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LOCAL GOVERNMENT IN JORDAN: THE MUNICIPALITY OF AMMAN

by

Bashir Khadra

Thesis submitted to the Department of
Political Studies and Public Administration of the
American University of Beirut
in partial fulfilment for the requirements of the Master of Arts

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PREFACE

This paper deals with the municipality of Amman as a case study on local government in Jordan. The study was made during the months of July, August, and September of 1965, during which interviews and observations were made to supplement the legal material available on the subject.

It is shown that the municipality is confronted with serious economic, social, political, and geographic problems, which limit the scope of its functions and the degree of its effectiveness. The most outstanding of these is the economic problem, and this is manifested in the fact that the financial obligations of the municipality are far much greater than its potentialities. Consequently, there is a heavy dependence on loans. This also contributed to the fact that the services of the municipality are much less than the requirements of the city.

The organizational machinery of the municipality is small and its pattern is simple, and this predisposed it toward centralization. Finally, local government is viewed in the context of its relation with the central government. This includes the various controls exercised by the central government and the institutional arrangements which regulate such relations.

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CHAPTER I

INTRODUCTION

1. Theoretical Framework

A. Definition of Local Government

A definition which was developed by the U.N. states that "the term local government refers to a political subdivision of a nation or (in a federal system) state which is constituted by the law and has substantial control of local affairs, including the power to impose taxes or exact labor for prescribed purposes. The governing body of such an entity is elected or otherwise locally selected."¹

Local government is, therefore, a political subdivision of a larger entity; it is constituted by the law; it has certain control over local affairs; and it has some form of a governing body. This means that it should have a certain arrangement or relationship with the government of the whole country. Besides, local government as an organization should be studied in relation to its structure, functions performed, personnel needed, and its financial system.

B. Forms of Local Government

The arrangement or relationship between the local government

¹ Harold F. Alderfer, Local Government in Developing Countries (New York: McGraw-Hill Book Co., 1964), p. 178.

and its central government can be described in terms of the tutelage authority exercised. This relationship can be looked upon in different ways, but it is agreed that there are two opposite theoretical forms between which the different actual cases fall on a continuum.

Harris describes these two forms as "local state government" and "local self government." The first is administered by means of local agents appointed by and responsible only to the central government. The second is administered by "local bodies, freely elected, which, while subject to the supremacy of national government, are endowed with some respects with power, discretion, and responsibility, which they can exercise without control over their decisions by the higher authority."¹

Using a slightly different terminology, Alderfer states that

there are two general principles upon which the center allocates power to its sub-divisions. In deconcentration, it merely sets up administrative units or field stations... with orders as to what they should do and how they should do it. No major matters of policy are decided locally, no fundamental decisions taken. The central agency reserves all basic powers to itself... In decentralization, local units are established with certain powers of their own and certain fields of action in which they may exercise their own judgment, initiative, and administration.²

Nevertheless, these two forms should not be viewed in absolute

¹ G. Montagu Harris, Comparative Local Government (London: Hutchinson University Library, 1948), p. 9.

² H.F. Alderfer, op.cit., p. 176.

terms. It is generally agreed that no clear line of demarcation can be drawn between the two, because most actual systems of local government contain elements of both models.¹ The difference is, therefore, a matter of degree, and depends on how much freedom and initiative the local bodies are given, whether they gain office by elections or by appointment, and the degree of control exercised by the central government.

Hardy Wickwar sees in this relationship two different processes which have been practiced by states at different stages. "The earlier in time has been the centralization of administration, not necessarily at the center itself, but rather in the hands of a hierarchy of local agents of central authority. The later in point of time has been the decentralization of administrative authority in the hands of autonomous local bodies." Then he concludes that "the former has given rise to the problem of local administration areas, and the latter to that of local government units."²

This distinction is interesting, and, more important, useful in analyzing the present trend of centralization in the countries of the Middle East. Thus, one reason for introducing the centralization pattern in this region was "an effort to put an end to

¹ Ibid., p. 177.

² Hardy Wickwar, "note on local administration areas and local government units in the Middle East," International Review of Administrative Sciences, (1958), p. 148.

semi-autonomous provincial governors and substitute for them salaried agents of the central authorities." The adoption of this pattern was, therefore, a convenient tool for meeting some new political, administrative, and social situations."¹

This applies, in particular, to the situation in Jordan where the establishment of the state after world war I was predated by a number of regional governments among which the country was divided. Hence, the need for a centralizing process was urgent.

Whatever may be said in favor of decentralization or autonomous rule, it is agreed that there should be a certain degree of central control over local bodies. Among the most important reasons for such control are financial dependence of many local bodies on the central government, the performance of some state functions by local authorities, the need for uniformity in the application of law, and, finally, the requirement of the central government's supremacy and the concomitant fear of separatist tendencies.² One can conclude that "... no matter what the democratic trappings of local government may be, there is substantial and in some cases overwhelming control or outside domination."³

This conclusion can be carried further in the case of most developing countries to the extent of accepting the statement that

¹ Ibid., p. 148.

² G. M. Harris, op.cit., pp. 134-135.

³ H.F. Alderfer, op.cit., p. 174.

"local government and administration are integral parts of the national system in Arab States."¹

Such a state of relationship has many implications concerning every aspect of local government. Mainly, it has bearing upon the scope of functions or activities undertaken by local bodies, the degree of public interest in local bodies, the degree of centralization within the local bodies, and, in general, the effectiveness of local administration.

Therefore, the type of relationship with the central government is an essential determining factor of the characteristics of local government, but it is not the sole determining factor. Local government is also influenced by the historical, social, economic, and political factors which will be touched upon in the following part of this chapter.

2. Background of Local Government in Jordan

A. Historical Background

Although a certain form of local government existed in Jordan under the Ottoman Empire, the growth of public administration in this country started with the establishment of the state of Trans-Jordan as a separate political entity.

¹ U.N. Department of Economic and Social Affairs, Administrative Problems of Rapid Urban Growth in the Arab States (New York: U.N., 1964), p. 8.

Trans-Jordan was not recognized as a separate political entity until 1921. Before this date, it was a part of the vilayat of Syria which, in turn, was a part of the Ottoman Empire.¹ Moreover, in terms of definable boundaries, Jordan was in a volatile state. Thus, in 1851 Ajlun qada (Northern Trans-Jordan) was attached to the liwa of Nablus (Northern Palestine); and in 1892 the liwa of al-Karak (Southern Trans-Jordan) was made subject directly to the governor of al-Sham (Syria). By 1905, the whole of Trans-Jordan (i.e., Ajlun, Balqa, and Karak districts) was attached directly to the governor of Syria who exercised his control through the mutasarrif of al-Karak.²

At that time, when the center of Trans-Jordan was al-Karak, there was a small and primitive body of public administration. Public officials in the center amounted to 90 persons, including schools, courts, and police. Public officials in each of the other qadas amounted to about 28 persons.³

By the end of world war I the districts which then composed Trans-Jordan became parts of the Arab state under Prince Faisal whose capital was in Damascus. Nevertheless, the situation of

¹ Munib al-Madi and Suleiman Musa, Tarikh al-Urdun fil-Karn al-ishrin (Amman: 1959), p. 149.

² B.D. Toukan, A Short History of Trans-Jordan (London: Luzac, 1945), p. 42.

³ M. al-Madi, op.cit., pp. 4, 16-17.

Jordan continued to be volatile and undefined until 1921 when Prince Abdullah established the first central government for all Trans-Jordan after he abolished the local governments which divided the country into at least seven separate entities.¹

Although the central government established by Prince Abdullah continued for a long time under the British Mandate, its significance from the point of view of the study of public administration is that the position of Trans-Jordan changed from a subordinate subdistrict into a separate political entity. With the establishment of the state, new administrative and political bodies were created. Thus, an executive council known as the council of advisors² was formed, governmental departments created, and new systems of local administration areas and municipalities were laid down.³

However, this does not mean that public administration and local government were null before this stage. Rather, there was the wilayat system of local government which was retained by the Arab state which succeeded the Ottoman Regime.⁴ In fact, the Ottoman influence on local government in Jordan can be obviously noticed in several aspects

¹ M. al-Madi, op.cit., pp. 104, 111-117.

² After several changes in name, this council became known later as the Council of Ministers in 1939 - Al-Madi, op.cit., 214, 272 and 375. See also B.D. Toukan, op.cit., p. 47.

³ Al-Madi, op.cit., pp. 149-154, and 201.

⁴ M. Al-Madi, op.cit., p. 18.

of the present pattern of local administration. The division of the country into liwas, qadas, and nahiyas follows the Ottoman pattern. The names and levels of central agents in the localities (mutasarraf, qaim-maqam, and mudir)¹ are the same as those followed by the Ottoman Empire. Even the present pattern of municipal government retains some of the features of the Ottoman municipal system. For example, the form and composition of the municipal council the method of appointing the president of the council, the relative role of the president and the council, the requirement of tax payment for the eligibility for elections, and the honorary services of the council members are among the most obvious of such features. Even the use of such terms as "majlis baladi," "rais," and "amin" in the present system was also employed by the Ottoman municipal law. Further, the existence of local advisory councils at the liwa and qada levels is a preservation of the former Ottoman tradition.²

This brief historical review has a significant implication. The age of administration in Jordan, national and local, is relatively young. Consequently, it does not suffer from the heavy burdens of history as did some relatively old states. Moreover, the greatest degree of development took place during the last twenty years, which implies that administrative change, if necessary, can be carried

¹ These are equivalent to Prefect, sub-prefect and juge de paix in the French system - H. Wickwar, op.cit., p. 151. See also pp. 85-87 in this paper.

² See Translations of the Ottoman Constitutional laws, the wilayat administrative law, the municipal law etc. (Baghdad: the Ministry of Justice, 1921), pp. 49-57. See also: Jordan, law 29, April 24, 1955; decree 2, June 3, 1957; and decree 26, March 26, 1962 in Muhammad Nazzal al-Armuti, Dalil al-Muwaten (Amman: Maktabat al-Istiklal, 1962), pp. 27, 37 and 29.

on without the hindrances of some time-honored administrative traditions and practices. This is an ~~un~~ advantage which should encourage national and local authorities to effect the desired changes in administration.

B. Development of Municipal Legislation

After the establishment of the state of Trans-Jordan, the first municipal law was promulgated in 1925. Later, it was changed three times in 1938, 1954, and 1955. The present municipal law is that which was promulgated in 1955, and this paper is based upon the provisions of this law. The laws of 1925, 1938, and 1954 were annulled; and, since the law of 1954 was an approximation of the present law, the following discussion will be concerned with describing the main features of the two oldest laws of 1925 and 1938. Such a description is intended to provide a background for the present situation.

The municipal law of 1925 recognized the importance of legislating for municipal affairs "because the development of cities cannot be achieved without the establishment of local administrative councils... and because the Turkish laws and regulations are dispersed."¹

Further, the law postulated a municipality which is governed

¹ Municipal law of 1925, preamble, in Moh'd Tawfiq Sinnu, Majmu'at al Kawanin wal-Anzimah as-Sadirah 1918-1931 (Amman, al-Matba'ah al-Wataniyyah, 1933), p. 805.

by an elected council that was empowered "to determine and supervise the necessary functions."¹ These functions were classified under three broad categories: constructional functions, sanitary and health functions, and municipal needs.²

The municipal council was given the responsibilities of budget preparation, acquisition of land, appointment of non-technical employees, taking decisions regarding the projects of the municipality, and making regulations to achieve the objectives of the municipality.³

The Council exercised its duties through the president who was appointed by a central agent such as the prime minister, or the district governor. Except in the case of the capital, the president should be chosen from among the council members.⁴ This form of the governing body was retained by later laws.

One obvious feature of this law is that, inspite of the fact that it includes a relatively small number of articles and that it leaves some aspects, such as finance, untouched, it states in detail the articles which regulate personnel. At that time, there was no distinction between the broad law regulating municipalities and

¹ Ibid., article 5.

² Ibid., articles 1-4.

³ Ibid., article 36.

⁴ Ibid., article 9.

personnel regulation governing municipal personnel. For example, the law states that "the employees are the president, the clerk, the cashier, the engineer, the architect, the public health physician etc." and goes on to state the qualifications and requirements of each employee.¹

Another feature is the special position of the municipality's clerk. The clerk shared with the president the signing of all contracts, vouchers, and obligations of the municipality. Moreover, he performed the accounting and record keeping functions.²

Council members were elected directly by male tax-payers, and their term was four years, taking into consideration the system of rotation every two years.³

Finally, according to the law of 1925, the central government had several controls over municipalities. The municipal budget should be approved by the district governor; the president of the council should be chosen by a central agent; and the prime minister had the right to dissolve the municipal council.⁴

The municipal law of 1938 differed from the previous one in

¹ Ibid., articles 10-22.

² Ibid., article 10.

³ Ibid., article 24.

