

## Participatory democracy in Algeria: between application and obstacles

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### **Abstract:**

Participatory democracy is a complementary approach to representative democracy, it does not negate it but rather seeks to overcome its shortcomings. The role of the citizen no longer ends with casting votes in the ballot boxes but has become an essential partner in managing local affairs. This allows for a continuous and institutionalized dialogue between local authorities and citizens.

The application of Participatory democracy in Algeria takes various forms and mechanisms, including informing citizens about their local affairs, consulting them on local development priorities, participatory budgeting, presenting the annual activity report of municipalities to citizens, ongoing management, encouraging citizens' local initiatives, and utilizing local experts and competencies. However, for these mechanisms to succeed in institutionalizing participatory democracy in Algeria there must be genuine political will from the heads of municipal councils and an organized and effective civil society whose main goal is to contribute significantly to joint local management and prioritize the public interest over private interests.

**Keywords:** Participatory Democracy, application, obstacles.

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## 1. INTRODUCTION

Participatory democracy is considered one of the best practices of good governance and a tool for effective citizenship. The constitutional founder in Algeria enshrined it explicitly, starting with the 2016 constitutional amendment, this is in order to enable various civil society activities, whether they are individuals or organizations, to engage in joint management of local affairs, by creating continuous dialogue, permanent discussion, and a cooperative environment between local authorities and civil society.

Adopting local participatory democracy allows the citizen to participate in the management of affairs that affect his daily life and have an impact on his standard of living, which brings positive results for the municipality, on the one hand, and for citizens, on the other hand, which takes several forms and mechanisms, which makes the municipality a space for implementing democracy and a place neighborhood management.

Therefore, in this study, we will attempt to answer the following problematic: **To what extent do citizen participation mechanisms in the management of local affairs contribute to the embodiment of local participatory democracy in Algeria?**

To answer the above-mentioned problematic, we propose the plan shown below:

**The first axis:** The concept of participatory democracy.

**The second axis:** Mechanisms for implementing participatory democracy in Algeria.

**The third axis:** obstacles to the embodiment of participatory democracy in Algeria.

### **The first axis: the concept of participatory democracy**

In its simplest definition, participatory democracy means a set of mechanisms and procedures that allow the involvement of civil society, the private sector, and all citizens in public policymaking and strengthening their role in making decisions related to the management of local public affairs.

As defined by Professor Al-Amin Cheriet, it is a new form or image of democracy, which is characterized by the direct participation of citizens in discussing public affairs and making political decisions related to them, or it is the expansion of the exercise of power to citizens by involving them in a dialogue, public debate, and the resulting political decision-making.

Therefore, participatory democracy is a complementary approach to representative democracy, as the role of the citizen no longer ends simply by casting votes in the ballot boxes, but rather he becomes an essential partner in the management of local affairs through his contribution to making decisions that affect his daily life and monitoring the extent of their implementation.

The primary goal of participatory democracy is to enable various civil society activities, whether they are individuals or organizations, to engage in joint management of local affairs, by creating continuous dialogue, permanent discussion, and a cooperative environment between local authorities and civil society.

Civil society participation in the management of local affairs takes several forms and mechanisms, the most important of which are:

- Identifying the needs, demands and concerns of citizens;
- Participate in proposing development projects;
- Discussing and expressing an opinion on decisions made or to be made;
- Providing advice within municipal council structures;
- Exchange of information in interactive manner;
- Public dialogue through public hearings open to all citizens and civil society associations;
- Collaborative dialogue through joint and regular meetings between local authorities and specialized associations in order to formulate a specific policy in a defined field or to organize a demonstration.

### **The second axis: Mechanisms for implementing participatory democracy in Algeria**

The term participatory democracy appeared for the first time in the Algerian constitutions with the constitutional amendment of 2016 in Article 15, paragraph 03, the constitutional founder brought a new approach to the management of local public affairs, which is not only represented by the participation of citizens in the management of public affairs through the elected assembly - representative democracy- which was stipulated in the various Algerian constitutions, but also allowed the ordinary citizen to contribute to the management of affairs that affect his daily life, and which has a direct impact on his standard of living, and thus the citizen has become an essential partner in drawing up local policies and monitoring the extent of their implementation- participatory democracy- .

