



THE LOCAL ADMINISTRATION SYSTEM IN THE HASHEMITE KINGDOM OF JORDAN

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Article history:	Abstract:
Received: August 28 th 2021 Accepted: September 26 th 2021 Published: November 6 th 2021	The research aims to shed light on the local administration in Jordan, by highlighting the important role of municipalities in Jordan, clarifying the concepts associated with them, and helping to evaluate and develop the administrative reality of municipalities in Jordan. With an indication of the extent of the application of the decentralization approach, and the most important problems and difficulties that this application faced in Jordan. The study concluded that Jordan's adoption of the administrative decentralization approach and its application in the field of municipalities is still in its infancy and needs to complete its legal and administrative framework on the one hand, and overcome the difficulties it is experiencing on the other hand. The research recommended strengthening the role of municipalities and their programs in achieving sustainable development in its various fields, introducing the concept of sustainability in their development programs, working on developing the administrative reality of municipalities, and developing the legal environment regulating the relationship between the Ministry of Local Administration and the municipalities.

Keywords: Local Administration, Jordan, Administrative Reality, Municipalities

INTRODUCTION

The process of comprehensive development in general is related to the nature of public administration at its various levels, starting with the local level - the local administration, up to the national level - the state administration. The administration works to invest and direct material and human resources in an organized manner to satisfy the needs and desires of society according to the nature and circumstance of the developmental stage to obtain the greatest benefits at the lowest costs. The responsibility of the local administration is to develop the local community by investing the available resources in it in addition to the support it receives from the central government. The success of the local administration in the development and development of the local community depends on the extent of awareness of development trends, and the reform and development of the local administration, which has become a first imperative on the community's priority agenda, as the existence of qualified local administration systems is an essential step on this path. Of course, building an advanced system for local administration does not come just by issuing laws or decisions related to that. Rather, there must be harmony between what the laws provide and the conditions and requirements of development and reform. The municipality or the "local authority" is the basic building block for building any social fabric, and it regulates the relationship

between the main actors in the local community from a developmental perspective. On the other hand, it is the municipality that defines the different types and forms of economic activities within its sphere of influence and the limits of its local authority. This is done through spatial planning, structural planning and detailed land use programs and the distribution of the various activities and sectors on the lands ⁽¹⁾.

In view the important role that municipalities play in providing services and various facilities to their residents and developing local communities, the Jordanian state realized, since the first years of the establishment of the Emirate of Transjordan in 1921, the importance of this role for municipalities. This crystallized in the issuance of the Municipal Affairs Organization Law in March 1920, which stipulated that "the municipality shall be managed by an elected municipal council." The law continued to be applied until the issuance of Municipal Organizing Law No. (9) 1938, which stipulated a mixture of methods of election and appointment in the formation of councils Municipal. In 1955, the Municipalities Law No. (29) 1955 was issued, which considered the Municipal Council to be one of the local administration units in Jordan. According to this law, the Municipal Council was given a legal personality with financial and administrative independence and stipulated the adoption of the principle of direct election in the formation of municipal councils. In addition, a set of



amended laws, regulations and instructions were issued that clarify the tasks entrusted to the municipality, its president and members, and regulations governing the work of its employees. Several Arab studies and research related to the subject of the study were reviewed to identify the literary stock in the subject of the research, and to benefit from the most important findings and recommendations of studies that emphasized the need to conduct more research and studies.

IMPORTANCE OF STUDY

The importance of the study comes from the advantages that are characterized by municipalities that help improve the performance of local communities, achieve quality in services provided to citizens, and contribute to advancing the process of administrative development forward.

OBJECTIVES OF THE STUDY

The objectives of this study are focused on shedding light on the local administration in Jordan, tracing the stages of the historical development of the Jordanian local government, clarifying the related concepts, shedding light on municipalities as an administrative unit, and clarifying the legal basis for them.

LOCAL ADMINISTRATION BETWEEN CENTRALIZATION AND DECENTRALIZATION **The historical development of local government in the Hashemite Kingdom of Jordan**

Transjordan was not absent from the Ottoman administrative organizations, as it was present because of the important geography on which this region was based at that time for the Ottoman Empire. The Shami Hajj Road, the fall of Jordan to the side of the Ottoman Empire in the face of the Egyptian project against it, taxes and compulsory conscription, which made Jordan the focus of the Ottoman administration's attention, as the number of municipal councils in Transjordan before 1920 AD was ten municipal councils, and the Irbid municipal council was the first and oldest of these. The councils were established in 1883 AD, followed by the Salt Municipal Council in 1887 AD, then the Karak Municipal Council in 1895 AD, and the Ma'an Municipal Council in 1898 AD⁽²⁾. All of these councils were established after the issuance of the Ottoman State Formation Law, as Ajloun was the first area to which the Ottoman administration extended in 1851 AD, and the Irbid Municipality was the center of this district. Then the Ottoman Empire extended its control over the central