⁴ Ibid., articles 9 and 36.

several aspects. First, the law of 1938 is more comprehensive, and, in certain respects similar to the present law. It applied to metropolitan as well as to rural areas and defined more specifically many of the aspects which were not defined by the previous law. Council members became partly elected and partly appointed, provided that the elected members exceed the appointed ones. Furthermore, the system of rotation was cancelled.¹

On the other hand, central control increased and diversified. The sanction of either the Executive Council (the Council of Ministers) or the Prime Minister became necessary in the following cases: the acquisition of land or property; the sale, rental, or exchange of municipal land; the issuance of instructions and regulations; and any change in the municipality's accounting system.² Besides, there were such controls as the appointment of the president and the technical employees by the Prime Minister, the administration of disciplinary action of municipal employees by the Ministry of Interior, and the control of municipal elections by the Mutasarrif and the Prime Minister.³

Moreover, the law of 1938 introduced a central committee for municipalities attached to and appointed by the Prime Minister. This

¹ Law No. 9, 1938, article 5 (A) in M. al-Bakhit, A. al-Hasan, and M. al-Qutub, Majmua't al-Kawanin wal-Anzimah (Amman: Matba'at al-Istiklal al-Arabi, 1947), Vol. 3.

² Ibid., articles 57-59, 177, 178.

³ Ibid., articles 6,7,9,12,19 and 20.

committee did not have any authority over municipalities, and its function was merely to give advice to the Prime Minister on municipal affairs.¹

Finally, more attention has been given to defining and regulating municipal finance. The law defined the sources of municipal revenues, most of which are still retained in the present system.² Besides, a new financial decree was issued to regulate all other financial and accounting affairs in the municipalities.³ This decree was a detailed one (185 articles), and most of its features are still retained in the present system.

C. Environmental Factors

a. The Economic Factor

The most pronounced feature of Jordan is the poverty of its economy with a subsequent dependence on foreign aid, and the lack of funds to finance vital projects at the central and local levels.

At the central level, about 60 per cent of the governmental revenues is secured from foreign sources either as aid or in the form of loans, as the following figures for the years 1960-1963 indicate.⁴

¹ Ibid., article 68.

² Ibid., articles 40-53.

³ The Municipal Finance Decree of 1940, in M. al-Bakhit and others, op.cit., p. 452.

⁴ Wazarat al-Maliyyah, Al-Muwazana al-³Ammah (Amman: Wazarat al-Maliyyah, 1960-1965).

TABLE I

Year	Revenues from Foreign Sources J.D.	Total budget J.D.	Percent
1960-61	23,000,000	34,000,000	67.6
1961-62	19,300,000	31,820,000	60.6
1962-63	19,745,000	39,241,000	50.3

The same situation exists at the municipal level and causes the same impediments to development projects. For example, the municipality of Amman is undertaking this year certain big projects to improve some aspects of the city life. The budget amounted to J.D. 2,393,772 out of which an amount of J.D. 1,383,817 is secured mainly from foreign loans.¹

However, this situation seems to characterize several developing countries. It is observed in this respect that four features characterize local public finance in the developing countries.

First, the extremely small portion of the total public income that finds its way into local treasuries to be used for local public

¹ The Municipality of Amman, Annual Budget, 1965-66, unpublished.

purposes.¹ The situation in Jordan is well explained by the following table which shows the relationship between the revenues of all municipalities and the revenues of central government over the eight years between 1955-1962.²

TABLE II

Year	(1) Rev. of Central Government J.D.	(2) Rev. of municipalities J.D.	Number of Municipal.	% Relat. (2):(1)
1954-55	17,666,000	1,225,000	34	6.8
1955-56	18,859,000	1,106,000	35	5.8
1956-57	21,198,000	1,291,000	33	6
1957-58	25,524,000	1,363,000	35	5.3
1958-59	30,596,000	1,720,000	41	5.6
1959-60	30,750,000	1,800,000	41	5.8
1960-61	Est.34,000,000	2,201,000	41	6.4
1961-62	Est.31,820,000	2,568,000	43	8

Second, the substantial share of local public revenues that comes from the national government.³ In Jordan, the most important item in

¹ Alderfer, op.cit., p. 149.

² Jordan, Department of Statistics, Annual Statistical Yearbook, (1955), p. 109; (1956), p. 241; (1957), p. 145; (1958), pp. 72-73, (1959), pp. 91-93; (1960), pp. 95-97; (1961), pp. 104-107; (1962), pp. 110-113.

³ Alderfer, op.cit., p. 149.

this respect is the type of taxes which are collected by the central government and distributed among municipalities.

Third, the lack of a strong local tax and revenue collecting system.

Fourth, the broad scope of national controls over each phase of local finance.¹

These two points will be discussed in Chapter IV which deals with finance.

b. Rapid Urban Growth

The economic problems of local government in this region have been aggravated by the rapid rate of urbanization which ^{has} created many social, sanitary, constructional, and economic problems. It is observed that in several Arab states, "the proportion of the population living in urban areas is higher than in countries elsewhere in the world where similar geographic and economic conditions prevail." The result of this situation is that "the pace of urban growth has exceeded that of economic development and of opportunities for employment in the cities."²

This problem is particularly serious in Amman where the population growth is ~~very~~ tremendous. Although several reasons may be mentioned for such rapid urbanization, the most important factor is

¹ Ibid., p. 149.

² U.N. Department of Economic and Social Affairs, op.cit., p. 3.

the migration of Palestinians and the annexation of the remaining part of Palestine to Trans-Jordan. Concomitant with this factor was the migration to Amman of Jordanians from other parts of Jordan. Thus, before the annexation of the West Bank, the population of Trans-Jordan was estimated in 1946 to be 433,659.¹ Eight years later, in 1954, it was estimated that the population of Jordan had become 1,402,627;² that is, six times more than it was in 1946. The significant fact is that migration was toward the capital, Amman, in which the population increase was remarkably higher than in the rest of Jordan. From around 30,000 in 1946, the population grew to about 300,000 at the present time.³ It is observed by Mr. N. Kana'n, a former head of planning and design in the municipality, that "it is unlikely that any other modern city had grown so rapidly."⁴ It is further observed that "the growth that Amman has experienced differs from that of other cities and is marked by the huge number of displaced persons from Palestine who rushed to construct slums in the various parts of the city."⁵

¹ M. al-Madi, op.cit., p. 448.

² Jordan, Department of Statistics, Statistical Yearbook (1954), p. 1.

³ Interview with Omar Deisi, Public Relations, Municipality of Amman. However, the latest information from the Department of Statistics states that the population of Amman at the end of 1962 was 296,358 - Department of Statistics, Annual Statistical Yearbook, (1962), p. 12.

⁴ N.R. Kana'n, "Amman," The New Metropolis in the Arab World, ed. Morroe Berger (New York: Allied Publishers, 1963), p. 130.

⁵ Ibid., p. 132.

c. Public Attitude

The attitude that the people have of their local government and the degree of participation and interest are essential factors in the local government's ability to command financial and moral support for its projects. On the other hand, this relation is a reflection of the political conditions at the national level. With the general tendency to ban all political groupings in the country and to restrict the democratic political process, the degree of public participation and interest at the national and the local levels is minimized. As it will be seen in Chapter II, this situation is evident in the elections of the municipal council and the role of the central government in municipal elections. Consequently, there is a complete disregard for the concept of community development in the sense of combining the efforts of the people and the government to improve the economic, social, and cultural conditions of communities.

d. Geographic and Topographic Nature of Amman

Finally, Amman has a unique feature which tends to increase the costs of projects and make planning difficult, namely, its geographic and topographic nature. The location of Amman on mountains and in valleys has unusually multiplied expenses in the fields of road construction, sewage disposal, water supply, and traffic control.¹

¹ Gerald Hardy, Report on the Finance of Amman Municipality, (the Municipality of Amman, 1965), unpublished.

As stated by an authority in the municipality, Amman was situated in a mountaneous place which is the least suitable for a city.¹

These are mainly the environmental conditions which influence the municipality of Amman. It is true that the same conditions may exist in other countries, but they are very acute in Amman. The municipality is required to cope with the problems arising from changing a small town into a large metropolitan capital in a very short span of time. Furthermore, the problem is complicated because the city has grown haphazardly and without previous planning.² Only in 1955 that a comprehensive town plan was produced regulating the important aspects of the future life of the city.³

A recognition of the complexity of these problems led an observer to consider Amman as "a clinical picture particularly suitable for study."⁴ Hence, if this study spotlights certain inadequacies in the municipality or its external relations, this should not be considered a belittlement of the efforts of the present governing body to improve many of the conditions which affect the life of citizens. Rather, all that this discussion aims at is to show that the administration of the present municipality is a challenge for vigorous and ambitious administrators, because it requires extraordinary abilities and efforts.

¹ Interview with Dr. Farid Aql, director of Health Department, Amman Municipality.

² N. Kana'n, op.cit., p. 131.

³ Jane M. Hacker, Modern Amman, A Social Study (Durham: University of Durham, 1960), p. 45.

⁴ Ibid., p. 129.

D. Two Main Observations

In order to define the scope of this paper clearly, the following two observations should be taken into consideration.

First, the discussion applies only to the administration of metropolitan areas and does not apply to rural areas. The latter have a separate law whereby the status of their councils and the scope of their functions differ from those of municipal areas. The village council is practically appointed by the Mutasarrif who exercises strict financial and administrative supervision over the council.²

Second, the two municipalities of Amman and Jerusalem are given names which distinguish them from other municipalities. The latter are called baladiyah (i.e., municipality), whereas Amman and Jerusalem municipalities are called Amanah (i.e., trust). This distinction implies significance which exceeds the boundaries of the city and reflects an importance of national character. Thus, Amman is the political and commercial capital of all Jordan, and Jerusalem occupies a special historical, religious, and moral position. According to this distinction, each of the municipal council of Amman and Jerusalem is "The Council of the Trust," and their presidents are "The Trustees" or Umana. Further, the municipality of Amman is

¹ The Mutasarrif and other administrative governors are discussed in Chapter V under central-local relations.

² Law 5, January 25, 1954, particularly articles 5,6, 10 and 11, in M.N. al-Armuti, op.cit.

given higher status since it is directly attached to the Prime Minister rather than the Minister of Municipal and Rural Affairs as it is the case with other municipalities.

CHAPTER II

ORGANIZATION AND FUNCTIONS

1. The Governing Body

A Jordanian municipality is governed by a municipal council whose members may be elected or appointed according to certain conditions. The council is headed by one of its members who is appointed as president by the Council of Ministers upon the recommendation of the Minister of Municipal Affairs.¹ Besides, the council elects one of its members as a vice-president to act in the absence of the president.²

The council serves for a term of four years, and its membership should be limited between 7 and 12 members, depending upon the discretion of the Minister of Municipal Affairs.³ In Amman, the council is in most cases composed of twelve members, although the present council consists of ten.

As regards the qualifications of council members, the law specifies certain requirements of residence, age (25 years minimum), sex (males only), literacy, municipal tax payment, and other require-

¹ Law 29, April 24, 1955, Articles 3 and 34, in M.N. al-Armuti, op.cit.

² Ibid., Article 35.

³ Ibid., Article 7.

ments of personal integrity.¹ With respect to their practical qualifications, council members are mainly businessmen and property owners, with a new trend toward such professionals as doctors, lawyers and engineers. The present council of Amman Municipality (an appointed board) is composed of the following ten members:

<u>Number</u>	<u>Job</u>
4	Businessmen, including a general manager of one of the biggest firms in the country.
2	Property-owners, including one retired government employee.
2	Engineers; the two, including the Amin, worked successively ^{as} Under-Secretaries of the Ministry of Public Works.
1	Medical Doctor
1	Lawyer. ²

The law states that the council of Amman Municipality shall be composed of half-elected and half-appointed members. Appointment is made by the Prime Minister upon the recommendation of the Minister of Municipal Affairs.³ But in practice, the situation is different. A review of the council elections record revealed that, from 1955 until

¹ Ibid., Articles 12 and 18.

² Interview with Mr. Yahiya Omari, Head of Main Registry, Amman Municipality.

³ Law 29, April 24, 1955, Article 3(2), op.cit.

the present, six successive councils governed Amman Municipality, none of which came as a result of elections either partly or totally. The following is a summary of such a record.

In September, 1955, 26 candidates were nominated, then 16 withdrew due to the interference of the Muhafez. The remaining ten won by acclamation. Two more were appointed by the Prime Minister.

In January, 1958, a board of experts composed of six members was appointed by the Prime Minister.

In April, 1958, a board of twelve members appointed by the Prime Minister.

In April, 1960, a twelve-man council, half-elected by acclamation and half-appointed.

In June, 1964, the same as above.

In October, 1964, an appointed board of ten. (this is the present council).¹

One can conclude, therefore, that central government exercises a considerable degree of influence over the municipal council. This may seem in contradiction with the above mentioned provision that Amman's municipal council shall be half-elected and half appointed. However, the Council of Ministers can, upon the recommendation of the Minister of Municipal Affairs, dissolve the municipal Council before the end of its term and appoint in its place a board to govern the municipality.² No wonder, therefore, that the central government found itself running in the course of appointment in the majority of

¹ This information was obtained from the files of Amman Muhafaza Department, with the permission of the Muhafez Mr. Nayef al-Hadid.