Although the constitutional founder did not address participatory democracy except with the 2016 constitutional amendment, the legislator preceded him in doing so, and although he did not use the term in the same wording, he did address participatory democracy through its mechanisms and manifestations in Municipal Law No. 11-10 of June 22, 2011, and this can be discussed through the following points:

- The Algerian legislator, for the first time, explicitly stipulates in the municipal law that the municipality is a space for exercising citizenship, and it constitutes a place for citizen participation in the management of local affairs. It was sufficient that the municipality is the basic

regional institution that enjoys legal personality and financial independence. The reason for this is that the legislator introduced the participatory approach to local management.

The municipality is the regional base for decentralization, but it is also a space for exercising citizenship and a place for citizens' participation in the management of local affairs.

The municipality is the closest administration to the citizen and a better school for consolidating the principles of democracy and its applications through constant contact and daily presence with citizens. It embodies the essence of local democracy, and is a place for the contribution, involvement and participation of citizens in the management of municipal affairs, given that it is a distinctive constitutional institution in the exercise of citizenship, and a key factor in preparing and managing the municipality, especially in the field of local development.

- The Legislator enacted in Municipal Law No. 11-10 a complete chapter -Part Three- under the title Participation of citizens in the management of municipal affairs. For the first time in the Algerian municipal laws, the legislator uses the term citizen participation in the management of municipal affairs and devotes an entire section to it that includes various Participatory democracy mechanisms.

- The Algerian legislator, in Municipal Law No. 11-10, provided a definition of the municipality from the perspective of participatory democracy, as Article 11 of it stipulated, "The municipality constitutes the institutional framework for practicing democracy at the local level and neighborhood management," and thus used the most important mechanisms of participatory democracy, which is neighborhood management, which was defined by the Algerian legislator in the last Municipal Law only, in line with the view of the country's higher authorities by going beyond the traditional local management based on the elected assembly only. And moving to a new approach in which the citizen is the focus of attention, and the basis of local development as well as an effective partner in proposing projects and monitoring their implementation, and a space for local initiatives.

The municipality is a place for practicing democracy at the local level and neighborhood management, whereby citizens can participate in the management of municipal affairs in Algeria through the following mechanisms:

### **First: Informing citizens about their local affairs:**

Information has a key role in citizen participation in decision-making process. Whenever the level of information provided by local authorities is high then the level of interaction with citizens and associations will be high. This will help to create a cooperative environment in which the citizen is aware of his local affairs and participates in finding solutions and submitting proposals.

In this context, the Municipal People's Assembly is the one to take all measures to inform citizens about their local affairs. In this field, in particular, all available media can be used. For instance, it is possible to use the media and communication units of municipalities on websites, posters, consultations, radio broadcasts, official documents that the citizen can view.

As stated in the executive decree No. 16-190 on June 30, 2016, the municipality shall take all measures aimed at facilitating citizens' information about the management of local affairs. In this

context, the Municipal People's Assembly must use and develop all appropriate digital supports in order to ensure the dissemination and communication of municipal decisions.

The citizen has the full right to access information, especially the one related to his daily life. This is a constitutional right stipulated in the 2016 Constitutional Amendment in Article 51.

### **Second: Consultation of citizens regarding local development affairs:**

The municipality takes all measures to consult citizens on local development topics. This is done through invitation from local authorities to citizens and associations of various types in order to submit their suggestions for proposed development projects, whether funded by the municipal budget, the municipal development plan, or the Guarantee and Solidarity Fund for Local Communities, to discuss and arrange them according to priorities, or to express their opinion on a specific topic or develop a certain policy.

### **Third: Presentation of the annual activity of the municipality to citizens:**

The Municipal assembly can make a presentation about its annual activity to civil society.

It is a modern mechanism that the Algerian legislator introduced with the last Municipal Law, it is the right of citizen to know and discuss the annual outcome of the activities of the Municipal People's Assembly, whether related to projects completed in various sectors such as sanitation, water, electricity, school buildings, roads, or services provided such as household waste transportation, public lighting, cleanliness of the surroundings, landscaping, green spaces, or taking care of concerns of a social nature, such as the solidarity operation for the month of Ramadan, school grants, grants for the elderly and disabled, school food, and school transportation.