region of eastern Jordan - the Balqa area - and that was done in 1868 AD. In the southern region - Karak and Ma'an in 1893, as for the city of Amman, the municipal council was established in 1909⁽³⁾. This was followed by the establishment of the municipality of Jerash in 1910, the municipality of Madaba in 1912, the municipality of Sahab in 1912, the municipality of Tafila in 1914, and the municipality of Ajloun in 1920, until the era of the emirate came to launch a new path in the way of building and establishing the modern state, where five municipalities were established: the Ramtha municipality in 1943, And the municipality of Al-Hosn 1943 AD, the municipality of Mafraq 1944 AD, the municipality of Anjara 1945 AD and the municipality of Kufranja 1945 AD, until the moment of independence.

In Amman, it was decided to establish the first municipal council in Amman in 1909, and its population was about (300) families, or about (2000) people. Then the city rose from its slumber and came back to life with a rush, as Prince Abdullah bin Al Hussein arrived in the early 1921 AD, to begin after that the urban and political movement in the city, and the first municipal elections were held in 1925 AD according to the first municipal law issued in the same year. In 1950, as a result of the increased expansion of the city following the 1948 war, the Amman municipality was transformed into the Capital Municipality⁽⁴⁾. The Amman municipality worked on the completion of three water tanks in 1930 AD, and in 1932 AD the water pipes were expanded, and the municipality took other measures to preserve the health of the people and the cleanliness of the town. In 1926, a waste disposal system was issued, and arrangements were made for collecting waste and transporting it to a remote place. Another system for licensing shops and workshops was also issued, provided that they are then examined by the Health Department and ensure that they comply with health specifications. At the end of 1927, the first water project was implemented in Oman, and people started drinking unpolluted water. A report by the Health Department states that the town was crowded with people, especially after the arrival of several hundred Syrian immigrants (as a result of the Great Syrian Revolution of 1925-1927). As a sign of appreciation for the Capital Municipality and its employees, His Majesty the founding King Abdullah I bestowed on Hazza Al Majali when he was the mayor of the municipality in 1948 AD a gold necklace. The royal decree stipulated that the necklace be for him and for his successors after him, meaning that whoever holds the position of Mayor of the Capital assumes it. Life began to develop



in Jordanian cities and towns and villages, and the level of education increased, which was reflected on the level of local administration in all regions of the Kingdom, which necessitated the issuance of new laws regulating local administration based on the 1952 Constitution. Jordan followed a system of local communities consisting of three systems: the governorate system, the municipal system, and the village management system.

The experience of the village councils in Jordan is unique, and although the village councils no longer existed before the decision to merge the municipalities in 2001 AD, they contributed to the development of administrative structures, as the village council was formed according to the Village Administration Law No. (5) of 1954 AD from a number of people No less than three and no more than twelve as determined by the Administrative Governor. Naturally, the actual number is determined in light of the number of residents and the social composition of the village's population, The more diverse the clans and ethnic and religious groups, the greater the number of members representing these groups. The Jordanian legislator uses the term "village" to any place announced by the Minister of Municipal, Rural and Environment Affairs, in the Official Gazette, as a village or clan unit, provided that the village or any part of it does not fall under the jurisdiction of another municipal or local council. At the municipal level, despite the turbulent political conditions that Jordan experienced in 1956, starting with the tripartite aggression on Suez and the 1967 war, and the application of martial law in Jordan, the experience of municipalities continued. During this period, municipalities were the only democratic face of Jordan in the absence of parliamentary democracy. Article 121 of the Jordanian constitution in 1952 stipulated that "municipal affairs and local councils are managed by municipal or local councils according to special laws." As stated in the Municipalities Law No. 29 of 1955 AD, a municipal council is in charge of managing the affairs of the town, whose members are elected directly in accordance with the provisions of the law. Article 2 of the same Municipalities Law stated that the municipality is "a civil institution with financial independence that is created, abolished, and defines the boundaries of its area and its functions in accordance with The provisions of this law and the Minister, upon the recommendation of the Council and

the recommendation of the administrator, may change and expand these limits".

