as a privilege reserved for the powerful or those who sit on the regime's side of the fence. Since the early years of the last decade, most Arab governments have adopted the motto of knowledge society as a priority, and the Gulf countries in particular are funding and investing in projects to promote knowledge across the Arab world as a prerequisite for building modern, enlightened, and open societies. However, these same countries often refuse to allow researchers to conduct field work and collect information on their own countries. All types of information are considered sensitive or even compromising as they risk unveiling different vulnerabilities that could be used by hostile forces to manipulate or put pressure on the government. This lack of basic information prevents a society from understanding its own realities, feeds suspicions, and constitutes a serious obstacle to the participation of social forces in shaping public policies and in defining their collective future. Nonetheless, ATI movements in the region have been gaining momentum throughout 2009. Building off lessons learned from different experiences can help Arab actors develop effective home-grown strategies for achieving freedom of information.

Access to Information, Good Governance, and the Empowerment of Citizenry

The right to information touches a broad spectrum of domains in a larger process of democratization. It is seen as a key element in ensuring good governance but also in the development of non-state actors. Creating a formalized system of government openness establishes a dynamic relationship between state and citizen. On one hand, it promotes government accountability and rule of law by creating public mechanisms for monitoring spending, decision-making, and abuses of power. On the other hand, it allows the citizen to assume an oversight role that can in turn enhance feelings of trust and the notion of citizenship in general. ATI thus promotes a process of devolution from government to citizen while at the same time allowing for greater legitimacy in a participatory political system. This link between access to information, the empowerment of citizenry, and the push for good governance from below has already been observed in a number of cases in the Arab world. The *Instance Equité et Reconciliation* (IER) in Morocco – the region's first truth and reconciliation commission – was an initiative conceived by the king in consultation with members of civil society. This series of public hearings consisting of testimonials by victims of government torture was negotiated as part of a larger process of democratization. The IER was viewed as a means to not only increase transparency but also to break taboos about government secrecy while at the same time building a new social contract. On a smaller scale, the publication of a booklet detailing procedures and fees for obtaining a construction permit by the Lebanese Transparency Association in 2001 was designed as a tool to empower citizens by informing them of their rights and allowing them to play a personal role in spotting and avoiding corruption.

Freedom of information is also a means of strengthening civil society and the press. Information regarding social spending can allow NGOs to develop programs and lobbying activities that cover unmet needs. Indicator 40 of the Arab Democracy Index reveals that public expenditure on social needs compared to security is extremely low or non-existent in the countries surveyed, implying that civil society can play an important social role. However, access to data on where these expenditures are made and for what purposes is still needed to productively act. The right to information is also a necessary component in the development of the press's role by allowing for improved investigative journalism. As such, ATI has come to be associated with a host of other causes: an element in sustainable development and closely associated with freedom of speech, both a tool for human rights promotion as well as a fundamental human right in itself, and a necessary component in political liberalization.

ATI Movements in the Arab World: Mobilizing and Gaining Ground

In the Arab world, there is a correlation between the degree of authoritarianism of a political system and the availability of information about the country it governs: the more authoritarian, the less information the regime provides (this is the case in Syria and Libya, for example). In the current report several countries could not be covered while for others, some boxes remained blank due to the unavailability of data. In many cases, data is gathered informally through personal contacts, alternative sources other than the institution that should be providing it, or constructed from cross-checking multiple sources or using data from international institutions and from the reports they produce. Yet concealing information sometimes leads to a more damaging consequence. In the most authoritarian systems, information is often not disclosed because it is not collected and organized. The government does not build the needed human resources with the required skills to collect and process basic statistics on the demographic composition of the country, on specific social groups or regions, or on living conditions, let alone on ethnic, religious, or cultural minorities. In less autocratic systems such as Egypt, Morocco, Algeria, and Jordan, where the media enjoys some free space and NGOs are allowed to operate, the situation is more complex but attitudes towards information and the public are largely similar. The state sets up public institutions that conduct surveys, polls, and gather data for the exclusive use of the authorities. Some reform-minded individuals strive discreetly from within those institutions to obtain authorization for publishing the data they collect and seek to educate government officials that access to information is normal.

Nonetheless, the Middle East has by and large not participated in the global trend towards ATI. A study carried out by Global Integrity in 2008 found that the region had nearly double the deficit in terms of access to information than every other world region. Indeed, the report finds that lack of public access to government information is the most serious transparency issue facing the region. However, although only Jordan has a comprehensive national law granting freedom of information, two countries – Bahrain and Yemen – are in the process of passing ATI legislation while Lebanon has made important advances in this direction. And even in countries where no ATI law is currently being considered, bottom-up movements are becoming increasingly prevalent. Indeed, 2009 saw a plethora of activity both at the national and regional level led by a variety of civil society actors and members of parliament in favor of ATI in numerous Arab countries.

Jordan's law to guarantee the right of access to information (no. 47), passed in 2007, was spearheaded by the government as part of a larger process of modernization and political reform. Although the passage of the law itself marks an important step, the contents of the legislation as well as problems in implementation have resulted in virtually no application over two years later. While the law entitles all citizens and journalists the right to access government files, important exemptions can have the effect of rendering

[9] For a list of references, please see the ARI website: www.arab-reform.net

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anl/rep10 ang 3/16/10 8:48 PM Page 78

freedom of information quite limited and the time delay for response to requests is 30 days, considered far too long for journalists. The law has seen the creation of an Information Council to act as a monitoring and implementing body; however, the Council is not independent, thereby jeopardizing its ability to practice enforcement. In addition, the law itself is constrained by the existence of the State Secrets and Documents Law, which provides a large loophole for granting access, as well as the existence of numerous other laws limiting freedom of speech and freedom of the press. As of January 2009, no formal complaint had been lodged with the Information Council and no formal request for information had been made. The government, for its part, has attempted to promote this right through a series of media advertisements in local newspapers.

In response to both the restrictions as well as the general lack of public knowledge of the law, a number of civil society institutions in Jordan have launched campaigns to increase the culture of openness. 2008 saw the creation of the Jordanian Alliance for the Freedom of Information and Transparency, a coalition of 15-20 NGOs headed by the Al Urdun Al Jadid Research Centre (UJRC). Activists call for the diversification of members of the Information Council and an assessment of its activities, revision of exemptions, and the further training of public officials although their larger focus is on awareness-raising among citizens, the media, and business sector.

In Yemen, the two-year old ATI movement began as efforts on the part of journalists and human rights activists and took on new dimensions after being picked up by a member of parliament representing the opposition Islamic Islah party. Shortly thereafter, a draft law composed by MPs, journalists, and civil society actors – along with assistance by international NGOs specialized in the field - was presented to parliament and scheduled to be considered in February 2009. However, this draft law was set aside in favor of a second ATI proposal made by the Yemeni government. The two draft laws differ markedly in objective and scope, with the second being far more limited, establishing harsh penalties for violations, and making little provisions for appeals. In response, Yemeni civil society actors, including the Yemeni Parliamentarians Against Corruption (YemenPAC), as well as MPs have continued to push for the adoption of a less restrictive law, which has shown signs of progress throughout 2009. These efforts should result in a final draft of the law by February 2010.

In Bahrain, efforts in support of ATI legislation have been carried out throughout 2009. Organizations such as the Bahrain Transparency Society and the Bahrain Journalist Association have facilitated workshops with a number of civil society actors as well as MPs in order to raise awareness about freedom of information. An Access to Information Coalition was also formed this year, with representatives from a variety of sectors including human rights, media, business, and academia. The Bahraini parliament has also been considering a draft ATI law as presented by a parliamentary block. As of November 2009, the proposed law has been accepted by the lower house of parliament and will be presented to the upper house and king for approval.