² Law 29, April 24, 1955, Article 8(1), op.cit.

cases.

Furthermore, such changes in the municipal council reflect a relatively high turnover - an average period of about 1½ years. One can add that in all except one of the cases mentioned above, the council was dissolved by the central government.

2. Jurisdictions

A. The Municipal Council

The municipal council is formally charged with the following responsibilities and duties.

1. To perform the municipal functions or services entrusted to the municipality.¹ These will be discussed in the second half of this chapter.
2. To give sanction to the annual budget, the closing account, and the cadre of personnel before sending them to the appropriate authority for final approval.²
3. To administer the properties and assets of the municipality including the erection of new buildings, the sale, rental, and purchase of the same.³
4. To propose by-laws which regulate the municipal services. These by-laws may include the imposition of fines and

¹ Ibid., Article 41 section A, items 1-36.

² Ibid., Article 41 - A(37).

³ Ibid., Article 41 - A(37).

should have the approval of the Council of Ministers and the King.¹

5. To impose rates concerning the functions under its jurisdiction, subject to the approval of the Council of Ministers.²

B. The President of the Council

The President (Amin in Amman) is formally charged with the following responsibilities and duties.

1. He summons the municipal council, presides over it, executes its decisions, and represents^{it}/vis-a-vis other bodies.

2. He represents the municipality, administers its correspondence, defends its rights, acts as the head of its administration, and administers its properties.

3. He prepares the budget and controls its execution.

4. He holds certain types of contracts on behalf of the council.

5. He prepares the annual report on administration and the closing account.³

These are the formal provisions which define the jurisdiction of each of the council and the president (the Amin). But in practice, the Amin is the dominant figure in the municipality because of the following reasons.

¹ Ibid., Article 41-B.

² Ibid., Article 41-C.

³ Ibid., Article 42.

First, Council members are involved in their private occupations; hence, they do not have the time and interest required by the municipality. Consequently, they serve as a sanctioning body to the decisions of the Amin.

Second, the Amin is a full-time employee, and he has a body of experts in several fields. Consequently, he is better equipped to prepare decisions for the council and to dominate it.

Third, although the Amin is a council member, his appointment as president of the council does not depend on that council's will, but on the Minister of Municipal Affairs and on the Council of Ministers.¹ Hence, he is stronger than the council also in this respect. Furthermore, the right to dismiss the Amin rests with the Council of Ministers.² On the other hand, if a conflict arises between the Amin and the council, or if the council desires to dismiss the Amin, there is no defined procedure. Due to this situation, the council is put at a disadvantage, especially when the Amin is an ambitious and strong personality. Moreover, the Amin tends to be amenable to the pressures of the Prime Minister and the Council of Ministers, particularly in matters of personnel and finance.

All these observations lead to the conclusion that, although in theory the municipal council is the focus of authority in the municipality, the Amin is the real focus of authority.

¹ Ibid., Article 34 (1)

² Ibid., Article 34(3).

3. Organizational Structure of the Municipality

A. The Lack of Job Description

One encounters great difficulty in trying to get a clear picture of the organizational structure of the municipality because of the lack of adequate job description. However, the municipality has recently issued a regulation¹ defining duties and responsibilities, but this regulation was not based on a systematic and a detailed study of the jobs defined, and its extent was limited to the four highest positions in the municipality. Nevertheless, it is a significant step toward better job description.

B. The Organs of the Municipality

The functions of Amman municipality are performed by the following twelve organs.

1. The Administration
2. The Financial Section
3. The Personnel Section
4. The Stores
5. The Municipal Library
6. The Court of "The Trust of the Capital."
7. Department of Public Works
8. Department of Inspection and licensing
9. Sewers Department

¹ Amman Municipality, Internal Regulation of 12.8.1965.

10. Department of Planning and Design
11. Department of Health Affairs
12. The Mechanical Section

(See organizational chart, p. 30)

In addition to these organs, there is the Water Department which was recently given financial and administrative independence. The reason for such an arrangement is to provide a guarantee for the International Bank that its loan for the water project will be repaid in due course.¹

C. Description of the Office of Administration²

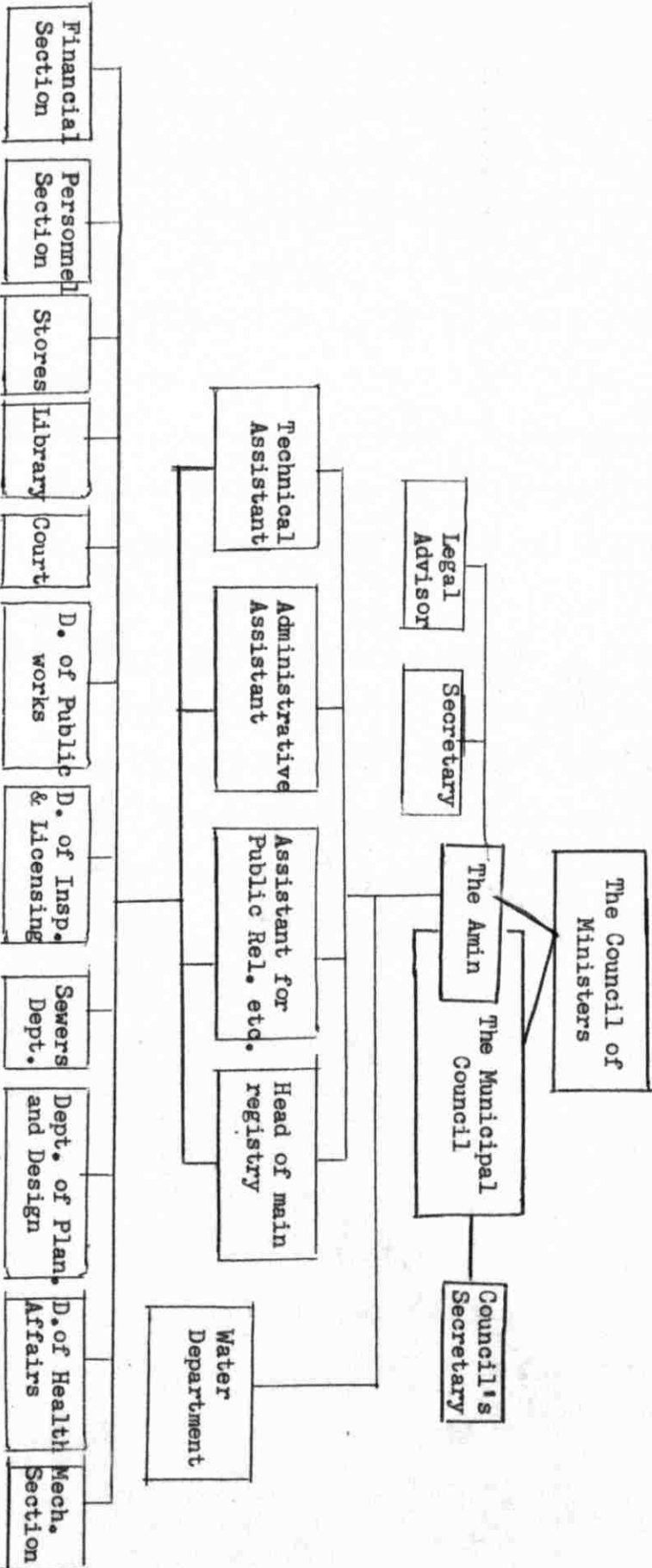
The first organ, Administration, can be properly called the Amin's office, because it is concerned with aiding the Amin in administering the other branches of the municipality. It receives all correspondence addressed to the Amin, distributes it to the relative branches, prepares the necessary information which help in taking decision on a particular question, and replies^{to} the routine correspondence which does not require the Amin's review or signature. Moreover, it keeps records or files for future reference.

¹ Interview with Mr. Adnan Dajani, administrative assistant, the Municipality of Amman.

² This description is based on interviews with Mr. Yahya Omari, Head of Main Registry and Mr. Adnan Dajani, Administrative Assistant.

TABLE III

THE MUNICIPALITY OF AMMAN - ORGANIZATION CHART¹



¹ This chart was made by the author as a result of personal observations and interviews to which reference was mentioned in this chapter.

There are six top positions in this office whose functions are to assist the Amin and help him in making decisions: the technical assistant, the administrative assistant, the assistant for services and public relations, the legal advisor, the secretary, and the head of main registry. These positions depend for their clerical functions on the employees of the main registry.

The main registry performs all the clerical, correspondence, and record keeping functions of the Administration. Further, it is a channel through which all correspondence, incoming and outgoing, internal and external, is transmitted.

Among the six top positions mentioned above, those of the three assistants are the most influential. Formally, these assistants do not have prerogatives which are assigned to them except those delegated to them by the Amin. Hence, their influence extends or contracts according to the personality of the Amin and his desire to delegate. The following is an account of their responsibilities and duties according to the above mentioned regulation of 12/8/1965.

The technical assistant is authorized to sign the internal routine correspondence in connection with the execution of all constructional and technical projects. He is also responsible for checking execution and submitting reports to the Amin.

The Administrative Assistant is authorized to sign the internal routine correspondence in connection with administrative affairs. He is also responsible to facilitate immediate despatch of the

citizens' petitions, and to approve the leave requests for all second class and non-classified employees.

The Assistant for Services and Public Relations is not authorized to sign correspondence, but he acts as a coordinator of the relations between the municipality and other agencies, and the municipality and the public. He is responsible for expediting the services required by the public by keeping in touch with the different organs in the municipality. Finally, he is responsible for issuing a monthly statistical and news bulletin for general distribution.

The division between the assistants is a division of functions rather than a division of departments. That is, all departments report to the office of the Amin; and all assistants, in the name of the Amin and each in his own sphere, contact all department heads, give them directions, and receive reactions.

The most proper description of these assistants is the administrative term used to describe staff as an extension to the personality of the leader.¹ This same concept was expressed by the technical assistant who described the assistants as three brains for the Amin, each functioning in a certain sphere.

When the assistants sign on behalf of the Amin, they are restricted by two principles. First, correspondence signed should not involve financial obligations; and, second, it should not involve a change of

¹ John M. Pfiffner and Frank P. Sherwood, Administrative Organization (Englewood Cliffs: Prentice-Hall, Inc., 1961), p. 172.

policy or regulations of the municipality.¹

In sum, the office of Administration serves as a coordinator of the activities of other organs in the municipality.

D. The Other Branches and their Relation to the Amin.

The other branches are functional, that is, each is assigned a single activity such as personnel, finance, public works, planning, sewers, health, and the like. Each is headed by an expert (engineer, doctor etc.) specialized in the field supervised.

Although the heads of these branches report directly to the Amin in the method described above, they are not of equal rank. The names of their branches are also not uniform, but there seems to be uniformity in the branches called departments (Arabic: masaleh), since these tend to be headed by a top official of grade II.

The main problem in the administration of these branches is the degree of centralization exercised by the Amin. It is felt that there is a high degree of centralization and there should be more delegation. However, the trend toward centralization in Amman Municipality has its reasons. One reason is that it is a manifestation of the external centralization exercised by the national government over the governing body. It is expected that, if more autonomy is granted, more delegation will be effected internally. Another reason is that the municipality is recently growing from a small traditional organization into

¹ Interview with Mr. Wahdan Oweis, technical assistant.

a large modern one. Excessive centralization might not have been a problem in the past as it is to-day. Therefore, a certain period is required for the municipality to adapt to the new situation which requires less centralization and more delegation.

Nevertheless, a need for decentralization has been felt by the present administration. Department heads are now allowed to spend amounts not exceeding J.D. 10 without getting the Amin's approval.¹

E. Administrative Improvement

With the growth of the municipality it has been felt that old methods and procedures should be replaced by more modern ones to facilitate prompt action and promote efficiency. The following steps have been recently taken in this direction.

1. A study of the filing and the mailing systems.
2. Improvements of some forms used such as citizens' petition forms, internal memorandum form, worker compensation form etc.
3. Study and improvements used in the field jobs.
4. Improvements in the procedures of spending and budget preparation.
5. The creation of an office specialized in personnel.²

Besides, there is a tendency to employ persons on the basis of

¹ Internal instruction of 23.8.1965, Amman Municipality.

² Interview with Mr. Adnan Dajani, administrative assistant, Amman Municipality.

expertness and specialization. But in spite of these measures, there is still room for criticism. There is no certain person or office assigned for administrative improvement, not even temporarily, and such improvements are undertaken in a piece-meal method. The person who is formally responsible for administrative improvement, the administrative assistant, does not have enough time to think thoroughly of this important subject. His job as administrative assistant takes most of his time, and consequently, many attempts are ~~often~~ suspended for a long period of time. Moreover, in the efforts to study the required improvements, the overall view of the whole organization, is not taken into account. Hence, the priorities of improvement may be lost. What is needed is an expert overall study which defines the problems and arranges them in an order of priorities, and then implementation may take place according to a systematic plan.