After implementing the Village Councils Law No (5) 1954 AD, and Municipalities Law No (29) of 1955 AD for a period of more than twenty-five years, talk began about the development that should enter this administration after the increased demand for health services and services in their various forms emerged from the opening Roads, paving streets, lighting, etc., increasing demand for a better quality of services, and the inability of some local units to carry out the tasks entrusted to them for economic and technical reasons, such as lack of money or lack of equipment and qualified personnel. In 1965, a ministry was established in the name of the Ministry of Interior for Municipal and Rural Affairs, entrusted with administrative control over the work of municipalities and local and village councils, and with the increase in the financial cost of operating the municipal and rural local councils due to the increase in their number and the necessitated increase in the number of administrative cadres on the one hand and the presence of inflation on the one hand other. This administrative movement resulted in the idea of the joint services councils, the idea of merging municipalities. The "Joint Services Councils System" No (17) 1983 was issued, which governed the work of these councils, and this system was issued based on the text of Article (41) of the Municipalities Law amending Law No. (29) 1955 AD, it came into force as soon as this system was adopted. The number of these councils increased until it reached 96 in 1990. However, this number decreased after that until it became only 58 councils in 1993 AD. These municipal councils were distributed among the governorates and development regions in Jordan, The municipal elections that were held on 7/11/1995 AD constituted a milestone and were considered a qualitative leap in the history of Jordan, as women reached for the first time in the history of Jordan the seat of the municipal presidency, and the total number of village councils in 1996 amounted to about 354 village councils. During the reign of the Kingdom, the number of Jordanian municipalities increased more than twenty times in a period not exceeding five decades, as the number of municipalities increased from 15 in 1950 to 328 in 2000. Today, there are 100 municipalities in Jordan and one municipality, the Greater Amman Municipality, known as the "Amman Municipality".



Table No. (1) Shows the municipalities according to their numbers in each governorate

number of municipalities	Governorate	No
18	Irbid	01
18	Al-Mafraq	02
5	Jerash	03
5	Ajloun	04
8	capital	05
9	Al-Balqa	06
7	Al-Zarqa	07
4	Madaba	08
10	Al-Karak	09
7	Ma'an	10
5	Al-Aqaba	11
4	Al-Tafila	12
100	total number	

CONCEPT OF LOCAL ADMINISTRATION

The concept of local government emerged in the late nineteenth and early twentieth centuries, as a result of the quantitative expansion of the functions and duties of the modern state on the one hand, and the qualitative expansion of the rights and demands of citizens. It was also helped by the diversity of local needs, demands and services, in contrast to the inability of central governments to accurately plan for local communities (Ali et al., 2021; Alnawafleh et al., 2019). Administrative methods and methods have tried to find administrative and political formulas capable of controlling the administrative units in the state. The formula of central government versus decentralized government has been crystallized, direct administration versus delegation of powers and authorities; hence the idea of what became known in theoretical thought as local government or local administration as a new administrative reality. It has become a term with its pillars and advantages, and many countries of the world have adopted it to manage their local bodies⁽⁶⁾. Local government is defined as "any area which has a population residing in a particular geographic area with permitted organization and governing body, as well as an independent legal personality and authority to provide certain public or governmental services with a significant degree of autonomy, including legal and effective authority to collect a portion of its revenue"

⁽⁷⁾. According to Sahrawi confirm that local government is "one of the forms of political decentralization in the sense of distributing legislative, executive and judicial power between the central authorities in the capital and between regional governments"⁽⁸⁾. As for local administration, the Encyclopedia of Local Governance defined it as: "A management method whereby the territory of the state is divided into units with a local concept, and the management of each unit is supervised by a body representing the public administration of its people, provided that these bodies are independent with self-financial resources, and are linked to the central government with relationships determined by law"⁽⁹⁾. Al-Khalidi defined it as: "A method of administration whereby the state is divided into local units, which have legal personality, and are represented by councils elected from among its people to manage its interests, under the supervision and control of the central government"⁽¹⁰⁾. Bardhan & Mookherjee defines it as: "a local unit managing it and managing its own affairs"⁽¹¹⁾.

In the context of the aforementioned definitions of local administration, the concept of decentralization has been discussed, which means, in the context of talking about both, a delegation to the municipalities from the central authority, and hence the nature of that relationship between them must be seen as an integrative relationship within the framework of



defining powers, tasks and responsibilities For each of them, and in light of all this, the United Nations and the International Federation of Local Authorities have unanimously agreed that local administration is the:

- 1- Geographical division with a political umbrella for a simple unified state.
- 2- The presence of elected bodies from the people of the local body.
- 3- Central authority control over those local bodies.

In light of the previous definitions, the researcher believes that the local administration is: "a set of rules, laws, regulations, and instructions that control and organize financial resources, and human resources, to reach the desired goal (citizen

service), with the highest quality, lowest cost, effort and time through elected municipal councils".

The concept of local administration differs from the concept of local government in that the second is more inclined towards decentralization than the local administration system, through which all administrative authorities and most of the legislative and judicial authorities are transferred to local units, and in which these local units emerge as parallel bodies to the central administration, and to distinguish between local administration and local government Table No. (2) Shows the criteria for distinguishing between the term local administration and local judgment ⁽¹³⁾.