Presenting the annual activity of the Municipal People's Assembly and discussing it by citizens allows for enlightenment of local public opinion, on one hand and evaluating local policies, on the other hand. It is a two-sided communication mechanism, based on mutual interests, through a general dialogue between local authorities and citizens in which the outcome of a year of activity is matter of assessment. Asking and answering questions as well as exchanging opinions and ideas helps to create a feedback that allows mistakes to be corrected and a new policy to be drawn up for the following year.

Although the legislator created this mechanism, he did not make it mandatory for the Municipal People's Assembly, but rather it came in the form of possibility, which makes resorting to it subject to the will and desire of the Assembly. As the lack of democratic practice and transparent management by the Assembly lead to the absence and failure to present the outcome of annual activity to the citizens.

The reality has proven that resorting to this mechanism was not as wished. The fact is that a large number of municipal popular assemblies did not display their annual activities to citizens, which made them the subject of protest and criticism from citizens. The latters demanded the activation of this mechanism. The State did organize training courses for heads of municipal popular councils on Mechanisms for implementing democracy at the level of local communities.

**Fourth- Motivating citizens for local initiatives:**

In order to achieve the goals of local democracy within a space of neighborhood management, the Municipality works to motivate citizens to contribute in resolving their daily problems and improving their living conditions. This occurs through the Assembly being open to the public and accepting initiatives aimed at resolving some problems and concerns, while motivating its ownership and making them feel that they are partners in management, not closing doors in their faces and considering them as opponents.

The best example of local initiatives are neighborhood committees, which are considered the most practiced and effective mechanisms of participatory democracy, as they allow joint management of local affairs and make decisions closer to citizens because they are partners in making and implementing them. The local initiatives of neighborhood committees in the Corona crisis and their contribution to resolving citizens' concerns are the best evidence of this.

Although Municipal Law 11-10 stipulates the organization of this mechanism in accordance with applicable legislation and regulations. However, up to now no text has been issued clarifying the methods and procedures for organizing local initiatives.

**Fifth-Using local experts and competencies:**

The President of the Municipal People's Assembly may, seek the assistance, in an advisory capacity, of every expert, every local figure, and every representative of a legally accredited local association, who may make any useful contribution to the work of the assembly or its committees by virtue of their qualifications or the nature of their activities.

The municipal assembly can form specialized committees to study the issues that fall within its jurisdiction, whether they are permanent or temporary (special) committees. But it cannot carry out its work as a single bloc, so all Assembly members undertake to study all the files and issues submitted to the Assembly, because these this method will lead to slowing down the work of the Assembly, as the work methodology requires that the file or topic be submitted first to a committee that undertakes the task of studying it in detail and then prepares its report to be presented to the Assembly for discussion and approval. Such procedure means that the work of the committees is a preparatory one.

Committees are established by deliberation approved by a majority of the members of the Municipal People's Assembly, based on a proposal from its president. The legislator has required, when establishing them, to take into account the political composition of the Assembly. Each committee also elects a president from among its members and meets upon his summons after informing the president of the Municipal People's Assembly. Then the secretariat of the session is attributed to an employee of the municipality.

In the context of supporting citizen participation in the management of local affairs, committees can consult local figures and competencies, representatives of local associations, or experts, by virtue of their qualifications and the nature of their activities, by summoning their president after informing the president of the Municipal People's Assembly.

Committees are divided into two types: permanent committees and special committees.

a– **Standing committees:** The Council shall establish permanent committees from among its members to study issues within its jurisdiction, especially related to the following:

- Economics, finance and investment,
- Social, cultural, sports and youth affairs.
- Territorial preparation and reconstruction,
- Health, hygiene and environmental protection,
- Irrigation, agriculture and fishing,

The number of permanent committees is determined according to the population, between 03 and 06.

The permanent committees prepare their internal regulations and present them to the Municipal People's Assembly for approval.

### **b– Special Committees**

The Municipal Assembly can form a special committee from among its members to study a specific topic, either to investigate a topic or its sensitivity in that municipality, or for urgency, or to take care of concerns of a temporary nature, and this must be mentioned, explicitly, in the established deliberation of this committee. The mandate, end date of the task and the deadlines are granted to the committee.