4. Functions of the Municipality

The law lists 36 items which define the scope of functions of municipalities.¹ These items can be classified into the following seven classes of functions.

- A. Constructional functions
- B. Public Health and Sanitary Functions
- C. The Supply of Communal Facilities

¹ Law 29, April 24, 1955, Article 41, op.cit.

- D. Cultural and Social Services
- E. Protective and Security Services
- F. Miscellaneous Functions
- G. The judicial function

A. Constructional Functions

These include city planning, the construction of new streets and related problems, the control of private construction, sewers, and all other matters related to construction in the city. They also include the establishment of public places and public facilities.¹

This class is the major class of functions in terms of efforts and money consumed. In the budget of (65-66), approximately one third of the total budget was allotted for constructional projects. This is apart from the amount for the big water project which is also being constructed by the municipality.

B. Public Health and Sanitary Functions.²

From an analysis of the duties of the Department of Health Affairs in the Municipality, the following functions fall under this category: maintaining water purity and general cleanliness of the city; inspecting all places which deal with foods and drinks and subjecting them to health rules; administering the slaughtering house, and the control of

¹ Ibid., Article 41 items 1,2,5,6,12 and 31.

² Ibid., Article 41, items 16,18,19-22.

death burrial.¹

C. The Supply of Communal Facilities.

The only utility which the municipality renders to the people is water, although the law lists also electricity and gas.² Gas is distributed by private firms, and electricity supply is a private firm's franchise granted previously by the central government.

The question of electricity being supplied by a private firm in Amman has two implications. First, a municipal service is supplied by a private body without the willingness of the municipality. Second, a franchise for a municipal service is granted by the central government rather than the municipality. However, the municipality has recognized this situation and it is attempting to take over the supply of electricity or, at least, to have a certain share of the firm's profits. Otherwise, the municipality may impose a certain tax on the private firm.

As mentioned before, the Water Department has been given autonomy while remaining under the direct supervision of the Amin. Besides providing a guarantee for the International Bank, this arrangement would enable the department to carry out more effectively the water project which is intended to fulfill continuously the water requirements of all the city quarters without periods of interruption as is the case at

¹ Interview with Dr. Farid Aql, Director of Health Affairs, Amman Municipality.

² Law 29/1965, Article 41-A(3,4), op.cit.

present.

D. Cultural and Social Services

Most of these items are not taken care of by the municipality. The only function performed in this respect is the library service.

The Municipal library is a recent facility which was established in 12.12.1960.¹ It contains about 12,000 volumes in Arabic and English. Besides rendering reading facilities to the public, the library presents cultural, educational, and scientific films, conducts music recitals, and holds public lectures. Moreover, it holds art exhibits for Jordanian artists and provides special educational services for children.

The library is financed from the ordinary municipal revenues and it does not receive grants from the government. It serves other municipal libraries by providing training and advice. Further, it is expected that other non-municipal libraries in the city will be merged with this library.²

E. Protective and Security Functions

According to the law, the items of fire prevention, flood control, aiding the injured in times of emergencies, and matters of civil defence are included in this class.³ In practice, the only function done here is fire prevention. This is done by a fire patrol which is an organ

¹ Regulated by decree No. 4 of 1961.

² Interview with Mr. Faruq Mu'ad, Municipal Library Director, Amman Municipality.

³ Law 29/1955, Article 41-A (items 13-15 and 24), op.cit.

of the Central Civil Defense Department. The municipality pays for the personnel expenses; machinery is supplied by the Civil Defense Department.

F. Miscellaneous Functions

These include the control of certain activities such as handicrafts and industries, hotels, public entertainment places, lottery and gambling, employment bureaus, wandering salesmen, signboards, and weights and measurements. The municipality controls these aspects generally by the requirement that they should have licenses issued by the Municipality in case of establishment or the like.¹

G. The Judicial Function

This is done by a special court called "The Court of the Trust of the Capital." The judges and employees of this court are from the personnel of the Ministry of Justice, but the municipality pays their salaries and other expenses of the court. They are appointed, transferred by, and under the complete control of the Minister of Justice.²

The court is a single-judge court of first instance, and its jurisdiction covers the laws regulating municipalities, malaria, professions and industries, animal diseases, transportation, weights and measurements, city and village planning, and some other aspects of public health.³

¹ Ibid., Article 41-A, items 7,9,10,26,27,29,30,32,35 and 36.

² Law 39 of 1961, Articles 4 and 5, in the Official Gazette of Jordan, (1961), p. 1079

³ Ibid., Articles 3,8 and 6(1).

The court is authorized to impose fines, to order the removal of the causes of violations and the compensation for any injury which affects the municipality, and to order the demolishing of illegal buildings. It can also sentence the violators to imprisonment if they fail to pay the fines imposed.¹

The concern in the above discussion was to show the activities undertaken by the municipality. It is to be observed that the municipality does not perform all the functions which are stated in the law. Thus, almost all items which are of the sort of social services and those concerned with the control of certain activities are not performed by the municipality. These include, for example, controlling public conduct and the prevention of prostitution; establishing museums, clubs, and schools; the prevention of mendicity and the establishment of assylums for the disabled; the control of lottery and gambling; and the establishment of employment bureaus. Among the reasons which account for the lack of action in these areas are limitations in the financial and administrative capacity of the municipality, the degree of control exercised by the central government, and the fact that Amman is the capital city in which the ministries of the central government perform some of the communal services.

5. Public Relations and Public Attitude

Anyone who comes in contact with the citizens of Amman recognizes

¹ Ibid., Articles 6(2) and 9(A).

the presence of a general feeling that the municipality is a tax collector, that it does not offer adequate services to the city, and that it does not treat all quarters of the city equitably, offering better and more services to the richer quarters.

A recognition of this situation by the municipality led to the creation of a new section for public relations. Due to the efforts of this section, a marked interest in the activities of the municipality has been shown by the local press and the broadcasting service. The latter has been utilized to publicize the activities of the municipality either by ordinary announcements or by recording special speeches for the Amin or other top officials in the municipality. Moreover, the public relations section undertook a "cleanliness campaign" which lasted for one week during April, 1965. The campaign commanded the participation of schools, religious institutions, mosques, churches, the press, the national broadcasting service, and the cinemas. Among the successful means used in this campaign was the granting of certificates of cleanliness to the restaurants, butcheries, bakeries, and groceries which proved to have a good level of hygienic standards.¹

Such efforts are undoubtedly useful, but they are not sufficient by themselves to produce better public relations. To a certain extent, the municipality became aware of the importance of concrete deeds which speak for themselves. Hence, it broadened the scope of its services this

¹ Interview with Omar Deisi, Public Relations Section, The Municipality of Amman.

year, and it is planning to construct several streets in the less rich quarters. Furthermore, there is a new stress on planning with a tendency to abandon the traditional methods of haphazard growth. According to the present plan, the aim is to make Amman one of the most beautiful cities in the East. The efforts toward this aim will include the creation of small "local" parks on each hill, several other parks in the public places in the city, and the grand Amman public park which will cover an area of about 1000 dunums.¹ There are other public facilities under construction such as the new water distribution plant and the sewage disposal plant.²

¹ Falastine daily newspaper, (Jerusalem, August 28, 1965), p. 5.

² Interview with Mr. Omar Deisi, Public Relations Section, Amman Municipality.

CHAPTER III

PERSONNEL

1. Introduction

The municipal personnel system in Jordan is stipulated by the Municipal Personnel Decree¹ which is, in fact, an adaptation of the national personnel system to municipalities. The only difference between the two is in the organizational side of personnel. This is necessitated by the fact that municipalities differ from ministries or other central departments in the pattern of organization and in their relation to the Chief Executive.

2. Organization of Personnel Administration

Personnel administration in the municipality falls under the jurisdiction of the governing body (i.e., the Council and the President), subject to the approval of an agent of central government (the Prime Minister in the case of Amman).²

In the Municipality of Amman, the governing body is assisted by the personnel section which was established with the advent of the present administration.³ Previously, the personnel function was a part of the clerical functions of the main registry. This new

¹ Decree 1, July 9, 1955, in *Nakabat al-Muhamin al-Nizamiyyin*, op.cit.

² Ibid., Articles 8,9 and 13.

³ At the end of 1964.

section does not have any authority over personnel in appointment, promotion, or dismissal. It is mainly concerned with correspondence, keeping files and records, and providing information. The following is a summary of the official duties of this section.

1. To receive all correspondence and documents related to personnel.
2. To keep files and records ~~of~~ such correspondence, especially in connection with classes of personnel, their conditions of appointment, promotion, leaves, discipline, termination, allowances, and compensation.
3. To keep records ~~of~~ incoming and outgoing mail, and to prepare the correspondence related to personnel for the Amin's review.
4. To keep a register for personnel whereby all facts regarding their jobs are shown, and to keep a confidential and an ordinary file for every employee.¹

Although the establishment of this section is an important step toward a sound personnel administration, it has to be recognized that the scope and activities undertaken by the section are still of limited usefulness. For example, there is still a lack of job description in the technical sense. Furthermore, the section is not yet aware of the significance of such aspects as the establishment of standard examinations, the training of employees before or in the service, and the development of performance evaluation.

¹ The Municipality of Amman, Internal Regulation No. 32, November 29, 1964.

3. The Grading Scheme

As mentioned earlier, this scheme is the same for municipal and national employees. It consists of two broad classes which constitute ten grades. The first class consists of the first six grades and the second class consists of the remaining four grades from grade 7 to grade 10.¹

Because the municipality is a relatively small organization where there are not as many promotional or transfer possibilities as in the government, it is felt that such a grading scheme is not suitable for municipalities. Many promotions under the present scheme take place because of length of service rather than increase in efficiency and competence of the employee. This is so because the length of service in the grade is 4-5 years after which the employee feels that his promotion is due. Even the central government felt that this grading scheme is not appropriate and tried to replace it by a new scheme which consists only of six grades. The scheme has not been approved yet because it entails a considerable increase in the governmental expenses and, hence, it is temporarily abandoned.² Consequently, the 10-grade scheme remains in force by municipalities.

4. Staffing Process

The procedure followed in staffing is a simple one. Usually,

¹ Decree 1, July 9, 1955, Article 5; Decree 1, February 23, 1958, Articles 4-6, in *Nakabat al-Muhamin al-Nizamiyyin*, *op.cit.*, p. 349.

² The draft law was published in the local newspapers but not yet passed by the Parliament. See *Al-Jihad* newspaper, (Jerusalem, July 15, 1965), pp. 1 and 5.

a head of a certain unit notifies the Amin that his unit has a vacancy, and he specifies the requirements of such a vacancy, requesting the Amin to fill it with a proper person. The request is then transferred by the Amin to the personnel section which recommends one or more eligible candidates.¹ After consultation with the unit head, final selection and appointment are made by the Amin and the Council with the approval of the Prime Minister.² But the actual role performed in appointment is that of the Amin, because he is the president of the Council and the head of administration at the same time. Accordingly, he is empowered by the law to make the necessary investigations regarding the eligibility, qualifications, and conduct of the candidate before submitting his recommendation to the Municipal Council.³ This gives him a considerable power in influencing the decision of the Council.

The first problem in staffing which usually meets any agency is that of recruitment, i.e., the attraction of an adequate number of applicants for the vacancy. This problem is eased in the case of Amman Municipality because of the abundance of candidates for many types of jobs. In view of the lack of employment opportunities on a wide scale in Jordan and its capital, the Municipality receives

¹ Interview with the head of personnel section, the Municipality of Amman.

² Decree 1, July 9, 1955, Article 8, op.cit.

³ Decree 1, July 9, 1955, Articles 6 and 7, op.cit.

monthly about 200 applications for which it cannot provide jobs. The majority of such applications is for clerical and administrative jobs. However, there are cases, especially for some technical jobs, where the municipality cannot obtain candidates unless it follows the means of advertisement which is still employed on a very limited scale.¹ The same can be said about examinations. As a standardized means for discriminating among applicants, the examination procedure is not employed except for certain technical jobs where there may not be an academic degree, or where the degree may not be adequate for discrimination. In such cases, a technical committee is formed to construct and administer the test. Usually, this committee includes members who master the subject matter of the test. It may include one or more members from governmental departments or private agencies. As it may be seen, the role of this committee is advisory; it decides whether an applicant is eligible or not.²

The new employé is usually placed under probation. The period of probation is two years for first class employees and one year for second class employees.³

The procedure of promotion is similar to that followed in appointment. The unit head recommends the official for promotion. After

¹ Interview with the head of personnel section in the Municipality of Amman.

² Ibid.