Table No. (2)
Comparison between "local judgment" and "local administration"

The Difference	Local judgment	Local Administration
Foundation	Established by the Constitution/ Statute of the State.	Established by law and regulations.
Specialization	Judicial, legislative, executive, represented in the federal and federal governments.	Executive only, concerned with a region with specific homogeneous demographic and economic characteristics.
Relationship	It is related to the form of the state and is considered a method of political organization.	It is related to the administrative organization of the state and is considered one of the methods of administrative organization.
The degree of stability of specialization	The specialization has a relatively high degree of stability.	The Specialties subject to change, increase or decrease.
Autonomy	Executive organs, relatively independent of central judgment.	Executive administrative organs, relatively independent of central judgment.
Inclusivity	Includes both local judgment and local administration.	A vision of the local judgment.
Powers	It is granted by law and can only be taken by decision of the legislature.	Granted under Legal legislation.
Oversight	Indirect control is exercised by the central authority.	It is subject to the control and supervision of the central authority.

Reviewing the laws and regulations in Jordan, we find two levels related to the components of local administration, which are administrative units, and municipalities. Municipalities in Jordan are considered among the most important local units and the closest to democracy, and opinions varied regarding the definition of the concept of municipalities within the framework of local governance within countries. Some have pointed out that municipalities are a method of administrative decentralization, while local government is a method of political decentralization, and therefore the latter is only found in federal countries (federal) such as the United States of America, while

municipalities are found in simple countries, and in application, We see that England, for example, as a simple country does not apply the system of municipalities, while the United States has left these matters to the constitutions of its states as it wants. Local bodies (municipalities) function as extensions of the state with limited autonomy, as in countries that were French colonies. Accordingly, English jurisprudence defines the style of local government in Britain and its colonies as "independent legal entities usually governed by local elected councils with a degree of independence." The English also define the British local government system as a local government



assumed by elected local bodies, charged with administrative and executive tasks related to residents in a specific local area, and has the power to issue decisions and regulations.

Local administration between centralization and decentralization

The administrative organization in the modern state takes two forms: centralization and decentralization, and despite their theoretical opposition, they are complementary, and it is not possible to imagine decentralization except within the framework of centralization.

First: The centralization

Centralization means: the concentration of power in the hands of one main authority, meaning that there is only one authority in the state that undertakes the functions itself, or through employees who do not have self-authority, or through employees who derive their authority from the main authority. Committee, body or council ⁽¹⁴⁾.

In contemporary countries, there are three areas of centralization ⁽¹⁵⁾.

- 1- Political centralization: in which the administration territory of the state is subject to a single political authority, and therefore the legislative, judicial and executive functions are concentrated in the hands of the central government, without the participation of these authorities.
- 2- Economic centralization: it predominates in some contemporary countries, where the central authorities in the state direct the economy and complete or partial planning for it.
- 3- Administrative centralization: It is found in the administrative field, so that the final decision on administrative affairs is in the hands of the central government in the capital.

Centralization advantages

From a political point of view, centralization is considered a strengthening of the political unity and a consolidation of the state, especially at the beginning of its establishment. Moreover, it is a means of supervising national organizations of a central nature, such as the armed forces and foreign politics. As for the administrative aspect, it is the most efficient way to carry out major national projects, and it also helps to unify the administrative direction in the state and unify management patterns and procedures. It often works to emphasize objectivity in providing

services without considering local or regional considerations, which leads to the provision of a minimal amount of services in many poor or disadvantaged areas.

Centralization defects

The most important defects of centralization are concentrated in its neglect of the local worker in providing services and in the many complications faced by those dealing with the administration. It is also no longer possible for the modern state to rely on the centralization system alone due to the difficulty of its application on the one hand and the exhaustion of stakeholders and needs on the other hand.

Therefore, the administrative structure of the modern state has become based on a policy of mixing centralization and decentralization in varying degrees and proportions.

Second: Decentralization

Decentralization means: the distribution of powers and responsibilities among multiple parties, so that they are not concentrated in the hands of the central government only, but rather are shared by other regional, utility or political bodies ⁽¹⁶⁾. According to Rani D. Myllen Decentralization is enabling local communities to make their own decisions by agreement (within the determinants made by the central government), especially with regard to public services with a local dimension.

Forms of decentralization:

Decentralization has three main forms ⁽¹⁸⁾:

- 1- Reducing the concentration of decision-making: and transferring it to local levels, and in this form, offices of the administrative authority are transferred to local and regional offices, which give an opportunity for decision-making closer locally.
- 2- Delegation: In this form, local bodies are given responsibilities for limited services and functions, so that they are under relatively strict supervision from the central authority.
- 3- Transfer of powers: In this form, the powers and powers of governance are actually partially/totally transferred to local and regional sub-units in cities, municipalities and villages. These subsidiary bodies are given the power to make decisions, collect revenues and provide services without referring to the central authority (except in some cases according to the law). This gives a wide



margin for the localities, increases the roles and maturity of the legal personality, and thus increases its capabilities, capabilities, efficiency and effectiveness.