The Special Committee presents the results of its work to the President of the Assembly, and the work of these committees is considered as advisory, preparatory, temporary and of a technical nature. Its mission ends with the completion of the purpose for which it was created.

From the above, we find that the legislator stipulated that it is permissible to seek their assistance and that their opinions and consultations are not mandatory, and therefore the work of the committees is advisory in nature.

Although the legislator opened the opportunity to citizens with experience and qualifications, as well as to representatives of associations, however, he made their opinions non-binding to the President of the Municipal People's Assembly, leaving to him the discretion to decide whether to participate or not, and the decisions of these committees shall not be taken into account unless approved by the Assembly. Those decisions are considered as just opinions and suggestions only. The Assembly is not required to do so. During the general discussion, the committee's proposals can be rejected or may be adopted in another form if it obtains the approval of the majority of Assembly members.

So, these Participants, whether individual citizen participation or collective citizen participation - within the framework of associations, for example - do not enjoy membership rights, meaning their opinions remain for consultation and they cannot vote.

Despite the fact that municipal law allows the participation of non-elected members in the membership of municipal committees, on the basis that the committees are one of the mechanisms for the participation of experienced and competent citizens, as well as the participation of association representatives in the work of the assembly and monitoring the work of their elected members. However, on the other hand, their participation remains not mandatory.

Rather, it is merely a possibility in the hands of the President of the Municipal People's Assembly.

### **Sixth- The right of the citizen to attend and be informed of the deliberations of the Municipal People's Assembly:**

Transparent and democratic management requires that the citizen be aware of the deliberations of the Municipal People's Assembly, since the latter found a basis for taking care of the citizen's concerns and improving his living environment. Algerian law has guaranteed the citizen this: the council's deliberations are public, Deliberations, with the exception of those related to public order and disciplinary cases, shall be posted, everyone can consult the extracts from the deliberations of the municipal assembly.

### **The third axis: obstacles to the embodiment of local participatory democracy in Algeria.**

The aim of adopting participatory democracy in Algeria is to integrate citizens into decisions related to local affairs with the aim of embodying neighborhood management, restoring trust between citizens and local authorities, achieving local social peace and citizen satisfaction, improving communication between the municipality and citizens, and Embodying transparency and social accountability of municipalities, However, all of this all of this remains linked to the political will of the elected local council, especially in the absence of a legal text obligating them to implement participatory democracy mechanisms. The municipal law did not oblige the heads of the municipal popular councils to do so, but rather gave them the possibility of implementing that, through the Algerian legislator's use of terms such as: can, oversees, adopts..., This is what made a large number of them run the municipalities according to the normal traditional frameworks, away from the participatory approach, and this is due to their lack of the participatory spirit and their narrow view of the citizen and civil society as an opponent and not a partner in local management and development.

Despite the country's higher authorities' tendency in Algeria to consecrate participatory democracy at the local level, and despite the fact that the Ministry of the Interior, Local Communities and Urban Development held several training courses for heads of municipal popular assemblies on participatory local democracy, however the reality shows that reliance on it has not reached out the desired level, This is what made the participatory democracy is imposed from the top as long as it was not approved from the bottom. That is why the Ministry of Interior, Local Communities and Urban Planning, starting in 2022, forced municipalities to involve civil society (Associations, neighborhood committees, citizens, etc.) in proposing projects funded by the Solidarity and Guarantee Fund for Local Communities (CSGCL or the municipal development plan PCD) in accordance with the principle of the participatory approach. It gives priority to neighborhood projects aimed at improving the living conditions of citizens. The absence of meeting minutes, that include the participation of various sectors of civil society in proposing projects, leads to the non-registration of these projects.

Adopting the participatory approach in proposing solidarity and guarantee projects for local communities and the municipal development plan allowed citizens to participate in the management of their local affairs, and made it possible to meet their urgent concerns that have a direct impact on their daily lives. This is what left a good impression and satisfaction on the citizens. With this contribution, the citizen feels that he is a partner in local development, on one

hand, and the relationship between the municipality and the citizen is improved, on the other hand.