³ Decree 1, July 9, 1955, Article 12, op.cit.

inquiring from the personnel section regarding the employee's service record, the Amin submits the recommendation to the council. If the latter approves, it remains for the Prime Minister to give the final approval.¹

Promotion, as understood by the municipal employees, does not necessarily mean the transfer of the employee from a certain job to another which requires a higher degree of competence. Rather, it is conceived as an automatic transfer to the higher grade because of length of service. This has its origin in legislation, since the municipal personnel decree states clearly that promotions are to be made according to seniority, and that, in case the seniorities of grade and service are the same for two employees, then competence is to be given priority.²

The staffing procedures discussed above apply only to classified employees. The procedure of appointing non-classified employees is different in that they are appointed by the Amin subject to the approval of the Prime Minister. Moreover, the Amin can appoint, without reference to any authority, as many daily-paid workers as may be required by the current projects stated in the budget.³

In view of the relatively high degree of appointment of non-

¹ Ibid., Article 8.

² Ibid., Article 13.

³ Ibid., Article 9.

classified employees, one can observe the considerable role given in practice to the Amin in personnel affairs. The following table shows the number of classified and non-classified employees over the period of the last four years as taken from the files of the personnel section.

TABLE IV

Year	Number of Classified	Number of non-classified	Total
1961	181	180	361
1962	188	243	431
1963	218	32	250
1964	187	205	392

These figures show that there is generally a high proportion of non-classified employees in the municipality. This is apart from the daily paid employees who amounted last year to 324¹, and it is apart from the daily-paid laborers of the field projects. (For further reference, see table V on page 50 showing the distribution of employees among departments, grades and classes at the end of 1964).

¹ The files of personnel section, the Municipality of Amman.

TABLE V

THE DISTRIBUTION OF EMPLOYEES ACCORDING TO DEPARTMENTS,
GRADES AND CLASSES

THE MUNICIPALITY OF AMMAN, 1964

Grades	Administration	Financial Section	Stores	Mechanical Section	Court	Public Works Department	Inspection & Licensing	Sewers Department	Planning & Design	Health Affairs	Water Department	Library	TOTALS
1													1
2								1					1
3									1	1			1
4				1		2			1	1	1		6
5	3	1	1		1		2		1	1			10
6	2	2			2	1				1			8
7	2	2				1				1	4		10
8	5	2	2	1		3	2	1	4	4	6	1	31
9	3	7	3	2	3	5	5	1	4	11	20		64
10	3	3	2	1	12	2	7		1	13	13		57
Total classified													188
Unclassified	13	5	5	5	43	15	27	3	5	35	40	2	205
Daily-paid	5	4	11	90	31	11	11	11	13	57	85	6	324
Totals in each branch	36	26	24	138	33	72	30	19	36	125	169	9	717

5. Compensation System

A. The Pay Plan

The influence of the pay plan is relative, that is, it should be viewed in the light of other employment opportunities in the country. In Jordan, the pay plans for government and municipalities are the same, and other benefits of the system of motivation are almost equal in the two jurisdictions. The most obvious disadvantage of the pay plan is the small portion of the annual increment in the monthly salary. The lowest grade (No. 10) starts with a salary of J.D. 21 and the highest ends up with J.D. 120 (See the pay plan, page 52). The annual increment for grades 2-4 is J.D. 2, and for grades 5-10 is one dinar per month.¹

Compared to those found in the private and semi-governmental bodies, such salaries and increments are lower. But the municipal system of compensation serves to attract and keep employees in two ways. First, the lack of employment facilities on a large scale in the country; and, second, the presence in the system of such benefits as allowances for the cost of living and for engineers, lesser working hours, more certainty regarding security of tenure, more generous leaves, and the benefits of retirement.

Thus, the municipal employees are granted an allowance for the cost of living. This allowance is given to the married employees

¹ Decree 1, February 23, 1958, Articles 6,7, op.cit.

TABLE VI

THE PAY SCALE OF NATIONAL AND MUNICIPAL
EMPLOYEES

Class	Salary Specifications					
	Grade					
First Class	Spec. Grade	90-120 J.D. : Chief-Justice, Head of Audit Bureau, Head of Personnel Department, etc.				
	1	83-86 J.D. : Undersecretaries etc.				
		1st year - J.D. 2nd year- J.D. 3d year -J.D. 4th year J.D. 5th year				
	2	72	74	76	78	80
	3	62	64	66	68	70
	4	52	54	56	58	60
Second Class	5	46	47	48	49	50
	6	41	42	43	44	45
	7	36	37	38	39	40
	8	31	32	33	34	35
	9	26	27	28	29	30
	10	21	22	23	24	25

Source: Decree 1, August 23, 1958, Articles 6 and 7, in Nakabat al-Muhamin al-Nizamiyyin, op.cit.

for the wife and the first four children, and it amounts to J.D. 9 per month in all cases.¹ However, this is an important incentive especially because its counterpart was cancelled in the national system. Moreover, the engineers are given a technical allowance of J.D. 25 per month in addition to their basic salary, provided that they do not exercise private business outside the municipality; otherwise, the allowance would be J.D. 15.² The allowance for travel expenses and the additional rates for employees who spend a certain period of work outside the usual place are also among the important incentives shared by both municipal and national employees in Jordan.³

B. Retirement Benefits

Retirement benefits are an important determining factor in the motivation of personnel. Their significance lies in the fact that they provide a degree of financial security for the employee after retirement or disability, and for his family after his death.

The municipal employee becomes entitled to pension if two conditions obtain.

1. If he pays all through his years of service 7% of his monthly salary.

¹ Decree 61, December 1, 1959, Article 3 in Nakabat al-Muhamin, op.cit.

² Decree 29, December 27, 1955, Article 3, in Nakabat al-Muhamin, op.cit.

³ Decree 7, October 31, 1953, especially Articles 5, 6 and 23 in op.cit.

2. If he spends a minimum of 15 years of service (in case that the municipality terminates his service), or 30 years (in case that he leaves the service).¹ But retirement becomes obligatory if the employee's age reaches 60 or if his years of service are 40.²

If these conditions obtain, the employee is given a monthly pension which is proportionate to his years of service, calculated on the basis of his last monthly salary. Otherwise, he receives an allowance proportionate to his years of service.³ Further, the law guarantees the family of the retired employee after his death. His dependents are entitled to a monthly salary which amounts to a half of his pension.⁴

Apart from these conditions, retirement may take place because of disability incurred in the course of work. In such a case, the employee is given pension or allowance, depending on the number of his years of service.

In both cases and in addition to them, the injured employee is given a disability salary which ranges from 1/12 to 1/3 of his last salary, depending on the seriousness of the injury or disability. But if disability is not the result of duty performance, he is given pension (if his service is above 10 years) or allowance (if it is less than 10).⁵

¹ Decree 2, July 9, 1955, Article 4; Law 34, October 25, 1959 Articles 13 and 15, in op.cit.

² Law 34, October 25, 1959, Article 12(a), op.cit.

³ Ibid., Article 21.

⁴ Ibid., Article 35.

⁵ Ibid., Articles 27 and 28.

The final aspect in retirement is the death of employee while he is in service. If death is job-connected, the employee's family is given a pension which amounts to 1/4 or 1/3 of his last salary, depending on whether his service is below or above 10 years. Besides, his family is given an allowance which equals his salaries and increments for one year. On the other hand, if death is not job-connected, the family is given a pension (if service is above 10 years), or an allowance (if service is below 10 years).¹

C. Leaves

Municipal employees are entitled to the following leaves.

- | | |
|--|------------|
| 1. Ordinary annual leave | 21-30 days |
| 2. Marriage leave, once for life | 7 days |
| 3. Sick leave, maximum of | 16 months |
| 4. Maternity leave (for women) | 30 days |
| 5. Pilgrimage leave (once for life) maximum | 30 days |
| 6. Emergency leave, maximum | 14 days |
| 7. Study leave, undefined period,
depending upon conditions | |

The annual leave is 21 days for second class employees and 30 days for first class employees. The sick leave is given initially for a period of one week, and then extended according to medical reports for periods reaching a maximum of 16 months. The sick

¹ Ibid., Articles 40 and 41.

employee is given full salary during the first four months, half salary for the rest of the period. The emergency leave cannot be given unless the employee has consumed his annual leave. The period for the study leave is not defined, but it is governed by the following conditions.

1. The study intended should be useful to the public interest.
2. The employee's job should not be discontinued due to his leave.
3. The employee should have a minimum of three continuous years of service before he is granted the leave.
4. He should possess a minimum educational level of secondary school.
5. He should sign a contract to serve the municipality when he comes back.¹
- 6.

6. Conduct and Discipline

Municipal employees are prohibited from certain acts which interfere in the proper performance of their duties. Among these are the acceptance of gifts in connection with duty, the disclosure of official information to external persons or bodies, the participation in strikes or any political grouping or party, and the working for agencies other than the municipality or the participation in any

¹ For all leaves: Decree 1, July 9, 1955, Article 29, Decree 1, February 23, 1958, Articles 86-123, op.cit.

commercial activity especially those in which the municipality is a party.¹

The disciplinary body regarding municipal employees is the Municipal Council. When a complaint is raised against an employee, the council forms a committee (from top officials in the municipality and two council members) to collect relevant information about the case. Then the Council, headed by the President, meets to consider the case. The employee is given the right to defend himself. The Council either acquits the employee or considers him guilty. In the latter case, one of the following disciplinary measures may be taken against the employee.

1. Warning.
2. Suspending the annual increment.
3. Deducting an amount which does not exceed 10% of the monthly salary for a period between one and twelve months.
4. Depriving the employee of promotion for one year.
5. Demotion to a lower grade.
6. Dismissal.²

The authority of the council is final except in the last two methods: demotion and dismissal. In such cases, the approval of the Prime Minister is required.³

¹ Decree 1, July 9, 1955, Article 15, op.cit.

² Ibid., Articles 16-19.

³ Ibid., Article 19.

7. Concluding Observations

The above discussion gave an account of personnel administration in the municipality of Amman. It was shown that personnel administration in the municipality is of a recent age, and, consequently, it has not reached a considerable degree of development and growth. At this point, the following observations have to be taken into consideration.

It can be duly said that the first step to improve municipal personnel administration should start with promulgating a new municipal personnel decree which takes into account the particular conditions which influence recruitment, pay, and other personnel aspects in the municipalities. Among the important factors are the relative smallness of municipalities and the consequent lack of wide promotional and transfer opportunities, and the technical nature of most of the functional aspects in municipalities. Such law can be formed through combining the efforts of the central government and the advanced municipalities. The advantages of such a law would be the replacement of the present dispersed legislation by a comprehensive body of legislation which covers all the aspects of municipal personnel. It also frees municipal employees from the conditions which may influence national personnel but may not be present at the local level.

With regard to the function of personnel administration in the municipality, the creation of a new personnel section is a desirable step, but it should not stop at this point. The section is still

concerned with record keeping. It can be strengthened either by employing a personnel expert or by sending the present head for training in personnel affairs. The jurisdiction of the section may be enlarged as to cover the development of examinations, training, performance evaluation, and employee relations. Moreover, the way information is kept in this section does not give all types of data required about personnel. Hence, it is desirable that one of the employees in the section be given training in modern statistics in order to enable the section give adequate information whenever it is required and without much trouble of digging into tens of files and records.

CHAPTER IV

FINANCE

The problem of local authorities in general is that their financial sources are determined by a higher authority, i.e., the national government which, by virtue of its national supremacy, has the right to distribute public revenues between it and the local authorities. Hence, municipal finance is a field in which the influence of central government is more pronounced than in other fields. The problem is particularly acute in the developing countries whose governments tend to distribute public revenues in their favor rather than that of the local authorities. Besides, the central government does not only define the sources of local revenues, it also exercises certain controls over the budget and expenditures.

The sources of municipal revenue, the fields of expenditure, and the degree of central control over municipal finance are matters which differ from country to country. This chapter deals with these aspects as they are in the municipality of Amman and tries to point to the major problems involved.

As it is often the case with most public agencies in the developing countries, the major financial problem confronting the Municipality of Amman is that of obtaining the appropriate funds to finance the projects pressing on its purse. As mentioned in Chapter I, this

problem is aggravated by such factors as rapid migration from other parts of Jordan, the special geographical situation of Amman which doubles the costs of projects, and the discrepancy between the growth of the city and the responsiveness of the municipality during the previous years. All these factors require extraordinary efforts on the part of the Municipality to match the present developments of the city and to bridge the gaps inherited from the past. Hence, the major concern of the present administration is to obtain more funds than what is available to support its projects. This led the municipality to bring a foreign expert in finance in order to study the most effective means to increase the municipality's revenues.¹

1. The Sources of Revenue

The law specifies the following eight sources of revenue for municipalities. Naturally, they differ in their relative contribution to the budget as well as in the manner of collection.

A. Property Tax

This applies to lands and buildings, and it is collected at a rate of 5% of the net revenue of the property.² This tax is collected by the Ministry of Finance and distributed between the government and the municipality in the ratio 58:42 respectively.³

¹ The recommendations of the expert will be referred to later in this Chapter.