In Lebanon, the ten-year old freedom of information movement took on a new direction in April 2008 with the creation of the National Network for the Right of Access to Information. Founded by the Lebanese Parliamentarians Against Corruption (LebPAC), the Lebanese Transparency Association, and the *Association pour la Défense des Droits et des Libertés*, the national network today comprises 17 member organizations representing a variety of sectors (journalism, law, development, business) as well as parliamentarians and ministries. The network organizes its work around five poles: awareness raising in the media, lobbying MPs, training civil servants, building knowledge, and engaging the private sector. In April 2009, a draft ATI law drawn up by the network was submitted to parliament.

In other countries, although ATI legislation is not yet underway, there are nonetheless mobilizations by civil society in favor of freedom of information. In Morocco, the ATI movement has been led by the Center for Media Freedom (CMF MENA). Since 2006, CMF MENA has called on the government to initiate an access to information law and has tried to build awareness of its efforts among relevant target groups: politicians, journalists, professional associations, human rights groups, and unions. Currently, the Ministry of Public Sector Modernization is scheduled to begin the process of drafting an ATI law; however, this is not expected to be ready before 2011. In Egypt, the ATI movement has very recently developed a national coalition of civil society actors. In November 2009, this coalition of journalists, legal experts, members of parliament, IT professionals, and human rights activists jointly called on the government to draft ATI legislation and allow for national consultation on the issue.

Beyond national campaigns, civil society actors from across the Arab world have also worked together through regional networks in favor of freedom of information. The Arab Freedom of Information Network (AFOINET), launched in July 2008, is a coalition of NGOs from Morocco, Tunisia, Egypt, Jordan, Lebanon, and Bahrain working to promote a culture of freedom of information across the region. AFOINET publishes regular reports and appeals in favor of ATI legislation. Most recently, in December 2009, AFOINET marked International Human Rights Day with the release of a report entitled "For the Defense of the Right of Access to Information in Arab States." The report not only called on governments to begin the process of national consultation and drafting laws but also called on the Arab League to issue a charter on the right to information as well as develop programs in favor of transparency. In addition, the report recommends to international organizations and intergovernmental agencies to include ATI as part of their development efforts towards the region and to specifically assist in the development of local civil society capacities in this domain. In addition, year's end 2009 saw the organization of a regional conference in Amman by the local chapter of the international organization Article 19. The conference, which included over 60 participants in fields ranging from environmental protection to disability rights to anti-corruption, ended with a mapped out "agenda for action" for ATI in the region. These various movements and mobilizations attest to a true bottom-up and home-grown effort by Arab actors to transform the state-citizen relationship based on transparency.

Global Trends: Strategies and Actors

Looking at global trends in freedom of information movements reveals a variety of triggers and trajectories but can also point to effective strategies and actors in the process. Internal pressures have come from both top-down and bottom-up approaches, often times resulting in vibrant coalitions between various civil and governmental sectors. Likewise, external pressures have come from major international institutions seeking increased transparency and anti-corruption techniques (such as the World Bank and UNDP) as well as international NGOs pursuing a wide variety of causes in collaboration with local civil society actors (such as the Open Society Institute and the Revenue Watch Institute). In certain cases, such legislation was the result of a need to reconcile with past government abuses. In South Africa, for example, freedom of information was viewed as both an element in establishing truth and reconciliation with the former apartheid system and preventing such forms of oppression from arising in the future. A coalition of civil society actors, including human rights groups, environmental agencies, trade unions, and church organizations, worked together to lobby for effective laws. The result included both a specific constitutional right as well as a detailed implementation law. In other cases, these movements have been spurred by incidents of corruption or scandal. In Japan, for example, decades of misappropriated funds along with health crises cover-ups led private attorneys to push for local access to information ordinances, revealing scandals at the national level. These efforts, covered by the media, eventually transformed into a national act and new political culture of openness. Still for others, the right to information has been inscribed in larger processes of political reform and democratization. In Hungary, for example, it was the government itself that pushed parliament to pass ATI laws as a means of breaking with the country's communist past. Finally, a change in information infrastructure can also lead to campaigns for easier and freer access to government documents. In Slovenia, the modernization of the archival system and the move

anl/rep10 ang 3/16/10 8:48 PM Page 80

to e-government saw the Ministry of the Information Society lead the efforts to adopt a national ATI law.

For freedom of information movements to be considered a success, there should be both a high degree of openness on the part of the government but also a high degree of access on the part of the general public. In India, for example, ATI consists of an extensive national act with provisions for acceptable time delays, appeals processes, and procedures for promoting the law, amongst others. At the same time, though, the right has been exercised by citizens as a means of unveiling corruption: rural communities have used the law to access falsified government records regarding land use and contracts and to prove their right to higher minimum wage. This has thus served both as a monitoring tool as well as a means for citizens to empower themselves. In contrast, the ATI law in Zimbabwe serves as an example of negative legislation with an overall harmful effect. The law grants the government the right to monitor the press and freedom of speech and has almost never been used as other laws related to state secrets supplant the ATI one.

Global trends also point to the key actors in the process and the role each must play. Experience has shown that these movements are far more effective when the campaigns come from civil society as such efforts usually translate to more accessible laws, better consensus with the government, and greater use of the right. When laws are passed without prior consultation or intervention by civil society, they can be either maladapted or simply unutilized. Nonetheless, ATI movements must have clear support from the very top in order to be successfully carried out, especially to secure funding for technical aspects but also to ensure that the process does not succumb to entrenched attitudes about government secrecy. ATI legislation and implementation should be headed by a senior official with authority, respect, and the power of decision-making.

Guidelines for ATI Legislation: The "Transparency Triangle"

From the diverse experiences over the past 30 years, a series of best practices and obstacles to be overcome can be identified which can serve as a rough outline for other countries pursuing freedom of information. The most important lesson to be drawn is the centrality of what is referred to as the "transparency triangle"[10] the three-phase process of passage, implementation, and enforcement that allows a political system to emerge from secrecy and a society to actively practice access to information. This process involves technical, legal, and cultural changes and a variety of actors from both the government and civil society. It is worth stressing again, however, that such legislation can only be valuable if civil society actors actively use their right to access information and engage in government monitoring.

The first phase in the transparency triangle concerns the legislative level and the content of the law to be passed. Effective legislation should cover six separate domains: objectives and principles; scope of the law; automatic publication; processes/procedures; exemptions; and appeals. ATI laws should be comprehensive and exemptions limited. The laws should list procedures for accessing and granting information and associated costs. There should be little to no time delay between the request for access and the response. Provisions for sanctions in cases where information is illegally withheld should also be included. Effective ATI legislation should also have specific details regarding the appeals process in cases of denied access.

Following the passage of the law, technical and cultural changes must be made in order to ensure the successful implementation of access. Perhaps most importantly, government staff should be trained on all matters dealing with freedom of information, including both how to operate as well as how to interpret the law, and specialized units charged with implementation and supervision of the law should be established and given clear mandates.

Finally, enforcement requires that an independent body have the right to oversee access to information and ensure that government employees are following the law and procedures established. These should also be independent and have the authority to enforce decisions. While there is no one formula to successfully create an open and transparent society, these guidelines can help Arab actors in their efforts to develop effective legislation to guarantee the right to access information.

[10] Neuman, Laura and Richard Calland. "Making the Law Work: The Challenges of Implementation" in The Right To Know, ed. Ann Florini. New York: Columbia University Press (2007).

anl/rep10 ang 3/16/10 8:48 PM Page 82

Conclusions and Recommendations

The results of the 2009 Arab Democracy Index point to embryonic signs of democratic change in most of the Arab countries that were examined. They also show a slight improvement in comparison with the previous report. However, the positive signs are mostly limited to the theoretical or legislative side of democratic change. On the positive side, the sub-index for means, which examines the constitutional and legal framework for the process of democratic change, exceeded seven hundreds points, the score that we considered the dividing point between an inclination towards democracy and actual progress toward democratic change. The improvement in the means index is clear in the scores given to rule of law and respect for rights and freedoms, the only two scores that surpassed 700 points. With regards to means, we find bright spots in Arab countries such as Egypt and Morocco, where the means score exceeded 900 points. Jordan, Kuwait, Palestine, Saudi Arabia, Algeria, and Yemen, in addition to Egypt and Morocco, all received the top means score for rule of law; Lebanon and Algeria received top means scores for respect for rights and freedoms; and Palestine was the only country that received the maximum means score for strong and accountable public institutions.