Types of Decentralization:

Researchers and academics differentiate between several types of decentralization, and some of them say that there is political decentralization and there is administrative decentralization. Political decentralization is concerned with the federal government between the regions or states of states and undermines their national sovereignty, so that there is representation of the three authorities within the states with the presence of these authorities at the federal level, while administrative decentralization within the state, especially the simple state, is by granting the central authority, some other administrative units responsibility to manage its own administrative affairs⁽¹⁹⁾.

In general, decentralization can be divided into two parts ⁽²⁰⁾:

- 1- Regional decentralization: It is the type that results in local government, and is based on organizing the administrative apparatus in a way that allows for a plurality of administrative persons on a regional basis. These people are elected, which makes them more connected to the public, and they are subject to government supervision and control in what is known as administrative guardianship, as well as popular oversight from the electoral rules.
- 2- Decentralization of utility (interest): It means the recognition of the legal personality of a public utility in the state, which gives it the free management of its affairs, with the aim of ensuring the proper functioning of the public utility and ensuring its effectiveness at the administrative and economic levels.

Follow to the trend that tends to separate political decentralization from administrative decentralization, as administrative decentralization. It is not a pattern isolated from politics, and the extent to which it is directed

and adopted as a pattern prevailing in the state, but it is according to the political system in terms of being central and not central.

Also, administrative decentralization, when adopted by states as an approach to management, does not mean at all separation or departure from the central sovereign bodies, which keep the state administrative guardianship with the denial of presidential authority. Here, it must be noted that law jurists differentiate between both concepts - "administrative guardianship" and "presidential authority" - because the central authority cannot modify the decisions taken by local bodies, so it either accepts them or rejects them. And if you reject it, there will be a specific mechanism to settle matters if each party insists on its position ⁽²¹⁾.

Advantages of decentralization in local judgment ⁽²²⁾:

There are many advantages of decentralization that can be summarized as follows

- 1- Reducing the burden on the center and focusing its attention on sovereign matters of public range.
- 2- Strengthening democracy and real partnership and expanding the base of decision-making.
- 3- Stimulating and creating a state of positive competition between local authorities in providing the best services.
- 4- The local authority is the most sensitive, sensitive and aware of the population's needs, development priorities, requirements and circumstances, and therefore is the most keen to meet those requirements and needs.
- 5- Excite and motivate the masses and increase the bonds of affiliation within their local circles and communities.
- 6- The ability to complete transactions, assumes responsibility, make decisions, and reduce procedures.
- 7- Local administration gives the ability to respond to and adapt to changes in the surrounding environment.
- 8- Increases the ability of departments to face crises and disasters through their



ability to predict, comprehensively understand, and take note of the problems of the regions and respond to them.

- 9- Achieving justice in distribution by distributing services throughout the country instead of to major cities, as is the case in the administrative centralization.

Challenges of decentralization in local judgment

There are some decentralization challenges that can be identified

- 1- Overlapping of powers and responsibilities in implementing new capital projects between ministries and government departments on the one hand, and between executive councils and elected governorate councils on the other.
- 2- Heterogeneity of administrative systems due to the possibility that the organization of each body is decentralized to some of its administrative aspects by the regulations issued by it, and which are different from what was decided by others, which causes the lack of unity of administrative systems.
- 3- Increased operational costs and their inability to provide significant efficiencies in some local bodies.
- 4- The negative impact of customs and tribalism on the decisions of local authorities.
- 5- Decentralization has also caused duplication of some services in overlapping areas of influence.
- 6- Excessive use of decentralization may harm the administrative unity of the state and weaken its prestige and image.

Despite the presence of some obstacles and weaknesses mentioned above, it is possible to develop solutions that contribute to putting an end to these shortcomings and disadvantages, by developing the relationship and appropriate coordination between local authorities with each other and between them and the Ministry of Local Administration, where the adoption of decentralization does not mean the interruption of the relationship between them, but rather the continuation of integration Career and service improvement.

It is noted that the forces of attraction towards centralization increase in developing countries In particular. This is due to several factors, including ⁽²³⁾:

- 1- Many modern countries gained their independence in a relatively recent history, so it was natural for the new governments, after gaining independence, to extend their influence over the rest of the region to confirm to the outside world their control over their territories, and this facilitates their recognition by the international community.
- 2- Many modern developing countries have a mixture of diverse nationalities, ethnicities and cultures, and granting autonomy to different regions may endanger the state.
- 3- The control of the army in some new countries over the reins of government led to the rule of centralization.
- 4- Economic development had an impact on the trend towards centralization, since it confined revenues to the central government and deprived local units of it.
- 5- Modern technological discoveries have enabled the state to increase its control over local units and thus have a negative impact on the development of local administration.