² Law 29, April 24, 1955, Article 47, op.cit.

³ According to the Municipality's records.

Such a division has been the subject of controversy between the municipality and the government. Negotiations were held ^{recently} with the municipality's intention to obtain the whole tax returns for itself, or, at least, to increase its share as to obtain the larger portion. According to the latest information obtained, no agreement has been effected.¹

B. Additional Rates to Custom Duties.

This category is collected by the Department of Customs on certain materials imported from outside the country. It includes petroleum products, alcohols, and all materials subject to customs except fresh vegetables and fruits.²

C. Car License Rates and Traffic Regulations Fines

These are collected by another central department, the Traffic Department. A share of 35% of the car license rates is given to the municipality and the rest to the government. The returns of the traffic regulations fines are all accrued to the municipality.³

The above three categories have one characteristic in common, that they are collected by the national government and distributed locally. Therefore, they can be considered as a means to control municipalities, and, in fact, they form a considerable share of the total municipal

¹ Interview with Mr. Adnan Dajani, Administrative Assistant, Amman Municipality.

² Law 29, April 24, 1955, Article 49, op.cit.

³ Ibid., Articles 50 and 51.

budget. In the municipality of Amman, they formed the following percentages of the total budgets during the last six years.

1960-1961	32%
1961-1962	24%
1962-1963	30.8%
1963-1964	24.5%
1964-1965	48.3%
1965-1966	24.65% ¹

These revenues are to be distinguished from grants-in-aid which are offered by governments in certain countries to their municipalities. As regards the Municipality of Amman, it does not receive such grants-in-aid directly from the government, although the government helps the municipalities financially by facilitating credit from several sources. The centrally-collected revenues are, therefore, the returns of municipal services or activities, but because of the need for uniformity and efficiency in administration, they are collected by the central government. However, the objection of municipalities aim at achieving a larger portion than they are now getting.

The centrally-collected revenues are distributed among municipalities on the basis of the following considerations:

- 1) Population of the municipality;
- 2) The municipality's degree of contribution in the total revenue;

¹ See Table VII, p. 68.

- 3) Whether the municipality has a special position or importance;
- and 4) Whether the municipality has certain extra-local responsibilities.¹

Moreover, the Council of Ministers is empowered to allot a portion of these revenues to the following matters.

- 1) To pay the expenses of a central body which would help the Minister of Municipal Affairs in the application of the municipal law and in supervising and advising municipalities.
- 2) To give grants-in-aid to the village-councils in order to enable them to perform certain vital projects.
- 3) To pay the expenses of inspecting the accounts of municipalities.²

D. Fees on Auctioneering

These are 3% fees which cover goods sold by auction such as vegetables, animals and all weighable materials. They also include the slaughtering fee. The manner through which these fees are collected is through concession to a private contractor who pays to the municipality a certain amount of money for the concession.³

The relative importance of this category has been fluctuating,

¹ Law 29, April 24, 1955, Article 52(2), op.cit.

² Ibid., Article 52(3).

³ Ibid., Article 48.

but generally tending toward decrease. This is so because the returns of this category remained relatively constant whereas the budget doubled eight times between 1955 and 1966. Thus, in 1961 it formed 10% of the total revenues, whereas in 1965-1966 it is estimated to be 5.15% (see table on page 68). However, the municipality feels that it can increase its revenues from this category by administering it directly rather than by concession. But the main problem is to have the efficient administrative system and the competent personnel which are required by such type of fees.

E. Fines

These can be imposed on violations concerning all functions and duties of the municipality discussed in Chapter III. The municipal council, with the approval of the Council of Ministers, can impose a maximum fine of J.D. 10 for each type of these violations.¹

F. Rates on Certain Types of Local Activities

These include rates on shops, signboards, entertainment places, health-connected professions, car parking, building license, and similar activities.² This category is very small, and its average contribution to the total revenues is 2.9% over the last six years.

G. Road Construction Charges

The municipality can collect a maximum of 50% of the expenses of newly constructed roads from adjacent property-owners. The

¹ Ibid., Article 41(B).

² Ibid., Article 41(C).

imposition of such charges is subject to the Council of Ministers.¹

This item is included in the budget under the category "Miscellaneous Revenues" which includes the sale of land, returns of the municipality's property, the sale of movable property, "betterment rates" and other minor items. Together with the category of "fines," this category forms an average of 11.8% of the total revenues.

H. Loans

Because of the increasing urgency of new projects on the one hand, and the lack of available funds on the other, this source has become the major individual source of revenue. Its average relative contribution during the last six years was 36.3%, and this year it constitutes around 60% of the total revenues (see table VII).

Borrowing is an aspect which needs central approval. For, although the Municipal Council takes decision regarding the loan, the approval of the Prime Minister is required.³

The following are the major sources from which the municipality of Amman has borrowed: Arab Bank, Ottoman Bank, International Bank for Reconstruction and Development, the Government of Jordan, the Municipal Loan Council and some private firms.⁴

¹ Ibid., Article 41(D).

² رسوم الشرفية ; these are imposed on properties whose value supposedly increase due to the construction of a new street.

³ Law 29, April 24, 1955, Article 45, op.cit.,

⁴ Amman Municipality, budget records, 1960-1965.

However, it is worth mentioning that, inspite of the high percentage of loans in the revenues of Amman Municipality, the Municipality was able to effect repayment in time, because most borrowing has been made for revenue yielding projects.

In addition to these revenues, the municipality used to obtain a considerable amount of revenue from the distribution of water. During the four years between 1960-1964, the returns of water averaged about 16% of the total revenues, which is a considerable portion, especially compared to those revenues collected by the Municipality. As it was previously mentioned, the water department was given financial autonomy in order to enable it to repay the loan from the International Bank. Hence, it does not contribute to the total revenues of the Municipality at present.

By reviewing the relative importance of these sources of revenue (See table, p. 68), one observes that there is a heavy dependance on loans. Moreover, the ratio of money collected by the central government and by concession is very large. Thus, the remaining revenues which are directly collected by the Municipality (items 3 and 4 in the table, p. 68) represent a small portion which ranges between 11% and 20% of the total revenues. This has resulted in keeping the revenue-collecting body in the municipality small and simple.

The financial expert, Mr. Gerald Hardy, studied the municipality's financial situation and advised the municipality to increase its revenues through the following means:

TABIE VII

REVENUES OF AMMAN MUNICIPALITY ACCORDING TO THEIR SOURCES AND RELATIVE CONTRIBUTION 1960-1966

Sources of Revenue	1960-1961		1961-1962		1962-1963		1963-1964		1964-1965		1965-1966		Average Percent.	
	No.	Class	%	J.D. amt.	%	J.D. amt.	%	J.D. amt.	%	J.D. amt.	%	J.D. amt.		over the six years
1	Centrally collected locally-shared	32	277,000	24.5	298,000	30.8	30,100	24.5	30,500	48.3	677,000	24.65	570,000	32.45
2	Concession	10	87,385	7	84,978	9	94,775	6.5	81,725	7.4	103,805	5.15	119,400	5.85
3	Direct Collection by Municipality	2.9	24,850	2.2	25,251	3	29,674	2.2	27,500	2.5	36,000	4.6	105,210	2.90
4	Miscellaneous	14.25	123,100	9.3	112,524	13.4	130,600	12	149,900	16.8	232,550	5.75	132,500	11.82
5	Water	18.85	152,500	13	152,500	16.8	154,500	14.8	172,750					10.60
6	Loans	22	186,624	44	536,746	27	265,316	40	504,720	25	349,700	59.85	1,383,817	36.38
Totals		100	851457	100	1,209,999	100	975,865	100	1,241,595	100	1,399,055	100	2,310,927	100

Source: The table and percentages are prepared by the author depending on the budgets of the municipality during the mentioned period.

- 1) Increasing the municipality's share in the centrally-collected revenues in accordance with the relative proportion of its population;
- 2) Imposing a special franchise tax on the electric company, the bus company, and any other privately owned company which enjoys a monopoly within the city;
- 3) Increasing the fines for municipal violations;
- 4) Increasing the property tax, with provisions for more decentralization of this tax by the central government;
- 5) Imposing a garbage collection fee, an entertainment tax, a hotel room tax; increasing the city's share of driver's license fees; and allotting a city share of a sales tax.¹

The most valid of Mr. Hardy's recommendations are those concerned with increasing the municipality's share of centrally-collected taxes and imposing a special franchise tax on private firms which are granted certain monopolies. These two methods do not involve the increase of tax burdens on the public, and the parties concerned are potentially capable of bearing the incidence. The other methods which aim at increasing fines or certain types of rates or taxes may not yield the desired effects, because they may be met with resistance by the public.

2. Expenditures

Due to the growing expansion in the activities of the municipality,

¹ Gerald Hardy, A Report on the Finance of Amman Municipality, 1965, unpublished, in the Municipality of Amman.

its expenditures have been constantly rising. Particularly from 1963 on, the increase has been drastic. The table on page (71) shows such general tendency of the expenses to rise over the last twelve years. During the mentioned period, the expenditures of the municipality doubled more than eight times. This reflects the municipality's growing awareness of the great responsibilities thrown upon its shoulders. However, it is not expected that expenditures will continue to increase at the same pace. For example, the drastic increase in the last two years is the result of the municipality's effort to establish certain basic facilities which do not occur every year.

The estimated budget of the current fiscal year¹ amounted to J.D. 2,363,772, and it is the largest budget ever adopted by the municipality. The analysis of the municipality's expenses will concentrate on this budget which includes the same items of expenditure as in the previous years, though the classification is different. The budget of this year includes the following classes of expenditures (See Table IX, the budget).

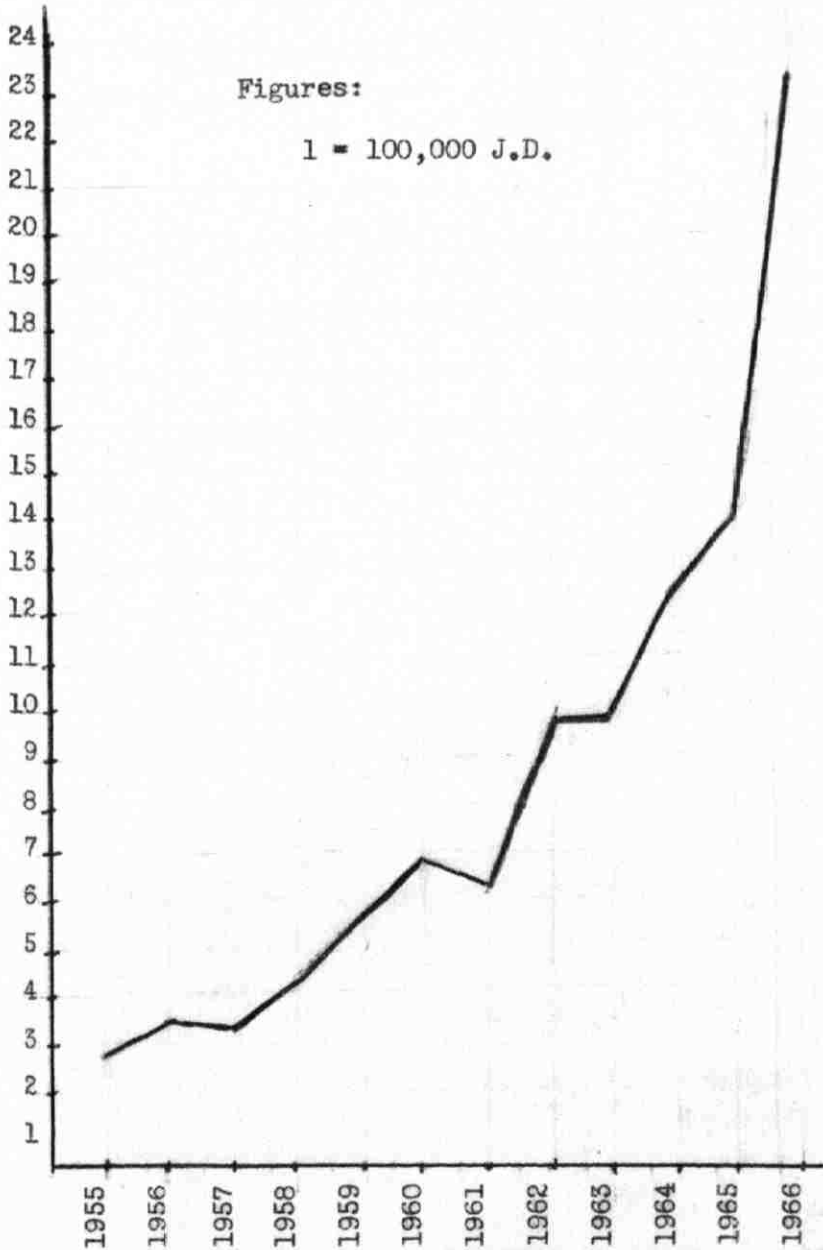
A. Periodic and Recurrent Expenses

This class constitutes 17.6% of the total expenses, and it is divided into four sub-classes. These are salaries of classified personnel, wages of unclassified employees, "rates, allowances, compensations," and "other expenses."