On the other hand, the 2009 Index shows substantial failure in the practice of democratic change. This is true even though the score for the sub-index of practices improved and surpassed 400 points, the score that separates absence of democratic movement from an inclination toward democratic change. The failure in the practices of democratic change is clearly visible in the lack of popular confidence in the performance of public institutions, and - for the second year in a row - the quasi-unanimous spread of favoritism in public employment and increase of corruption in public institutions. It also appears in the maltreatment of the political opposition, arbitrary arrests, abuse of detainees, and the inability to organize public meetings and demonstrations, and the increase in public expenditure on security rather than education and health care.

The following recommendations aim to commend successes in the process of democratic change and to point out other features that lag behind. The general recommendations call on all who are interested in reform in the Arab world to focus on the areas of insufficiency which are found in most (if not all) Arab countries. The special recommendations address reformists and decision-makers in each country, calling upon them to focus their efforts on the areas of deficiency documented for their countries.

General Recommendations

1- The need is urgent in the Arab world to guarantee greater political and civil freedom, not only through more legislation but also by enhancing monitoring functions and the role of human rights organizations.
2- There is a pressing need to make the issues of social justice and social and economic rights the core of the reform process.
3- There is a pressing need to reform education by allocating bigger budgets, combating illiteracy, reducing the school drop-out rate, and improving the conditions of education, especially for females.
4- The ability to implement the above recommendations is closely connected to the ability to strengthen relevant public institutions, such as parliaments, the judiciary, and authorities responsible for law and order, through accountability to legislatures, respect for judicial independence, and surveillance over security forces.

Specific Recommendations

1- Jordan

Jordan surpasses all other Arab countries examined in the report regarding practices; however, it ranks eighth in means. The process of democratic change in Jordan is especially weak in the practices of respect for rights and freedoms, and the means for strong public institutions and surveillance. Therefore, our recommendations for Jordan are:

1- Attempt to attain constitutional amendments to diminish the power of the executive branch, protect the parliament, and enhance legislation that protects the periodicity and impartiality of elections.
2- Broaden surveillance over and accountability of the security forces, to guarantee the cessation of administrative and arbitrary detentions, and the mistreatment of detainees; abolish state security courts; and respect the right to organize public meetings and demonstrations.
3- Amend the Election Law for parliament to make it fairer and more representative, and to establish the one-vote-per-citizen principle in multi-seat constituencies. The Law should create an independent commission to run legislative elections and to ensure the right of civil organizations and commissions to monitor elections.
4- Enact legislation to ensure the ability of human rights organizations and civil society groups in general to practice their missions and implement their goals.
Enact legislation to protect citizens, civil society organizations, and political parties against the practices of certain executive agencies that act without legal base, and to ensure the ability to sue these agencies when necessary.
6- Abolish the provisions of the Public Assembly Law that require citizens to obtain permission for public meetings, demonstrations, and sit-ins, and replace them with the principle of notification and announcing the event.
7- Amend the legislation governing civil society organizations to permit registration simply by filing notice, without approval by authorities; and abolish the condition of cabinet approval for civil society organizations to obtain funds, replacing it with the principle of reporting to the authorities.
8- Abolish all special and extraordinary courts, so that ordinary justice will be the only judicial authority for all cases and individuals, including government officials.

2- Algeria

Algeria ranks fifth in means and in practices. It is, hence, close to Morocco. The weakness in the process of democratic change in Algeria is especially clear in the practices of respect for rights and freedoms, Therefore, our recommendations for Algeria are:

1- Enlarge monitoring of security agencies to stop abuse of detainees, and increase efforts to solve the issue of missing persons, which has affected Algeria in the past decade.
2- End the administration's arbitrary and persistent rejection of a constitutional right for citizens to organize themselves in political parties, syndicates, and associations, and to license newspapers.
3- Ensure that audio-video media is not monopolized, as it is now, by the state, and that independent media and journalists are not pressured by publicity, prison, threats of prison, excessive financial fines, or other means.

anl/rep10 ang 3/16/10 8:48 PM Page 84

4- Grant political parties, syndicates, and NGOs permission to express their demands and concerns peacefully, through the right to demonstrations and peaceful sit-ins.
5- Enhance public institutions by ensuring that they obey the constitution; by ensuring greater transparency in elections; by improving means to fight corruption; and by combating favoritism in public sector employment.
6- Make the most of the current financial surplus by paying more attention to issues of education, health care, and labor, and by diversifying the Algerian economy rather than relying on the single resource of oil.

3- Saudi Arabia

Saudi Arabia ranks eighth in practices, tenth in means. The weakness in the process of democratic change in Saudi Arabia is the same for means (especially those linked to strong and accountable public institutions or to equality and social justice) as practices (especially concerning respect for rights and freedoms, or strong and accountable public institutions). Therefore, our recommendations for Saudi Arabia are:

1- Enhance separation of powers by giving clear authorities to the executive, legislative, and judicial powers each, through transparent constitutional and administrative arrangements. The independence of the judiciary should be particularly underscored: it must have jurisdiction over all civil, military, and political cases, and final decision-making authority in all cases. Interventions in its sentences must be limited.
2- Ratify the currently frozen draft of the civil institutions and associations law; commence its implementation and an evaluation of its effectiveness, followed by revisions and improvements, as necessary; and support the process of initiating and registering civil organizations and improving their efficiency.
3- Enhance the role of the consultative institutions to allow greater government accountability; encourage public discussion of current and proposed legislation; combat favoritism in public employment. It is also recommended that the authority of the Shoura (Consultative) council be expanded, by giving it a larger mandate in discussing certain issues, such as the general budget, by choosing its members through public elections, and by allowing women to be members.
4- Activate the role of municipal councils, choosing their members by election within the scheduled timeframes, and allowing women to take part in the elections both as voters and candidates.
5- Provide fair and public trials in all cases of detention and arrest; release all detainees who have not been sent to court or detained pursuant to judicial warrant; and ensure that detainees are not mistreated by the security forces.
6- Provide opportunities for women to participate actively in the labor market, and reduce the restrictions and repression to which they are subject. The country must also consider enactment of a personal status law to end all forms of despotism suffered by women.
7- Deal positively with the issues of discrimination among citizens based on race, sect, province, and gender, and enact a law for equality of all citizens.
8- Abide by the international conventions and agreements which the Kingdom has signed in the field of human rights, and ratify other international rights agreements.
9- Embrace the principle of integrity and transparency in all administrative and financial systems, and work diligently to establish the previously announced Integrity Commission.
10- Distribute development projects equitably among all provinces of the Kingdom, in order to achieve balanced development.
11- Diversify sources of income and minimize state dependency on oil and its derivatives.