MUNICIPALITIES AS AN ADMINISTRATIVE UNIT

The adhesion of municipalities and their proximity to citizens makes them more able to realize the nature of local conditions, needs, and aspirations, and gives them the necessary support to intensify and mobilize energies and mobilize resources, and this location creates opportunities for them to succeed in implementing national policies to become a tangible reality to meet the needs and aspirations of the masses, and from here it can be said that the administration Locality embodies, on the one hand, a channel or link that conveys the needs and problems of society on the one hand, and returns to this society solutions to these problems. Given that the local administration stems from the heart of the people, it is the only one that can confirm the unity of the community and generate local public opinion to take care of the basic problems. The municipality is defined in Article 3 of the Jordanian Municipalities Law of 2015 as "a civil institution that enjoys a legal personality with financial and administrative independence that updates, cancels, and defines the boundaries of its



area, functions and authority in accordance with the provisions of this law." It is managed by an elected council of a certain number of members, who reach their seats by free nomination. They have legislative competences of local scope, under a central mandate determined by the mother state, which itself consists of several administrative provinces and municipalities.

Restructuring the organizational structure of the local administration (municipalities):

The Jordanian government has embarked on the implementation of a comprehensive strategic plan to reform, restructure and develop local units, as it adopted the concept of a large municipality and consequently merged the geographically close municipalities as an attempt to create local units with a larger tax base, and able to improve the quality of services for citizens efficiently and effectively, and the village councils were gradually abolished. Since 2001, the local administration in Jordan has become of a single level, the level of municipalities. Accordingly, the number of municipal councils was reconsidered, which in the year 2000 reached (328) municipalities, (50) village councils, and (44) joint services councils. After applying the merger policy, it reached only 99 municipalities, each representing the concept of a metropolitan municipality. Accordingly, the image of the population structure of these municipalities changed within the municipal restructuring project, as those towns became more balanced according to population groups. The number of small municipalities decreased and the number of large municipalities increased after the merger process that was adopted within the restructuring plan for local units. The proportion of municipalities with a population of less than 2500 decreased to (6%) only, as well as the municipalities of the second category (2500-5000 people) to reach (7%), while the municipalities of the third and fourth categories increased to reach (32.3%) and (54.5%) respectively. As for the village councils, they went through two phases, the first represented by merging them with neighboring municipalities and the second stage represented by total abolition.

The picture of the general population structure of these municipalities has changed and the municipal services have become more balanced. The central government launched its endeavor for this project through its desire to avoid the weaknesses in the local administration structure, which are represented in the following:

- 1- A percentage of (52.3%) of the total municipal revenues goes to wages, salaries and bonuses for employees, as shown in the reports of the municipal budgets summary in 2001, and this

means that a low percentage of these revenues are used to provide the necessary local services and facilities.

- 2- The low percentage of employees working in municipalities with a scientific qualification at the level of the first university degree, so that this percentage does not exceed (4.4%). As for those holding an intermediate diploma, their percentage reached (87.4%), in addition to the shortage of technicians, professionals, surveyors and painters, where they represent a percentage of Only (1%) of the total municipality employees, despite the importance of these jobs in municipal work, and (6.8%) are holders of secondary school certificates.
- 3- Absence of organizational structures and job descriptions for municipalities, which means that there is unacceptable organizational and administrative chaos. And if these structures are found, they are discretionary and are not based on clear scientific rules and foundations.

For this purpose, the government has adopted a specific type of organizational structures for each category of municipalities, which represent ⁽²⁴⁾:

- The first category: Municipalities of governorate centers, and any other municipality with a population of more than one hundred thousand people.
- The second category: Municipalities of district centers, and municipalities whose population exceed fifteen thousand and do not exceed one hundred thousand.
- The third category: Municipalities of district centers, whose population exceed five thousand and does not exceed 15 thousand.
- Fourth category: other municipalities.

To ensure the highest levels of effectiveness and integration in achieving its goals and objectives, a post (Municipal Director) has been created and is directly linked to the executive bodies in an attempt to consolidate decentralization in the municipal work, as one major municipality was divided into a number of regions, and each region is managed by a director entrusted with a number of tasks and powers.

This was amended in 2015. Article 10 of the 2015 Municipalities Law stipulates the following:

Municipalities are classified into the following three categories:

First category: Municipalities of governorate centers, and any other municipality with a population of more than one hundred thousand people.



The second category: Municipalities of district centers, and municipalities whose population exceed fifteen thousand and do not exceed one hundred thousand.

The third category: other municipalities not included in the first and second categories.

Formation of Municipal Councils in the Hashemite Kingdom of Jordan

The process of forming municipal councils requires addressing the method of selecting the heads and members of the municipal councils, as the way in which the membership seats are filled is similar in the various municipal councils in Jordan, where it is done through the rule of direct election of all the heads and members of the municipal councils, and the Jordanian legislator authorized the Minister of Municipal Affairs By appointing two additional members in each municipal council, and these two members shall have the rights of elected members, and the justifications for that:

- Providing the municipal council with appropriate technical elements.
- Central government control over the work and decisions of municipal councils.
- The inclusion of qualified and experienced members of the municipal councils, and the appointment is a successful way to represent the various groups of the local community in the municipal council.