There is an item in this class which is stressed for the first

¹ The year of 1965-1966.

TABLE VIII
EXPENDITURES OF AMMAN MUNICIPALITY
1955-1966



The table was prepared by the author. Figures were taken from the files of Amman Municipality.

time by the municipality, namely, the item which provides an amount of J.D. 5000 for "additional rates and production rewards." This is intended to encourage employees of higher performance, and it should be maintained and carried further.

B. Capital and Development Expenses

This is the major class in the expenses and it forms 81.5% of the total expenses. It is divided into the following sub-classes.

a. Capital Expenses (10.5% of the total budget). It includes mainly the purchase of land, cars, equipment, and furniture.

b. Development Expenses. This is the largest single item in the budget (64.6%). Most of these expenses go to the big projects which are considered as basic facilities in the city. The projects are the grand water project, the public sewers project, the ceiling covering of the stream, and the new vegetables market. These projects alone consume 61.4% of this year's budget, and all the money allotted for them is secured through borrowing. The rest of these expenses (the remaining 3.2%) is financed by the municipality's own funds, and it is allotted for other constructional activities, buildings, and public gardens.

c. Repayment of loans and interests. (6.4% of this year's budget). It includes the instalments due to the several sources of loans.

C. Obligations to Other Departments

This class includes the expenses of employees of other departments such as Civil Defense, Police, the Ministry of Finance, and the Audit Bureau, who perform a certain function for the municipality. This is the smallest item in the budget; its relative amount is 0.9% of the total expenses.

3. The Budget Process

As any budget of a public agency, the budget of Amman Municipality passes through the four stages of preparation, authorization, execution, and control.

According to the provisions which define the responsibilities of the Amin and the Council, it was shown that the Amin is responsible for preparing the budget and the council is responsible for approving it.

A. Preparation and Authorization

The preparation stage starts a few months before the beginning of the fiscal year (April 1st), when the Amin issues a circular to the departments and sections of the municipality inviting them to submit their recommendations regarding the new budget. Before recommendations are submitted, many contacts and discussions are made between the Amin and other persons such as department heads, his personal assistants and advisors, council members, financing sources, and, finally, the Prime Minister. Moreover, all through the year, several groups representing certain quarters of the city

TABLE IX

SUMMARY OF THE EXPENSES OF AMMAN MUNICIPALITY
1965-1966

	single items		total of class	
	amounts J.D.	per cent	amounts J.D.	per cent
1 <u>Recurrent and Repetative Expenses:</u>			417,840	17.6
A. Salaries - classified empl.	92,396	3.9		
B. Wages of unclassified empl.	65,000	2.7		
C. Rates and allowances	117,094	4.9		
D. Other expenses	143,350	6.1		
2 <u>Capital and Development exp.</u>			1,924,932	81.5
A. Capital expenses	246,400	10.5		
B. Development expenses				
1. From loans	1,450,032	61.4		
2. From the municip.	76,000	3.2		
C. Repayment of loans & prof.	152,500	6.4		
3 <u>Expenses of other departments</u>	21,000	0.9	21,000	0.9
Totals	2,363,772	100.0	2,363,772	100.0

Adapted from the budget of Amman Municipality.

contact the Amin or his assistants requesting for certain projects or services to be maintained in their quarters. These groups are not organized and permanent. Rather, they are spontaneous and do not have an organized following. Hence, their influence is conditioned by their social, political, or financial positions in the city, or their special relation with or position in the government.

After evaluating these considerations, the Amin is able to submit the draft budget to the municipal council. In this connection, it is worthy noticing that the financial section in the municipality serves as an integrating office for the several recommendations and proposals according to the instructions of the Amin.

After the council's approval, the next step is to submit the budget to the Prime Minister for final approval. Theoretically, the Prime Minister has unlimited authority in changing the budget. But the practical considerations and his involvement in the duties of his office limit his scope of review. The Prime Minister's alterations of the year's budget serve a good example to clarify this point. He proposed seven changes to be made in the budget before final approval, and these changes were accepted by the municipal council. Six out of these alterations concerned the arrangement of items or classes within the budget document. Only one concerned the reduction in the estimated expenses, namely, the reduction of the expenses of non-classified employees from J.D. 95,000 to J.D. 65,000.¹

¹ This information was taken from the file of the budget, Amman Municipality.

After the Prime Minister's sanction, the budget becomes ready for execution. However, the obvious feature is that there is no definite time table for the budget as regards the proper dates for preparation, authorization, and execution. Authorization may take place a long time after the specified date. In this case, spending should not exceed the appropriations for the same period of the previous year.¹

B. Execution

The Amin is responsible for administering and executing the budget. As president of the council, he is empowered to control all spending.²

It has been a previous practice that the Amin's signature was essential for all expenditures. A new effort by the Amin's administrative assistant succeeded in allowing a certain degree of financial decentralization. According to a recent Instruction,³ the heads of major departments are allowed to spend, without the Amin's previous consent, amounts not exceeding J.D. 10. This provision was qualified by the requirement that it should not be utilized for drawing larger amounts on a break-down basis. This step was appreciated by the department heads, and it reduced the steps

¹ Law 29, April 24, 1955, Article 56(2), op.cit.

² Decree 4, August 3, 1955, Article 3, op.cit.

³ Municipality of Amman, Internal Instruction No. 83, dated 23.8.1965.

necessary to effect spending from 13 to 5, thus facilitating prompt action.

C. Central Financial Control

It has been stated above that municipal finance involves special implications regarding central-local relations. The following are the major means through which central government controls municipal finance in Jordan.

1) The regulation of municipal financial affairs is made through by-laws approved by the Council of Ministers.¹

2) The Municipal budget has to be approved by a central agent: the Prime Minister for Amman Municipality and Jerusalem Municipality, and the Minister of Municipal Affairs for other municipalities.²

3) The central government controls some aspects of municipal revenues such as centrally-collected revenues, fines, road construction charges, and loans (all discussed above in this chapter).

4) The municipality's immovable properties cannot be sold, mortgaged, or rented for a period of more than three years except with the approval of a central agent.³

5) Contracts involving financial obligations on the municipality of more than J.D. 100 should have the approval of a central agent.⁴

¹ Law 29, April 24, 1955, Articles 58, 59, op.cit.

² Ibid., Article 56.

³ Ibid., Article 44.

⁴ Ibid., Article 42 (J,K, and L).

6) Control, inspection, and audit over expenditures. This is a broad class which covers all expenditure — connected activities and records, and it has four forms.

a. Periodic Reports to a central agent such as the mutasarrif, the Minister, or the Prime Minister. These include a monthly report on the state of revenues and expenditures, and a quarterly report on revenues, loans, and advance payments.¹

b. Sudden inspection. The central agent can authorize a representative to inspect the records or stores of the municipality at any time without previous notice.²

c. Cash inspection committees. These may be formed by the central agent in order to do a sudden inspection on the cash available with the cashier or the municipality's balance in the bank.³

d. Audit. The law states that the accounts of municipalities may be audited either by chartered accountants or by the Audit Bureau according to the decision of the Council of Ministers.⁴

In the case of Amman and other large municipalities, the audit function is performed by branches of the Audit Bureau stationed at the municipalities. This form is the most effectively used form of central control, and the scope of its audit is relatively wide.

¹ Decree 4, August 3, 1955, Articles 167, 168, op.cit.

² Law 29, April 24, 1955, Article 60, op.cit.

³ Decree 4, August 3, 1955, Articles 169-171, op.cit.

⁴ Law 29, April 24, 1955, Article 61, op.cit.

The branch which is stationed at the Municipality of Amman is composed of seven members whose salaries are payed by the Municipality, though they are in the cadre of the Audit Bureau. The function of the branch includes pre-audit and post-audit. Previously, pre-audit used to cover all bills, big and small. Later, the head of the Audit Bureau issued a circular whereby the level of pre-audit was raised as to include only those transactions which exceed J.D. 100.¹ Pre-audit covers the legality of transactions, appropriations in the budget, and the conformance to municipal law and municipal jurisdiction.

The branch's post-audit function covers all accounts and documents of the municipality, but the degree of audit may be comprehensive or partial according to the importance of the audited account or document. In this respect, the branch works according to a program which specifies the percentage of audited documents for each type of activity.²

Thus, the central government exercises considerable control over municipal finance. However, as in the case of general central control, this feature is not unique to the situation in Jordan. Rather, it is observed that "National dominance and control in the field of local government finance appear to be worldwide... The trend is apparent

¹ The circular was dated 12/7/1965, the files of Amman Municipality.

² Information about this branch was obtained through an interview with its head at the Municipality of Amman.

not only in the newer nations but even in older ones that once had a more substantial measure of local autonomy in the field of finance than exists at present."¹ The implication of national dominance over local finance is that it "assumes national dominance and control in local government as a whole, for finances control what government will do and how it will be done."²

¹ Alderfer, op.cit., p. 149.

² Ibid., p. 150.

CHAPTER V

CENTRAL-LOCAL RELATIONS

1. Types of Controls Exercised by the Central Government Over Local Government

These controls have been touched upon at various places in the previous chapters. Therefore, it is sufficient to present them here in a summary form.

It was shown that the influence of the central government over local government is extensive. This is manifested in the right of the Minister of Interior-Municipal and Rural affairs to sanction the creation of a municipality,¹ the right of the Council of Ministers to dissolve the municipal council and appoint in its place a municipal board, the right of the council of ministers to select or appoint the president of the municipal council, and the right of the mutasarraf to supervise municipal elections - if they are held. It is also manifested in the fact that the central government defines what the local government can do and what it cannot do.

As regards the question of municipal personnel, it was shown that the confirmation of an agent of central government is required in the appointment of all classified employees. In the municipality of Amman, the agent who performs this function is the Prime Minister.

¹ Law 29, April 24, 1955, Article 5, op.cit.

Further, the central government issues decrees and approves by-laws regulating municipal personnel.

The widest range of central influence is in municipal finance. The central government legislates for municipal finance and defines the sources of municipal revenues. It approves the local budget, collects and distributes a considerable portion of local taxes and rates, and exercises inspection and audits expenditures.

2. Institutional Arrangements for Central-Local Relations

The above are the main controls exercised over local government in Jordan. Now we turn to the institutional arrangements through which these controls are made effective.

A. The Prime Minister and the Council of Ministers. As shown previously, the Prime Minister and the Council of Ministers are the central authorities to which the Municipality of Amman refers in all matters which require central confirmation. Their direct relation to other municipalities is limited to the broad questions of legislation and issuing decrees that regulate municipal affairs. On the other hand, the Prime Minister and his council control all other central agents which are connected with local affairs.

B. The Ministry of Interior-Municipal and Rural Affairs.

At present, there are two ministries which deal with municipal affairs: the Ministry of Interior, and the Ministry of Interior-Municipal and

Rural Affairs. Previously, the functions of the two were performed by the Ministry of Interior. The new ministry of municipal and rural affairs is entrusted with all local affairs which were previously performed by one department of the Ministry of Interior. However, the Ministry of Interior still serves local affairs through the administrative governors who, though officials of this ministry, serve the other Ministry of Municipal and Rural Affairs. Hence, the new ministry still retains the name of Ministry of Interior.

The Ministry of Municipal and Rural Affairs was created due to the expansion of municipal and rural affairs, and to the need to give more attention to the development of municipalities and village councils. This ministry is charged with the responsibility of supervising local bodies in matters which require central sanction, to offer all sort of help to local bodies, and to act as an integrator of their activities whenever this is necessary. Thus, the budget and other financial matters are referred by the local authorities to this ministry for sanction. The ministry is also referred to in cases of appointment of officials whenever central approval is required. Furthermore, it proposes laws and regulations concerning local affairs and submits them to the Council of Ministers for approval.

In terms of local development, the most important function of this ministry is technical advice and guidance which it offers to local authorities. This is performed by its technical section which

consists of a number of engineers who review the plans made by local bodies concerning such matters as construction of roads, houses, sewers, water, electricity, and the like. The section consists presently of 13 engineers and the ministry is looking forward to enlarging it in order to meet the increasing demands of local bodies.¹

Further, the Minister of Municipal and Rural Affairs is responsible to insure the coherence of the different regulations and by-laws which the different municipalities develop, and to try to make such regulations uniform whenever this is possible.²

As mentioned above, this ministry performs its functions through a hierarchy of administrative governors who are officials of the former Ministry of Interior. Therefore, it is necessary to consider the duties and responsibilities of these governors in their relative areas.

Again, as mentioned in Chapter I, the pattern of centralization followed in Jordan retains the main features of the pattern which was followed during the Ottoman period. According to this pattern, Jordan is divided into eight major districts called muhafazas or liwas. The muhafaza or liwa is divided into a number of sub-districts called qadas and other smaller units called nahiyas. These administrative

¹ All information about this ministry was obtained through an interview with Mr. Abdul-Hafez Freihat, the head of main registry, Ministry of Municipal and Rural Affairs.