4- Palestine

In this edition of the Index, Palestine has suffered a setback in practices, falling back to ninth place, ahead of Yemen and behind Saudi Arabia. However, it still enjoys the third highest means ranking. The weakness in the process of democratic change in Palestine can be seen especially in three areas of practices: respect for rights and freedoms, rule of law, and strong and accountable public institutions. Therefore, our recommendations for Palestine are:

1- Expand monitoring of the security agencies to ensure that they stop mistreating detainees and freedom for the political opposition to organize demonstrations and public meetings. It is crystal clear that the retreat in this practice field is the result of internal division and conflict. This makes it imperative that all Palestinian political parties work together to end political, economic, and geographic division, which threatens the future of the national structure.
2- Presidential, legislative, and local elections must take place, despite the divided internal situation. The extension of the presidency, the Legislative Council, and the local councils for longer than their legal terms can create a serious threat to the future of the Palestinian political system. In the meantime, the Legislative Council must be allowed to convene and oversee government accountability.
3- Encourage civil society organizations and political parties to conduct regular elections to select their leaders.
4- The Palestinian Authority must respect public freedoms, particularly freedom of assembly, expression, and political participation, without fear of suppression or intervention by security agencies.
5- Establish and ensure adequate funding of an active social security system.
6- The judiciary should not be involved in political and party conflict.
7- The executive authorities in both parts of Palestine must stop political detention and arbitrary arrests; they must enhance the capacity of the agencies for which they are responsible to impose law and order so as to increase the citizens' sense of safety and personal security.
8- The executive authorities in both parts of Palestine must refrain from violating the Palestinian Basic Law (Constitution), as this will create dangerous precedents for the entire legal system.

5- Lebanon

Lebanon is the closest country to Jordan in democratic practices, but with weakness in means. It ranks second in practices but drops to sixth in means. The weakness in means is especially clear in equality and social justice, and in related practices. Therefore, our recommendations for Lebanon are:

1- Reform the election system by adopting an election law based on proportional representation and not the sectarian register. The new law should reduce the voting age, adopt a quota for women at least in the nomination process, and give the Election Commission (which oversees elections) administrative and financial independence as well as judicial authority. The Commission should not be affiliated with the Ministry of Interior; it should organize and oversee elections independently.
2- Implement the Municipal Law, passed in 1977, with amendments to provide direct election by the people of chairperson and vice-chairperson, to shorten the terms of the municipal councils, and to remove obstacles that hinder their performance. This should be accompanied by ratification of the Administrative Decentralization Law to ensure administrative and financial independence for municipalities and curb central surveillance, in order to activate

anl/rep10 ang 3/16/10 8:48 PM Page 86

local participation. A comprehensive development process is also required, which should limit the influence of politicians in local development.

3- Adopt a law to protect individuals who uncover corruption, and create a monitoring institution, such as an ombudsman, to promote administrative reform and combat corruption in public institutions.

4- Finalize the process of transferring jurisdiction over prisons from the Ministry of Interior to the Ministry of Justice; prosecute and punish in accordance with the Lebanese Penal Law those who commit torture in Lebanese prisons; and release detainees arrested without judicial warrant.

5- End prior censorship of publication and free publications and periodicals from the obligation to obtain a license.

6- Amend the Constitutional Council Law to give the Council authority to interpret the constitution, and not merely to monitor the constitutionality of laws and to settle parliamentary contestations. Appeals to the Constitutional Council must be facilitated, and its independence, initiative, and ability to review laws must be supported. The right to review laws - which Article 19 now limits to the President, the Prime Minister, the Speaker of Parliament, ten members of Parliament, and the heads of the recognized sects in Lebanon – should also be reconsidered. Under the present system, a political accord can lead to agreement on unconstitutional laws when the required majority to contest them is not available. Another very important recommendation here is to amend the selection process for members of the Constitutional Council, increasing its independence and immunizing it from political intervention and political attractions.

7- Confirm the independence of the judiciary and strictly enforce guarantees fully protecting judges from intervention from any source. This should involve comprehensive reform to enhance the status of the judiciary as an authority parallel to the executive and legislative authorities, as well as constitutional and legal amendments to protect the judiciary and judges from interference in their judgments and from external pressure. This can be achieved by changing the mechanism for the appointment of members of the Higher Council of Justice and by giving it authority to appoint and move judges from one place to another.

8- Enact an amendment to the Citizenship Law to entitle Lebanese women, like men, to pass Lebanese citizenship to their offspring, regardless of the spouse's citizenship.

9- Establish a social security network with the power to draft a law for pensions, social security, and care for the elderly through serious, active dialogue among relevant parties (the state, laborers, and employers.)

10- Adopt an economic and financial plan to encourage productive sectors in industry, agriculture, and handicrafts in order to reduce unemployment and achieve comprehensive development in the country.

11- Special interest should be paid to education, especially the issue of school drop-out, and increased government expenditure on education.

6- Egypt

Contrary to Jordan and Lebanon, Egypt ranks first among Arab countries in means, but fourth in practices. This does not imply, of course, that the constitutional framework of the political system in Egypt does not need reform. However, the obvious weakness in practices can be observed especially in rule of law and respect for rights and freedoms. Therefore, our recommendations for Egypt are:

1- The constitutional and legal framework must be purged of restrictions on freedom, especially freedom to form political parties and organizations, and to participate in elections. It is not enough to have laws that regulate these issues; it is also important to implement these laws in a way that expands civil and political freedoms for citizens. In 2009, strong calls were launched to amend the constitution and even to draft a new one, eliminating the restrictions on freedom in the 1971 constitution and its amendments in 2005 and 2007.

2- It is imperative that professional syndicates return to a normal situation. Some of these syndicates, such as the Engineers Syndicate and the Doctors Syndicate, have been under receivership, and no elections have taken place in most syndicates since the mid-1990s. Returning to normal should include giving members the right to run their own business and to choose their representatives without interference from security agencies. The same applies to numerous civil society organizations.

3- The restrictions imposed on political parties, whether on their formation or activity, are among the great obstacles that prevent a healthy political life and hinder equal participation by all active sectors in the political process in Egypt. True political reform, therefore, requires removal of all such restrictions and wider monitoring of security agencies to guarantee that detainees are not abused. It also requires non-interference in the political activities of the opposition and freedom to hold public meetings and demonstrations without government permission.

4- Torture by the police has increased in recent years, and many citizens have been subject to all kinds of torture; most were not engaged in political activity. It is therefore essential to combat these practices which violate human dignity, to punish those who commit torture, and to train police officers in methods of questioning that are free of torture.

5- The importance of abiding by the law in cases where state agencies, especially the police, deal with citizens must be emphasized. Human rights reports and other credible media reports have documented a number of cases in which police officers violated the law by arresting people and keeping them in detention without trial, and even keeping them in prison after they have been found innocent in court. It is imperative that these practices be stopped to maintain respect for the law. It is also imperative to refrain from using state security courts and to work at the same time to strengthen the means of imposing order and the rule of law, to give citizens a stronger sense of security.

6- The relative decrease in the level of education in Egypt and the frequency of epidemics require an increase in public expenditure on education and public health. At the same time, government expenditure for domestic security must be cut: security expenditures have increased remarkably but unnecessarily, in light of the relative stability which Egypt has been enjoying recently.

7- Morocco

The results of the survey indicate that Morocco is similar to most Arab countries in the relationship between means and practices. It ranks third in practices, second in means. The weakness in practices shows itself especially in equality and social justice practices, and in issues related to respect for rights and freedoms. Therefore, our recommendations for Morocco are:

1- Delegate the authority of the monarchy to the government and the legislative power.

2- Give a bigger role to the judiciary, which is constantly challenged by the Ministry of Interior on issues involving elections and civic freedoms.

3- Strength democratic monitoring of security agencies, allow public meetings and demonstrations, facilitate the licensing of political parties, and tolerate a wider space for the opposition media.

4- Although efforts have been made in education, it remains necessary to allocate bigger

anl/rep10 ang 3/16/10 8:48 PM Page 88

budgets and to combat school drop-out.