As for the Greater Amman Municipality, it was excluded from how other municipalities were formed, and the legislator gave it a special and distinct status from the rest of the municipalities, where we find the laws of the various municipalities stipulated that half of the members be elected and the other half appointed by a decision of the Council of Ministers, and the Mayor of Amman is appointed from among the members elected by a decision of the Council of Ministers A recommendation from the Prime Minister

Engagement Municipal council

The supervision of the municipal and village councils was carried out by the Ministry of Interior through the Undersecretary General until 1965 AD, when the Ministry of Municipal Affairs was established on February 13, 1965 under the name of the Ministry of Interior for Municipal, Rural and Environment Affairs. In 1976, it became the Ministry of Municipal and Rural Affairs, and the name was changed in 1980 under the name of the Ministry of Municipal, Rural and Environment Affairs, due to the establishment of the Environment Department within its body, and in 2002 after the creation of the Ministry of Environment, its name became the Ministry of Municipal Affairs, and the name was changed in 2019 under the name of the

Ministry of Local Administration .The Ministry is considered the technical, financial and administrative advisor to all local councils in the Kingdom. It also supervises the work of the municipal councils and the joint services councils to ensure that the councils' work is in compliance with the applicable laws, regulations and instructions. The Ministry is responsible for supervising everything related to the affairs of the local administration of municipal councils in the field of providing services and all organizational matters, implementing local development projects, and coordinating the activities and plans of these councils to be consistent and keep pace with development events throughout the Kingdom.

The legal basis for municipalities

Municipalities in Jordan are not considered part of the administrative division of the country; Rather, they are considered within the lower divisions, and in many cases, a municipality has regions in two separate administrative divisions. The Jordanian government assigns the minor tasks to the municipalities for a fair distribution of services. These municipalities are managed by the Municipal Council, which is elected every four years. The municipalities are monitored and supported by the Ministry of Local Administration, which was formerly known as the Ministry of Municipal Affairs. This support and supervision comes because the trend towards decentralizing the administration was not a trend for the Jordanian governments, and because of the weakness of the financial resources of the municipalities in many cases. The Ministry of Local Administration was established in 1965 as a part of the Ministry of the Interior, which was then called the "Ministry of Interior and Municipal Affairs".

In order to consolidate the principle of decentralization in management and development planning, the Jordanian government worked to implement the royal visions in this regard, and the continuous efforts culminated in the appropriate formula for implementation in Jordan, with the adoption of a new law for municipalities, which is Law No. 41 of 2015 and the adoption of the Decentralization Law No. 49 of 2015. Then, municipal elections were held, and governorate council elections were held for the first time in the history of Jordan, on August 15, 2017, thus beginning the phase of practical application of the new decentralization system in Jordan, with the approval of Municipalities Law No. 41 of 2015. Decentralization No. 49 of 2015 and the holding of the elections, the basic features of the decentralization structure in Jordan became clear as desired by the Jordanian legislator. According to these



two laws, four councils were formed that collectively constitute the decentralization system in Jordan, as follows:

- At the level of the municipality area, there are two councils: the local council, the municipal council, and councils that collectively constitute the decentralization system in Jordan.
- At the governorate level, there are two councils: the Executive Council and the Provincial Council.

As in any new and emerging experience, decentralization faced a number of challenges and obstacles, the most important of which were when it was implemented:

- 1- Weak delegation and transfer of powers from the central government to the local level.
- 2- The multiplicity of government references to local administrations, where the Ministry of Municipal Affairs (currently the Ministry of Local Administration) was the umbrella for the local councils and municipal councils, and the Ministry of Interior was the umbrella for the executive councils, and the provincial councils were legal under the umbrella of the Ministry of Interior, and practical under the umbrella of the Ministry of Political and Parliamentary Affairs. This led to a lack of coordination between these councils.

Based on the foregoing, there was an urgent need to address these gaps and overcome obstacles, so the Ministry of Local Administration was created to be the reference and unified umbrella for local administrations in Jordan, and the need to reconsider the legislative framework of the local administration and Jordan, through the development of a new local administration law. It is an alternative to Municipal Law No. 41 of 2015 and Decentralization Law No. 49 of 2015. As well as continuing the process of transferring powers to local administrations and limiting the role of the central government to control and supervision.