² Law 29, April 24, 1955, Article 42(F), op.cit.

divisions are governed by an administrative hierarchy of mutasarrifs (or muhafezes)¹, qaim-maqams, and mudirs respectively.²

The muhafez is the highest official in the muhafaza (and so is the mutasarrif in the liwa). With respect to his position, the law states that "The muhafez is the government representative and the head of public administration and public security in his muhafaza. He is entitled to supervise all branches of governmental and local administration in his muhafaza except the courts."³

Thus, the muhafez has a wide range of duties and responsibilities. As a representative of the central government, he controls all agencies of central government in the area. Police forces are responsible for carrying out his orders.⁴ Besides, he is entitled to supervise all local bodies in the area. In this connection he is called upon to cooperate with the local bodies in the sphere of local services and local development. This would include concern with constructing inter-city roads, maintaining healthy water, regulating public facilities, encouraging education and social activities.⁵ The muhafez,

¹ The word muhafez is used for the governors of Amman and Jerusalem districts which are called muhafazas. The other six districts are called liwas and their governors mutasarrifs. However, the conditions of muhafez and mutasarrif are the same -- Decree 2, June 3, 1957, Article 2, in M.N. al-Armuti, op.cit.

² Decree 2, June 3, 1957, Articles 2-4, Decree 26, March 3, 1962, Articles 3 and 4, op.cit.

³ Decree 26, March 3, 1962, Article 6(1), op.cit.

⁴ Ibid., Article 12.

⁵ Ibid., Article 7.

therefore, acts as a link between local bodies and central government, coordinates certain activities which involve more than one local authority, and exercises certain controls over local bodies in matters of personnel, finance, and other local functions.

As an official of the Ministry of Interior, the muhafez reports to the Minister of Interior. He is required to submit to the minister a monthly report on the political, social, and economic conditions in the area. However, he can also report to other ministers informing them about the conduct of their employees in the muhafaza.¹

The official next to the muhafez in the hierarchy is the qaim-maqam who governs the qada. Like the muhafez in his area, the qaim-maqam represents the government and controls central and local agencies. He reports to the muhafez and is supposed to submit a monthly report on the economic, political, and social conditions in the qada. Further, he is responsible to carry out the orders and instructions of the muhafez.²

The governor of the lowest tier in the hierarchy is the mudir-al-nahiya who represents the central government and executes its orders in his unit. He may report directly to the muhafez or the qaim-maqam, depending on the position of his nahiya. Moreover, he

¹ Ibid., Article 6(2,4).

² Ibid., Articles 29,31,33.

exercises many controls over village councils.¹

These governors are supposed to be aware of the public demands and attitudes and to convey these demands and attitudes to the government.² They can achieve this with the help of the local advisory councils which they are required to form at the muhafaza and the qada levels.

Such local councils are formed for a period of one renewable year. When forming such councils, the muhafaza or the qaim maqam has to take into consideration the representation of local authorities, industrial, commercial, and agricultural institutions, and professional and educational establishments. The councils can discuss any matter of local importance and submit advisory proposals to the muhafaz or qaim-maqam. The formation of these councils should have the approval of the Minister of Interior.³

C. Development Board: The Municipal Loan Council

The Development Board is not specialized in municipal affairs as is the Ministry of Municipal and Rural Affairs. The concern of the Development Board with municipal development is a part of the general development of the country as a whole. The establishment of an organization which deals solely with municipal and rural

¹ Ibid., Articles 40,43.

² Ibid., Article 6(5).

³ Ibid., Articles 18-20,26,27 and 38.

affairs was a proposition made by the Board¹ and later actualized in the creation of the Ministry of Municipal and Rural Affairs.

However, the Development Board contributes directly to municipal development by means of one of its organs which is specialized in municipal affairs, namely, the Municipal Loan Council.

This Council was established in 1952 for the purpose of facilitating the development of municipalities and helping them in carrying out the vital projects by means of providing them with the necessary funds.

The fund of the council is contributed to by the following three sources.

1) Grants. The sole contributor of grants is the American Operations Mission (AOM) which has thus far contributed an amount of J.D. 1,057,344 (U.S. \$2,973,164). It is noteworthy to state that the initial sum with which the council started its activities (J.D. 68,039) was contributed by the AOM.

2) Loans. Loans are obtained from two sources: the government of Kuwait and the Agency for International Development (AID). The government of Kuwait supplied the council with an amount of K.D. 582,400 at an interest rate of 4% and for a period of nine years. The AID supplied the council with an amount of J.D. 1,964,285 (i.e., U.S. \$5,500,000) at an interest rate of $\frac{1}{2}$ % and for a period of

¹ Jordan Development Board, Five-year Program (1962-1967), p. 218.

53 years.

3) Interests. These are the interests accumulating on municipal loans and bank deposits. The expenses of administering the council are covered from this source.

During its years of existence, the council's actual lending to the municipalities amounted to J.D. 4,798,032, and it participated in the execution of 78 projects for water, electricity, and public facilities. Nevertheless, the council aims at increasing its capital by obtaining more grants or loans with better conditions in order to meet the growing demands of the municipalities for money.¹

The new trend is to convert this council into a Municipal and Rural Credit Bank. An expert committee has recently formulated a draft law for the proposed bank and the draft law was submitted to the Council of Ministers, but it is not passed yet. Such a bank would serve municipalities and village councils and would have an independent legal personality.² However, it is not known when such a bank will come into being to replace the present council.

D. The Audit Bureau

The Audit Bureau is entrusted with the function of auditing the revenues, expenditures, and other financial affairs in the governmental departments. Its function extended to include other semi-governmental

¹ All information regarding this council was obtained from an unpublished report prepared by Mr. Khalil Nusaibah, the accountant of the Municipal Loan Council.

² Al-Jihad newspaper, (25.8.1965), pp. 1 and 5.

agencies such as municipalities and village councils by special decrees of the Council of Ministers.¹

The Bureau audits the accounts of all municipalities and most village councils.² In the major municipalities, the Bureau has audit branches which are located at the municipalities.³

E. Organs of Planning Coordination

In addition to the bodies mentioned above, there are committees which are concerned with town planning at the local, district, and national levels. Broadly speaking, these committees are concerned with controlling construction in the areas concerned. At the district and national levels, they are concerned with the coordination of town planning in the various localities.

The local committee is charged with the responsibility of controlling the construction of buildings and streets, usually within the boundaries of a municipal area. Further, it should submit to the district committee a planning scheme which covers the planning area. Such a scheme should take into consideration the basic needs of health protection, transport, and public facilities.⁴

¹ Law 28, March 31, 1952, Articles 3 and 4, op.cit.

² Diwan al-Muhasabah, al-Taqrir al-Sanawi, (Amman: Diwan al-Muhasabah) No. 4, 1952-1955, p. 15.

³ An account of the branch at the Municipality of Amman was given in the previous chapter.

⁴ Law 31, May 10, 1955, Articles 6 and 10, in Nakabat al-Muhamin al-Nizamiyyin, op.cit.

The district planning Committee reviews, modifies, and approves the schemes made by the local committees in the district. In this respect it acts as an expert organ which provides guidance to local bodies, and it provides the central government with the necessary information regarding planning for the whole district. Besides, the district committee can recommend to the Council of Ministers its proposals regarding the new areas which should be included in the planning area, and it can delineate the boundaries of any planning area in the district.¹

The central planning committee acts as the final body of arbitration in matters which involve one or more of the lower planning committees.²

The composition of these committees differs according to their level, but at the three levels there is a representation of the ministries of Interior, Health, and Public Works. At the lowest level there is regard for local representation, and at all levels the committees are headed by a figure from the Ministry of Interior: the Qaim Maqam, the Mutasarrif, or the Minister of Interior. To get a clearer idea, the following list describes the composition of these committees.

¹ Ibid., Article 8.

² Ibid., Article 12(B).

The Central Planning Committee

1. The Minister of Interior - Chairman
2. The Amin of Amman Municipality
3. The Attorney-General
4. Undersecretary of the Ministry of Health
5. Undersecretary of the Ministry of Public works
- 6.7. Two experts appointed by the Council of Ministers.¹

The District Planning Committee

1. The Muhafez - Chairman
2. A representative of the Attorney-General
3. A representative of the Ministry of Health
4. A representative of the Ministry of Public Works
5. A planning expert appointed by the Minister of Interior.²

The Local Planning Committee, if it is not the municipal council, it is composed as follows:

1. The administrative governor - Chairman
2. President of the local council
3. A member nominated by the local council
4. Representative of the Ministry of Health

¹ Ibid., Article 3(1).

² Ibid., Article 3(3).

5. A member nominated by the District Committee
6. An engineer.¹

We have presented in this chapter a picture of the institutional arrangements for the relations between central and local government in Jordan. With this chapter we end our discussion of the major aspects stated at the outset of this paper. In the next and last chapter we shall state some concluding observations regarding the subject under study.

¹ Ibid., Article 4.

CHAPTER VI

CONCLUSION

It was shown at the start of this study that systems of local government fall on a continuum between two models: the state-local government model and the self-local government model. Whether a certain system is considered nearer to this or that model depends on the degree of autonomous rule exercised by the local body, the degree of tutelage exercised by the central government, and the method of selecting the governing body.

Having considered the main features of local government in Jordan, one can easily see that the system of local government in this country falls nearer to the state-local government model. This is manifested in the various controls exercised over local functions, personnel, and finance. Furthermore, it is obvious from the record of municipal elections that the council of Amman Municipality is practically appointed by the central government, and this makes the council under the constant influence of the central government.

However, as stated before, central domination over local government seems to be worldwide, especially in the field of local finance, but the difference between the various forms is a matter of degree. Moreover, central control is necessitated in order to check the corruption of local bodies, to guide them

administratively and technically, and to render to them financial support. In other words, if central control is necessitated under certain conditions, it should not be followed to the extreme. Hence, the central government in Jordan should relax some of these controls. In particular, it should allow for free elections whereby the citizens participate in the establishment of their local government. This may create a sense of responsibility in the local government toward the people, train the people in the exercise of democracy and responsibility, and relieve the central government of some of the burdens which are the result of constant control.

The municipality of Amman, in particular, is confronted with the problem of changing a small town into a big metropolitan center in a short span of time. This is complicated by the problems of rapid urbanization, lack of previous planning, the geographic nature of the city, and the lack of adequate funds. These problems unusually increase the financial obligations of the municipality and impede its efforts to effect the necessary improvements and to establish the necessary projects in the city. In spite of these difficulties, there is a tendency for the municipality to expand its activities and its machinery in order to meet the growing needs of the city. Along this line, the municipality might benefit by effecting the following improvements in its public relations and in its administration.

In its relations with the public, the municipality has to follow a systematic program of public relations with a new policy regarding the services which it renders to the public. This new policy should aim at an equitable distribution of services and facilities, and an increasing concern with the general health of the city and the basic constructional and social needs.

The formal organizational pattern of the municipality is simple because the municipality is relatively small and its growth is recent. This encouraged the chief administrator (the Amin) to centralize decision making and to interfere in minor matters which can be passed by his assistants or by department heads. A wider degree of delegation is required so that the Amin may have enough time for deciding upon the major policies of the municipality.

Because personnel administration in the municipality is a recent activity, it still needs certain important improvements. There should be a systematic job description, and the activities of the personnel section should be enlarged as to cover the establishment of standard examinations, and the development of training programs and a job evaluation scheme.

Due to the environmental conditions of the municipality mentioned above, its financial problems are very serious. The municipality has been able to attract certain funds in the form of national and foreign loans, but no substantial increase has been obtained from other sources of revenue. Although some of

the recommendations of Mr. Gerald Hardy seem to be valid and may increase the revenues of the municipality, the problem of obtaining funds will probably continue to be the major impediment to the municipality's attempts to develop the city. This is so because the municipality's financial weakness is a manifestation of the economic situation in the country as a whole. Unless this situation improves, finance will remain to be a major problem for the municipality.

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2. Mr. Wahdan Oweis, Technical Assistant.
3. Mr. Adnan Dajani, Administrative Assistant.
4. Dr. Farid Aql, Director of the Department of Health Affairs.
5. Mr. Yahya al-Omari, Head of Main Registry and Secretary of the Municipal Council.
6. Mr. Mohammad Tal'at, Head of Personnel Section.

- = 7. The head of the section of the Audit Bureau.
- 8. Mr. Suleiman al-Armuti, Director of Finance.
- 9. Mr. Omar Deisi, Public Relations.
- 10. Mr. Faruq Mu'ad, Director of the Library.

B. Outside the Municipality

- 11. Mr. Nayef al-Hadid, the Muhafez of Amman.
- 12. Mr. Abdul-Hafez Freihat, Head of Main Registry, Ministry of Municipal and Rural Affairs.
- 13. Mr. Khalil Nuseibah, Accountant, Municipal Loan Council.

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