8- Yemen

Yemen ranks tenth in practices and fourth in means. The weakness of democratic change is greatest in practices, especially concerning rule of law. Therefore, our recommendations for Yemen are:

1- Strengthen democratic values in the constitution and the laws, including amending the constitution to shorten the terms of the president, the parliament, and local councils. The Local Administration Law should be amended, either by establishing a federal system that divides provinces into local states within the framework of the central government, or by adopting a local administration system with wider authority. The Press and Publications Law should be amended by abolishing provisions that allow restriction of freedoms, including imprisonment of journalists. Judicial independence should be strengthened: the judiciary should have full authority to execute its decisions, without intervention by the government. Finally, the mechanism for formation of the Shoura Council (Upper House) should be amended to provide for popular election of half its members.
2- Halt arbitrary arrests and the use of extraordinary state security courts, especially for trials of writers, intellectuals, and journalists; rely upon ordinary justice; allow citizens to sue executive institutions; and reinforce the authorities in charge of maintaining law and order, so as to enhance individuals' feeling of safety and personal security.
3- Increase monitoring of security agencies to halt the mistreatment of detainees; tolerate public meetings and demonstrations by the opposition and allow the opposition to publish periodicals and newspapers; stop censorship of publications and the internet; enhance the independence of universities, and elect their presidents and deans of faculties without intervention by the security agencies.
4- Pay more attention to education, with bigger budgets and by combating school drop-out. Encourage women's involvement in the workforce. In this regard, the Yemeni government must abide by the international agreements it has ratified regarding civil and political rights and prevention of discrimination against women.
5- Establish quotas for women in parliament for at least two terms, to accustom society to the presence of large numbers of women in parliament.
6- Combat corruption by transferring cases from monitoring agencies to the judiciary and by demonstrating government seriousness in treatment of the issue.
7- Reiterate the principles of transparency and accountability in the employment of civil servants, and implement the Financial Security Law.
8- Reiterate the principle of transparency and openness in the economy, especially with respect to the use of foreign assistance.
9- Adopt dialogue as a method and mechanism for the relationship between the ruling party and opposition parties.
10- Disarm all cities completely. To deal properly with the protests in southern Yemen, it is imperative to adopt and enforce the principle of equal citizenship in the employment of civil servants and the distribution of public wealth.

9- Kuwait

Kuwait ranks sixth in practices and seventh in means. Weakness is clearest in the means for equality and social justice, and the practices of public rights and freedoms and strong and accountable public institutions. Therefore, our recommendations for Kuwait are:

1- Establish an independent commission to oversee parliamentary and local elections, as well as elections within social associations, clubs, and public benefit societies, with special attention to the transparency, integrity, and accuracy of all procedures.
2- Strengthen the laws related to gender equality and to the periodicity and integrity of elections, and enact laws that allow political parties to work freely.
3- Enhance the role of public institutions by eliminating practices that hinder the performance of parliament and other elected councils, and by combating favoritism in public employment.
4- Enhance the election process by repealing the law that provides for the appointment of some members of local municipal councils and by supporting citizen participation in the selection of all council members, without intervention by the executive power.
5- Handle the issue of illegal residents in a way that guarantees their human dignity and supports their basic rights. This should include granting Kuwaiti citizenship to the children of Kuwaiti women.
6- Abide by international laws that the government has signed in the field of human rights and civil freedoms, especially regarding wages of foreign workers and their right to protest peacefully.
7- Enhance monitoring of the security agencies to prevent abuse of detainees and reduce censorship of publications and the internet.

10- Syria

Syria ranks seventh in practices and ninth in means. Weakness is greatest in the means of respect for rights and freedoms, and the practices of rule of law and respect for rights and freedoms. Therefore, our recommendations for Syria are:

1- Adopt legislation to make the constitution and laws more democratic, such as amending Article 8 of the constitution which provides that the Baath Party is the leading party of the state and society, and Article 14 of the Election Law which gives workers and farmers 50% of seats in the People's Assembly (parliament). Amend the Election Law to eliminate the governorate as the constituency, replacing it with a new law that divides the parliament's seats into two halves: one half to be elected by smaller constituencies (neighborhoods, villages, etc...) and the other half by Syria as a single constituency, based on the system of proportional representation. Issue a modern and democratic party law, and a modern and democratic publication law; amend the Association Law to allow the existence of as many non-governmental organizations as possible, which will complement the role of the government in developing the country and in solving its problems, without competing with the government in the political field; abolish the state of emergency, or limiting it to areas where it is needed, such as the front line, for example.
2- Tolerate participation of the political opposition in political life, especially regarding freedom to establish parties; allow the publication of newspapers and periodicals and refrain from censorship of publications and the internet; and halt the mistreatment of detainees and prisoners of conscience.
3- Enhance separation of powers and give each of the three powers clear jurisdictions in a transparent constitutional and administrative system.
4- Undertake judicial reform and underscore the independence of the judiciary; abolish all extraordinary courts; give the judiciary jurisdiction to determine all civil, military, and political cases, and the ultimate right to make final decisions in all cases within its jurisdiction; eliminate intervention in judicial decisions.

anl/rep10 ang 3/16/10 8:48 PM Page 90

5- Initiate a civil and democratic solution for the Kurdish problem, by recognizing the Kurdish nationality as a second nationality in the country. Grant Kurds the right to study and learn in their own language, to publish books, newspapers, and publications and to broadcast radio and television in their mother language, within the national unity of the Syrian homeland.
6- Enhance the principle of separation between state and religion.
7- Empower Syrian women: abolish all kinds of discrimination against women; withdraw all Syrian reservations on the CEDAW Agreement; amend the Personal Status Law to ensure equality between men and women; and amend the Citizenship Law to grant Syrian women the right pass Syrian citizenship to their children.
8- Abide by all international agreements and conventions which Syria has signed and ratified regarding human rights, and sign and ratify other international legal agreements.
9- Reinforce the principles of transparency and integrity in all administrative and financial systems in the country.

Annexes

List and Classification of Indicators used in the Arab Democracy Index, Sources of Information and Systems of Calculation

No.	Indicator	Description	Kind of indicator	Values or principles	Sources of information	Systems of calculation
1	**The separation of powers**	Presence of 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.	Means	Strong and accountable public institutions	The constitution or equivalent document	This indicator is divided into two parts. **The first part** – the principle of the separation of powers – is estimated based on the language of the constitution or equivalent document. In case there is explicit language in the constitution stipulating the separation of powers 500 points are awarded; 250 points are awarded if there is language to that effect but it is vague, and if there is no such language the score for this part is zero. **The second part** – the government's accountability to an elected parliament – is estimated based on the language of the constitution. 500 points are awarded for this part in case the constitution confers on parliament the right to give and withdraw confidence and provides tools of oversight such as questioning, investigation and the establishment of fact-finding committees. If there is no language to this effect zero points are awarded.
2	**Periodic and fair elections**	Presence of constitutional or legal guarantees of periodic free and fair elections, both legislative and municipal, based on an electoral system that does not discriminate against certain groups or sectors of the population based on gender, race, region or political background, and guarantees equality for all. The system should also guarantee the right of all persons and eligible individuals to submit their candidacy without restriction.	Means	Strong and accountable public institutions	1. The constitution or equivalent document 2. The electoral laws and associated executive regulations	The score is calculated as follows: (1) 250 points are allocated for clear language providing for periodic elections in the constitution or the electoral law; (2) 250 points are allocated for language stipulating the establishment of an independent supreme electoral committee with the authority to supervise and administer elections; (3) 250 points are allocated for clear language prohibiting discrimination based on sex and/or ethnicity and/or sect and/or region; and (4) 250 points are allocated for clear language stipulating equality among candidates by setting a spending cap on election campaigns and equal use of, or "visibility" in, the official media.!
3	**Excessive powers of the executive**	The extent to which the executive authority has a constitutional prerogative to dissolve the elected parliament, postpone or cancel elections, and declare a state of emergency or an equivalent measure for a long period of time and without requiring the approval of parliament.	Means	Strong and accountable public institutions	1. The constitution or equivalent document 2. The electoral laws	The total score for this indicator is 1000. 250 points are deducted if: (1) there is language that provides for the dissolution of parliament; (2) there is language stipulating the legality of postponing elections; (3) there is language allowing for the cancellation of election results; and (4) there is language providing for the declaration of a state of emergency without the approval of parliament. !
4	**Freedom to form political parties**	Presence of constitutional or legal guarantees of the right to form political parties.	Means	Respect for rights and freedoms	1. The constitution or equivalent document	This indicator is estimated based on the language of the constitution and the political parties' law. 1000 points are awarded for clear language in this regard; 500 points are