The importance of electing municipal councils

The importance of the process of electing mayors and members of municipal councils is evident in that it contributes to placing the citizen in a position of joint responsibility with the official authorities, thus expanding his participation in decision-making and managing his local affairs. Thus, it constitutes an area for popular participation, responsibility and citizenship, as experts and writers differed between supporters

and opponents of the principle of election as a method for selecting heads and members of local councils. This difference is due to two important considerations:

- **Political considerations:** The principle of election emphasizes the political dimension of local administration and considers that it is not only administrative decentralization, but rather more than that and may reach the point of marrying democracy and decentralization. Those who hold this view rely on a number of arguments, the most important of which are:

- 1- The presence of the elected members prevents them from being pressured by the central administration, given that their loyalty is to the citizens who are the source of their authority and presence, unlike in the case of appointed members where their loyalty is double and biased to the central authority.
- 2- Local independence cannot be achieved without adopting the electoral method that achieves democracy, just as it is not possible to imagine the existence of a local administration without a democratic pillar.
- 3- The election method works to constantly renew the blood in the local councils, and this is what constitutes the most important democratic pillars that always aim to achieve the popular will and expand the area of its representatives, and renew it so that there is no imbalance in the democratic balance.

Administrative considerations: The method of direct election confirms considerations of administrative adequacy and works to achieve a balance between them and considerations of political adequacy. The most important thing that is achieved in this field is the following:

- 1- That this principle provides elements that are better able than others to understand local interests, be affected by them and respond to them because they live these issues constantly.
- 2- This method achieves the principle of self-management by the people by choosing their representatives to supervise the interests of those who are interested in themselves, and here it creates an incentive for the masses to provide all assistance and contribute to development programs, as the practice of election at the local level plays an important role in providing expertise and development and creating local leaders. And developing the spirit of interest in local affairs, as the elected



members of the local community. They are characterized by the widest and in-depth knowledge of local issues, as they are in direct contact with the local community, and are loyal to the members of the community. Therefore, they make every effort to serve their community and meet its needs and aspirations, especially since they are subject to the control of their elected officials.

Supporters of this view base on the necessity of forming councils by election on two main arguments:

- 1- Democracy of election, as the election links between political democracy and administrative decentralization, as supporters of this method see that this association is confirmed when he sees that the election in local councils is like the election in parliamentary councils, where this reflects the form of the system of government, and that the selection of members of the local authority must be done By the residents of the same local state and among them, and he considered it the proper application of democracy at the local level, as well as linking the democratic principle with the election of local councils and emphasizing the need for citizens to follow the same parliamentary democratic basis.
- 2- Ensuring the achievement of independence, which is necessary for those in charge of local councils in the face of representatives of the central authority and not being affected by the pressures that these may exert on them, and ensuring the necessary immunity for local officials in the exercise of their work. And emphasizing that the basis for organizing decentralization is the independence of its members from the central authority, and that can only be done by election in managing the region's own interests, as a condition that they should not be dismissed, because, in their opinion, the election does not achieve this independence if it does not have a legal personality, and the decentralization system cannot exit It comes into existence except when the authority that represents it is independent of the central government, by adopting the method of election from a practical point of view instead of appointment.

A REVIEW OF A SET OF CONCLUSIONS AND RECOMMENDATIONS THAT VALUE THIS RESEARCH:

RESULTS:

The weakness of the organizational and administrative reality of municipalities is a major obstacle to achieving sustainable local development. Also Centralization is based on the accumulation of power in the hands of a single presidential body throughout the country, and aims to unify and focus the decision-making process, and the types of centralization have been identified: political centralization, economic centralization, and administrative centralization. As well as Decentralization in local government means the transfer and distribution of the administrative, financial, technical and organizational authority of local government between the Ministry of Local Government and the municipalities. It is noted that it is directly linked to centralization in terms of the degree of transfer and distribution of powers and delegation of powers between them. The degree of decentralization depends on the size and type of authority granted through certain indicators. Add to There are two dimensions of decentralization: form and scope. There are also forms of decentralization: decentralization of decision-making, delegation and transfer of powers. A differentiation has been made between various types of decentralization. There is political decentralization and there is administrative decentralization. Decentralization can be divided into two parts: regional decentralization and peripheral decentralization. And Among the advantages of decentralization in local government: easing the burden on the center and strengthening democracy and true partnership and among the disadvantages of decentralization in local government: Excessive use of decentralization may affect the state's administrative unity and the heterogeneity of administrative systems, which causes the lack of unity of administrative systems.

RECOMMENDATIONS:

- 1- Enhancing the role of municipalities and their programs in achieving sustainable development in its various fields, and introducing the concept of sustainability in their development programs.
- 2- Work to increase government funding allocated to municipalities from the state's general budget.



- 3- Developing the administrative reality of the municipalities, such as controlling the huge number of employees in the municipalities.
- 4- Developing the legal environment regulating the relationship between the Ministry of Local Administration and Municipalities.
- 5- Reviewing the legislation related to the decentralization law is a requirement for its success, in order to develop it to remove obstacles and overcome the challenges that still stand as an obstacle to the smooth progress of work.

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