Also, among the most applied participatory democracy mechanisms in the world, we find the participatory budgeting, where the citizen contributes to preparing the municipal budget and allocating part of it to priority projects. What is noted in Algeria is that the participatory budget mechanism was not explicitly stipulated in the Municipal Law nor in the texts related to preparing the budget and voting on it, which did not address at all the participation of the citizen in preparing part or all of the budget, but rather made it exclusive to the local authorities, and this is considered as a negative point in implementing local finances because citizens who contributed to financing the municipal budget through various taxes and fees are not involved in preparing the budget nor in determining priority projects, which negatively affects the tax base and the volume of funds collected.

The fact that the participatory budget is not explicitly stipulated in the Municipal Law does not justify the limited reliance on it by local communities in Algeria. Therefore, it finds its basis in the general context of consulting citizens on local development priorities and issues. There are a small number of Countries whose legislative texts enforce municipalities to implement the participatory budgeting process, such as Peru, Poland, and the Dominican Republic. While participatory budgeting experiences in various countries of the world were based primarily on the political will of the elected municipal council, which encourages participatory work and provides the opportunity for citizens to contribute to identifying priority projects that have a direct impact on their daily lives.

The success of local participatory democracy is also linked to the presence of structured and responsible civil society, whose aim is to prioritise the public interest over private interests.

### **Conclusion:**

Participatory democracy is considered one of the best practices of good governance and a tool for effective citizenship, thereof, which takes several forms and mechanisms, including informing citizens about their local affairs and consulting them on local development priorities, Participatory budgeting, showing the outcome of the annual activity of municipalities to the citizens, neighborhood management and motivating citizens for local initiatives, seeking assistance from local experts and competencies, which allows to enable various civil society activities, whether they are individuals or organizations, to engage in joint management of local affairs, by creating continuous dialogue, permanent discussion, and a cooperative environment between local authorities and civil society, this helps rebuild trust between citizens and municipalities, achieving local social peace and citizen satisfaction.

But in Algeria participatory budgeting has not reached out the desired level, this is mainly due to the absence of political will and participatory spirit among the heads of the municipal popular assemblies in the absence of a legal text requiring them to do so, despite the successive training courses organized by the Ministry of Interior, Local Communities and Urban Development for elected officials on activating participatory democracy mechanisms at the local level.

In order to better embody mechanisms local participatory democracy in Algeria, it is necessary to either forcing elected local assemblies to do so, in order to give transparency and credibility to municipal activities, Or consider it as an evaluation criterion among others, which allows municipalities that have adopted the participatory democracy to be given an additional share of projects within the framework of the Guarantee and Solidarity Fund for Local Communities or Municipal Development Plan projects.

The success of local participatory democracy is also linked to the presence of organized and effective civil society whose main goal is to contribute significantly to joint local management and prioritize the public interest over private interests.

1. Cheriet, A. (2008). Participatory Democracy: Foundations and Prospects. *Al-Waseet Magazine*, (6), .

2. Amiyor, I. (2013). *The administrative guardianship system and its role in the dynamics of the regions* (أطروحة ماجستير). Faculty of Law and Political Science, University of Constantine , Majister's thesis.

3. Hamdi, M. (2016). *The role of local groups in consecration of the participatory democracy in Algerian legislation* (أطروحة ماجستير). Faculty of Law and Political Science, University of M'sila, Majister's thesis.

4. Maimouna, S., & Ali, M. (2021). The nature of the relationship between the local community system and participatory democracy: a complementary relationship or just a broad and renewed concept of democracy?. *El-Hakika Journal for Social and Human Sciences*, 20(2), 8-.

5. People's Democratic Republic of Algeria, . (2016). "Executive Decree No. 16-190 of 25 Ramadan 1437 corresponding to June 30, 2016 specifies the methods for reviewing the extracts of the deliberations of the Municipal People's Assembly and Municipal decisions. *Official Journal*, (41), 08-.

6. People's Democratic Republic of Algeria, . . (2011). Law No. 11-10 of 20 Rajab 1432 corresponding to June 22, 2011 related to the municipality. *Official Journal*, (37), 07-.