anl/rep10 ang 3/16/10 8:48 PM Page 92

No.	Indicator	Description	Kind of indicator	Values or principles	Sources of information	Systems of calculation
					2. Political parties' law and associated executive regulations	deducted if there is no such language in the constitution; and 500 points are deducted in case there is no political parties' law.!
5	**Right of assembly**	Presence of constitutional or legal guarantees of the right of citizens to assembly and peaceful demonstration.	Means	Respect for rights and freedoms	The constitution or equivalent document and any laws containing directly-related provisions (e.g. the penal code)	This indicator is estimated based on the language of the constitution. 1000 points are awarded for clear language in this regard; the score is 500 points if there is language but it is vague; and in case there is no such language the score is zero.!
6	**Guarantees against torture**	Presence of constitutional or legal guarantees banning the use of torture.	Means	Respect for rights and freedoms	1. The constitution or equivalent document 2. The penal code	This indicator is estimated based on the language of the constitution, the penal code, or any other legal provision. 1000 points are awarded for clear language in this regard; the score is 500 points if there is language but it is vague; and in case there is no such language the score is zero.
7	**Freedom of the media**	Presence of constitutional or legal guarantees allowing individual citizens, groups and political parties to own media outlets such as newspapers, magazines, radio stations, news services, internet sites, publishing houses, etc., without being subject to impossible or extremely	Means	Respect for rights and freedoms	1. The constitution or basic law 2. Media laws	This indicator is estimated based on the language of the constitution or the media laws. 1000 points are awarded for clear language in this regard; the score is 500 points if there is language but it is vague; and in case there is no such language the score is zero.!
		bureaucratic conditions.				
8	**Independence of the judiciary**	Presence of constitutional or legal guarantees of the independence of the judiciary, and in particular the extent to which the executive authority is able or not able to appoint or remove judges.	Means	The rule of law	1. The constitution or equivalent document 2. The judicial authority law	This indicator is estimated based on the language of the constitution or the judicial authority law. 1000 points are awarded for clear language regarding the independence of the judiciary and the appointment and removal of judges without interference from the executive authority; the score is 500 points if there is language but it is vague; and in case there is no such language the score is zero.!
9	**Right to a fair trial**	Presence of constitutional or legal guarantees upholding the citizen's right to a fair trial, and to the presumption of innocence until proven otherwise.	Means	The rule of law	1. The constitution or equivalent document 2. Penal laws, criminal trial procedures, or the procedures law	This indicator is estimated based on the language of the constitution, or the penal or trial laws. 1000 points are awarded for clear language in this regard; the score is 500 points if there is language but it is vague; and in case there is no such language the score is zero.!
10	**Gender equality**	Presence of constitutional or legal guarantees of gender equality.	Means	Equality and social justice	1. The constitution or equivalent document 2. The personal status law 3. The civil law regarding the	This indicator is estimated based on the language of the constitution, the personal status law (inheritance, divorce), and the nationality law. The indicator is calculated as follows: 1. 500 points are awarded for clear language in the constitution/basic law, 250 points if there is language but it is vague, and zero

No.	Indicator	Description	Kind of indicator	Values or principles	Sources of information	Systems of calculation
					rights to property and inheritance 4. The nationality law	points if there is no such language. 2. 100 points are awarded for language stipulating equality between the sexes in inheritance. 3. 200 points are awarded for language stipulating that women are permitted to initiate divorce proceedings on an equal basis as men. 4. 200 points are awarded for clear language stipulating that children assume the nationality of a mother married to a foreign national.!
11	**The obstruction of parliament's work by the executive authority**	Presence of an elected parliament and local councils, whether there were cases of the elected parliament or local councils being dissolved or their work obstructed, and whether there were cases of municipal or parliamentary elections being obstructed, delayed or cancelled other than by order of a competent court.	Practices	Strong and accountable public institutions	1. The parliamentary secretariat, parliament's media office, or interviews with members of parliament 2. The body/institution supervising municipal and/or general elections 3. Reports by human rights organisations 4. The local	**The first part** relates to the parliament: If there is an elected parliament this indicator receives a score of 500 points, and if not the score is zero. The indicator receives a score of zero in case of the dissolution of parliament, in case parliamentary elections are delayed, and in case of the disruption of parliament. In case there is more than one bloc in parliament, the score is divided equally between each. **The second part** relates to local councils: The score for this indicator is 500 points if there are elected local councils and zero points if there are not. This indicator receives a score of zero in case of the dissolution of any elected local council, in case local elections are delayed for reasons related to the political will, and in case the work of
					and international press	local councils is obstructed.!
12	**Government accountability**	Number of proposed votes of no confidence in the government, number of investigations into government officials, number of fact-finding committees formed, and number of cases in which government officials were questioned.	Practices	Strong and accountable public institutions	1. The parliament, house of representatives, various parliamentary committees, the parliament's media office or website, or interviews with members of parliament 2. Reports by human rights and civil society organisations 3. The local and international press	The score for this indicator starts at zero and increases by 1 point for each question put to an official, by 50 points for each fact-finding committee and each investigation, and by 250 points for each proposed vote of no confidence in the government.!
13	**Publication of draft laws**	The publication of information indicating the existence and substance of a discussion within society on proposed legislation and amendments	Practices	Strong and accountable public institutions	1. The parliament's media office or interviews with	The value of this indicator is calculated as follows: 50 points are awarded for each item (report, article or announcement) on a bill published in the two most widely-distributed

anl/rep10 ang 3/16/10 8:48 PM Page 94

No.	Indicator	Description	Kind of indicator	Values or principles	Sources of information	Systems of calculation
		to laws, such as the publication of draft bills, news reports in the press about workshops to debate a bill, or editorials discussing a bill.			members of parliament 2. The local press	newspapers.
14	**Corruption in public institutions**	Proportion of those who believe there is corruption in the public institutions of the state, and the number of corruption cases referred to the courts.	Practices	Strong and accountable public institutions	1. Public opinion poll 2. The attorney general's office 3. The local press	This indicator is calculated according to one of the following methods: 1. If there is a poll and information available on cases of corruption, 500 points are awarded for each part of the indicator, calculated as follows: **First**: On the basis of the percentages of public opinion poll responses received – (a) the percentage of people who believe there is corruption in the state apparatus; (b) the percentage of people who believe there is a certain amount of corruption in the state apparatus; and (c) the percentage of people who believe that there is corruption in the state apparatus – the score for the indicator is calculated as follows: Score = (c x 500) + (b x 250) + (a x 0). **Second**: The second part of the indicator equals: No. of cases referred to the courts x 500 Total no. of cases 500 points are awarded for this section if there are no such cases. This variable is zero if there is no information available or it is not provided by the relevant authority. 2. In case only one of the two parts of this indicator is available, it is calculated out of a total score of 1000 points.
15	**Obstruction of the work of parliament**	Cases in which the executive authority attempted to obstruct legislative action, e.g. by not publishing or disseminating laws approved by the legislature; by attempting to empty laws of their content by issuing executive orders that contradict their provisions; by the failure of ministers to attend parliamentary sessions designated for investigation or questions, or by not attending committee meetings to which they were invited without excuse; by the cancellation of annual session of parliament; or by the executive authority preventing members of parliament from attending sessions of parliament, or preventing the press from attending parliamentary sessions in order to report on their proceedings.	Practices	Strong and accountable public institutions	1. The parliament, house of representatives or interviews with members of parliament 2. The local press 3. Cases before the constitutional courts or equivalent body	The value of this indicator starts at 1000 points and decreases by 200 points for each incident.
16	**Use of *wasta* (favoritism) in public employment**	The public's perceptions of the use of *wasta* in employment in the public sector (governmental institutions, institutions financed from the state budget such as the parliament, the	Practices	Strong and accountable public institutions	Public opinion poll	The value of this indicator is calculated as follows: The percentage of people who do not believe *wasta* is used in public employment x 1000.

No.	Indicator	Description	Kind of indicator	Values or principles	Sources of information	Systems of calculation
		president's office and local government authorities, etc.).				
17	**Performance of public institutions**	The public's evaluation of the ability of public institutions to deliver services and perform their role effectively.	Practices	Strong and accountable public institutions	Public opinion poll	On the basis of the percentages of public opinion poll responses received – (a) Very good; (b) Good; (c) Neither good nor poor; (d) Poor; (e) Very poor – the score for each institution is calculated as follows: Score = (a x 1000) + (b x 750) + (c x 500) + (d x 250) + (e x 0).!
18	**Violations of the constitution**	Number of cases of violations of the constitution or equivalent violations by the executive authority.	Practices	Strong and accountable public institutions	1. The parliament, house of representatives or interviews with members of parliament 2. The local press 3. Cases before the constitutional courts or equivalent body	This indicator decreases by 250 points with each violation of the constitution or the law by the president or the government.!
19	**Political and economic independence**	The percentage of foreign assistance that constitutes the state budget, dependence on foreign markets to sell public sector products, and the presence of foreign military bases.	Practices	Strong and accountable public institutions	Statistical bureaus, the ministry of trade, ministry of the economy or equivalent, the ministry of foreign affairs, the state budget, the annual report of the central bank, the World Bank.	This indicator is divided into three sub-indicators: **The first** relates to the percentage of foreign assistance (300 points). The score is zero if the percentage is greater than 20% and 300 points if the percentage is 0%. The score is calculated based on the percentage between these two values. **The second:** 300 points are awarded if dependence on foreign markets is below 25% of the sale of public sector products, and zero points are awarded if it is 55% and above. The score is calculated from the percentage between these two values. **The third:** The score for this indicator is 400 points in case there are no foreign military bases stationed in the country, zero if such bases are present, and 200 if foreign troops are present for a limited period of no more than six months.!
20	**Political reforms**	The public's belief that the executive authority is introducing political reforms or that there is a genuine interest on its part to do so, and the public's evaluation of the general state of democracy in the country.	Practices	Strong and accountable public institutions	Public opinion poll	This indicator is divided into two parts, and up to 500 points are awarded for each part. The value of the **first part** is calculated as follows: 500 x the value obtained from the question on evaluation of government's ability to carry out reforms. The indicator falls by 50 points for each 10% of people who believe that the government has not succeeded in implementing its reform programme. The value of the **second part** is calculated as follows: On the basis of the percentages of public opinion poll responses received – (a) Very good; (b) Good; (c) Neither good nor poor; (d) Poor; (e) Very poor – the score is calculated as follows:

anl/rep10 ang 3/16/10 8:48 PM Page 96

No.	Indicator	Description	Kind of indicator	Values or principles	Sources of information	Systems of calculation
						Score = (a x 500) + (b x 375) + (c x 250) + (d x 125) + (e x 0).!
21	**Ill-treatment of detainees**	Number of torture or death cases involving detainees during their detention period or forced disappearance.	Practices	Respect for rights and freedoms	1. Reports by human rights organisations operating in the country 2. The ministry of the interior for the number of deaths	The value of this indicator starts at 1000 points and falls to zero if there is any death case resulting from torture during the period of observation. It falls by 100 points for each case of torture, and any remaining points are halved where it is evident that information was deliberately withheld.
22	**Obstruction of the activities of political parties**	Whether party-related activities are allowed or obstructed, for example by licensing new political parties or refusing to do so, banning parties, or arresting political leaders for political motives.	Practices	Respect for rights and freedoms	1. The ministry of the interior or body responsible for the registration of political parties 2. The local press	The value of this indicator is 1000 points in case all political parties that submitted applications were licensed, no political party was banned without order by a competent court, and no political leaders or candidates were arrested for political motives. It decreases by 200 points for each infringement of the above provisions.
23	**Suppression of protests and demonstrations**	Cases of suppression of protest activities (demonstrations, marches and public meetings).	Practices	Respect for rights and freedoms	1. The press 2. Civil society organisations (statements, reports) 3. Human rights organisations (statements, reports)	The value of this indicator starts at 1000 points and decreases by 200 points for each activity that was banned or suppressed.!
24	**Interference by the security services**	The domains for which a citizen requesting a licence or government documentation must seek the approval of the security services or obtain a certificate of good conduct from them (a certificate from the security services stating that they do not object to the person's act).	Practices	Respect for rights and freedoms	1. It is possible to examine the conditions for obtaining a licence from governmental institutions, e.g. for publishing a newspaper, for a publishing house, for a civil society organisation, for appointment to public office, etc., based on whether it is necessary to obtain a certificate or approval, or to undergo an interview with one of the country's security	This indicator is divided into two parts. The value of the **first part** starts at 500 points if there are no such domains, and decreases by 50 points when there is a single domain, by 150 points when there are two domains, by 300 points when there are three domains, and falls to zero when there are four or more domains. The value of the **second part** is calculated as follows: On the basis of the percentages of public opinion poll responses received – (a) No; (b) Don't know; (c) Yes – the score is calculated as follows: Score = (a x 500) + (b x 250) + (c x 0).!

No.	Indicator	Description	Kind of indicator	Values or principles	Sources of information	Systems of calculation
					services. Thus it is possible to examine the conditions for the issue of licences by the ministry of the interior, ministry of tourism, ministry of information, ministry of transport and ministry of culture. 2. Public opinion poll	
25	**Opposition views in the local press**	Citizens' perceptions of whether the authorities censor the news and whether there is a blackout of the opposition's activities and positions in the daily newspapers.	Practices	Respect for freedoms	Public opinion poll	On the basis of the percentages of public opinion poll responses received – (a) There is no censorship; (b) Don't know; (c) Yes, there is censorship – the score is calculated as follows: Score = (a x 1000) + (b x 500) + (c x 0).!
26	**Criticism of the authorities**	The public's views regarding the ability of the citizen to criticise the government and leaders without fear.	Practices	Respect for freedoms	Public opinion poll	On the basis of the percentages of public opinion poll responses received – (a) the percentage of persons who believe that it is possible to criticise the authorities without fear; (b) the percentage of persons who believe that is it not possible to criticise the authorities without fear; and (c) the percentage of persons who have no opinion – the score for this indicator is calculated as follows: Score = (a x 1000) + (c x 500).!
27	**Opposition newspapers and magazines**	The number of opposition newspapers and magazines compared to the total number of newspapers and magazines.	Practices	Respect for freedoms	1. The ministry of information 2. Interviews with a sample of bookshops 3. Interviews with opposition party officials	(The percentage of opposition newspapers <u>from the total number of newspapers) x 700</u> 50% Magazines are assigned a value of 300 in the foregoing equation, and are combined with it after the indicator has been divided into two parts. Thus newspapers receive a score of 700 points and magazines 300 points. This calculation is based on the assumption that the percentage of the public that supports the opposition amounts to approximately 30% of the total, and that the distribution of opposition newspapers is far lower than that of non-opposition newspapers.!
28	**Censorship of publications and internet sites**	The citizen's ability to access foreign publications and internet sites, and the number of newspapers, magazines, books and internet sites banned in the country.	Practices	Respect for freedoms	1. The ministry of information 2. Newsstands 3. Public opinion poll 4. Reports by human rights organisations operating in the	This indicator is divided into two parts: **The first part:** Up to 500 points are awarded. On the basis of the percentages of public opinion poll responses received – (a) Not banned; (b) Don't know; (c) Banned – the score is calculated as follows: Score = (a x 500) + (b x 250) + (c x 0). **The second part:** Up to 500 points are awarded. 250 points are deducted for each

anl/rep10 ang 3/16/10 8:48 PM Page 98

No.	Indicator	Description	Kind of indicator	Values or principles	Sources of information	Systems of calculation
					country	newspaper, magazine, book or internet site that is banned. In case no information is obtained on one of the two parts of the indicator, the score is multiplied by 1000.!
29	**Ability to organise protest activities**	Number of demonstrations organised by individuals, trade and professional unions, political parties and human rights groups.	Practices	Respect for freedoms	1. Reports by human rights organisations operating in the country 2. The ministry of the interior	The value of this indicator starts at zero and increases by 50 points for each demonstration that is organised.!!
30	**Prosecution of the executive authorities**	Cases brought to the judiciary against decisions and actions by ministers, the cabinet and the security services.	Practices	The rule of law	The sources must be documented. 1. The press 2. Human rights organisations 3. Administrative court records 4. The ministry of justice	The value of this indicator starts at zero and increases by 25 points for each case.!
31	**Detention without a charge**	Number of detainees placed in detention without trial.	Practices	The rule of law	1. Reports by human rights organisations operating in the country 2. The local and	The value of this indicator starts at 1000 points and decreases by 10 points for each case of detention without trial or indictment. The value of the indicator falls to zero when there are 100 or more cases.
					international press	
32	**Security courts**	Number of cases in which civilians were tried in state security courts, military courts or similar courts.	Practices	The rule of law	1. Reports by human rights organisations operating in the country 2. The supreme judicial council 3. The local and international press	The value of this indicator starts at 1000 points and decreases by 200 points for each case, falling to zero after five cases.!
33	**Ability of human rights organisations to operate**	Presence of local and international human rights organisations and their ability to operate freely.	Practices	The rule of law	1. A survey sample of local organisations 2. Reports by international human rights organisations 3. Reports by local human rights organisations 4. The ministry of the interior and/or the governmental institution charged with	The score is calculated as follows: 1. 250 points are awarded for the licensing/ registration of a local organisation or for it being allowed to operate. 100 points are given for this part if there is one such organisation, 200 points if there is more than one organization, and 250 points if all organisations that wish to operate are permitted to do so. 50 points are deducted if any organisation is banned (in case there is a conflict between the issue of licensing and permission to operate the assessment is left to the national team). 2. 250 points are awarded for the opening of international offices or for their being allowed to operate. 100 points are given in this part if one such organisation is allowed

No.	Indicator	Description	Kind of indicator	Values or principles	Sources of information	Systems of calculation
					licensing human rights organisations 5. Interviews with human rights and civil society activists	to operate, 200 points for more than one organisation, and 250 points if all organisations that wish to are permitted to operate. 50 points are deducted if any organisation is banned. 3. 250 points are awarded for the ability of a local or international organisation to operate freely and/or conduct interviews. The score is divided equally between local and international organisations. 4. 250 points are allocated to the issue of the harassment of local and international organisations by the authorities. 250 points are deducted in case one local or international organisation is subjected to harassment by the authorities.!
34	**Personal safety**	The public's perception of the state of law and order in the country and guarantees of security and safety for the individual and the family.	Practices	The rule of law	Public opinion poll	This indicator starts at 1000 points and falls by 200 points for each 10% of citizens who do not have a sense of personal security. The value of the indicator is zero in case 50% or more of citizens do not have a sense of personal security.
35	**Social security**	Rate of participation among all workers in the social security system to obtain pensions (public sector, private sector and civil society).	Practices	Equality and social justice	1. The bureau of statistics, ministry of social affairs, the social security institute, or the annual report	The score was calculated as follows: the percentage of members of pension funds among all workers x1000.
					of the central bank 2. Public opinion poll	
36	**Education**	Illiteracy levels and proportion of university graduates among men and women.	Practices	Equality and social justice	1. The bureau of statistics 2. The ministry of education	This indicator is calculated as follows: 1. 250 points are allocated for literacy levels. The score falls by 25 points for each percentage point of illiteracy. 2. 250 points are allocated for the disparity in illiteracy levels among men and women. If the illiteracy level among men is lower than among women then the score for this part equals: Illiteracy level among men x 250 Illiteracy level among women If illiteracy levels among men are higher than among women then the value of this score is calculated as follows: Illiteracy level among women x 250 Illiteracy level among men 3. 250 points are allocated based on the percentage of persons with a bachelor's degree. We determined that the reasonable percentage of people with a bachelor's or higher degree among all people aged 18 years and older was 20%. Thus the score for this part equals: Proportion with bachelor's or higher degrees x 250 20% 4. 250 points are allocated based on the gap

anl/rep10 ang 3/16/10 8:48 PM Page 100

No.	Indicator	Description	Kind of indicator	Values or principles	Sources of information	Systems of calculation
						between the proportion of men and women with a bachelor's or higher degree. If the proportion of women with a bachelor's or higher degree is lower than the proportion among men, the score is calculated as follows: % of women with bachelor's or higher degree x 250 % of men with bachelor's or higher degree If the proportion of women with a bachelor's or higher degree is greater than the proportion among men then it is calculated as follows: % of men with bachelor's or higher degree x 250 % of women with bachelor's or higher degree The four scores are combined to obtain the total score for this indicator.!
37	**School drop-outs**	School drop-out rates.	Practices	Equality and social justice	1. The bureau of statistics 2. The ministry of education	200 points are deducted for every 1% of children who drop out of school. If the drop-out rate is 5% or above the score is zero.
38	**Participation of women in the labour force**	Rate of women's participation in the labour force.	Practices	Equality and social justice	1. The bureau of statistics 2. Report by the central bank	The acceptable rate of women's participation in the labour force was determined to be 30%. Therefore the score for this indicator was calculated as follows: % of women in the labour force x 1000 30%
39	**Equality in wages**	Equality in wages for men and women.	Practices	Equality and social justice	1. The bureau of statistics 2. The ministry of labour 3. The ministry of women's affairs or supreme council of women 4. The central bank	Average wage of women x 1000 Average wage of men
40	**Public expenditure on social needs compared to security**	Government expenditure on the health and education sectors compared to expenditure on security.	Practices	Equality and social justice	The public budget law	Expenditure/budget for security x 100%; expenditure/budget for health and education x 100%. The ratio considered acceptable was 1:9, the estimated global average. If the ratio is 1:9 then the value of the indicator is 1000, and zero if the ratio is 9:9 or higher. It decreases by 120 points for each additional increment of 0:1.!

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anl/rep10 ang 3/16/10 8:48 PM Page 102

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anl/rep10 ang 3/16/10 8:48 PM Page 104

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1- To guarantee greater political and civil freedom, not only through more legislation but also by enhancing monitoring functions and the role of human rights organization.
2- To make the issues of social justice and social and economic rights the core of the reform process
3- To reform education by allocating bigger budgets, combating illiteracy, reducing the school drop-out rate, and improving the conditions of education, especially for females.

To implement these recommendations, Arab states need to strengthen relevant public institutions, such as parliaments, the judiciary, and authorities responsible for law and order, through accountability to legislatures, respect for judicial independence and surveillance over security force.

The Arab Reform Initiative advances knowledge and nurtures home-grown and responsive programs for democratic reform in the Arab World. In the quest to build free, just and democratic societies, ARI focuses on the interaction of democratization and good governance, socio-economic and cultural transformations, and social justice. The Initiative promotes a fruitful and respectful dialogue to forge a shared vision of reform and democratization.