

Promoting Rule of Law and Integrity in the Middle East and North Africa

Experts Surveys covering Egypt, Jordan, Lebanon and Morocco.



ACRLI

Promoting the Rule of Law and Integrity in Arab Countries

IFES



Overall Approach

- Project combines structured qualitative and quantitative methodologies to develop evaluations of the state of the judiciary, media, and parliament in four target countries
- **Qualitative Methodologies Utilized:**
 - Subject area expert's in-depth studies
 - Focus groups
 - Key informant interviews
- **Quantitative Methodologies Utilized:**
 - Expert surveys
 - Public opinion surveys

Overall Approach, contd.

- Experts on each of the four countries utilized primary and secondary research materials to draft an exhaustive analysis of the state of the judiciary, media, and parliament in their particular area of expertise
- Focus groups and key informant interviews with those knowledgeable about the state of affairs in each of the pillars were utilized to identify issues of importance when evaluating the state of the judiciary, media, and parliament, and to develop questionnaires for the expert surveys that would address these key issues
- The questionnaires for the expert surveys were designed to elicit expert opinions on the key thematic concerns used to evaluate the state of the judiciary, parliament, and media. These key thematic concerns are:
 - Judiciary: Independence, Integrity, Competence, Efficiency
 - Media: Independence, Integrity, Competence
 - Parliament: Representation and Participation, Independence, Performance, Integrity

Methodology: Expert Surveys

- The expert survey questionnaires were also designed to identify reform priorities for each pillar in each of the countries
- The general public opinion survey questionnaires were designed to elicit the general public's opinions on these key pillars in each of the countries
- This research represents a first of its kind effort to gather comparative data on emerging democratic reform issues in key sectors in Arab countries
- A random sample of experts able to address important issues in each of the pillars was surveyed in each country
- Due to resource limitations, expert surveys were generally limited to experts in capital cities or other large cities in the country
- The sampling methodology utilized for the expert surveys does not allow for the samples to be judged as being representative of the population of experts in each pillar, but due to the fact that the leading experts in each of these countries tend to reside in the capital cities and other large cities, the data can be said to be highly indicative of the opinions of the population of experts in the country

Methodology: Expert Surveys (contd.)

A brief description of the methodology utilized for each group of expert survey follows next.

JUDICIARY

Surveys conducted with lawyers and judges in the capital cities and other major cities in each of the four countries (Egypt - Cairo and Alexandria; Jordan - Amman; Morocco – Rabat, Marakesh, Casablanca; Lebanon – Beirut)

- Judges were generally sampled through systematic sampling from an exhaustive list of judges; only exception is Morocco where such lists were not available and where sampling was conducted at courthouses over a span of two weeks
 - 80 judges interviewed in each country with exception of Lebanon where 47 judges were interviewed

- Lawyers were also generally sampled through systematic sampling from an exhaustive list of lawyers in the cities in which surveys conducted
 - 120 lawyers interviews in each country

Methodology: Expert Surveys (contd.)

MEDIA

Surveys conducted with employees of media companies in journalistic capacities in each of the four countries.

- A total of 150 surveys were conducted in each country
 - First step of sampling process was to identify media organizations in the capital city of each country; only exception is Morocco where surveys were conducted in Casablanca as well as Rabat
 - Employees from identified media organizations were randomly selected through systematic sampling

Methodology: Expert Surveys (contd.)

PARLIAMENT

Surveys conducted with members of parliament and parliamentary employees in each of the four countries

- Members of parliament were generally randomly selected through systematic sampling procedures; sample was stratified by major party blocs in parliament with Morocco an exception where sample was stratified by three key cities represented by parliamentarians; 35 members of parliament surveyed in Jordan, 25 in Lebanon and Morocco, and 22 in Egypt
 - In Egypt, parliamentary members from the Muslim Brotherhood did not take part in the surveys
- Parliamentary employees were randomly sampled from lists of all employees in parliament through systematic sampling; 25 interviews in each country
 - In Morocco, interviews were split between moustachiers/counsellors and parliamentary employees

Judiciary: Main Findings

➤ **Resources**

In three of the four surveyed countries, a lack of resources for the judiciary is a concern for a plurality of the experts, with experts in Lebanon expressing the most concern.

➤ **Freedom of expression**

A majority of respondents in all four countries believe that judges do not enjoy freedom to express their political thoughts.

➤ **Freedom of association**

Between half and three quarters of the respondents in the four countries do not agree that judges are free to join professional associations of their choice.

➤ **Objectiveness of judicial appointments**

A plurality of experts in three of the four countries believe that the objectiveness and transparency in the judicial appointment process is problematic.

Judiciary: Main Findings

➤ **Enforcement of anti-corruption laws**

Experts in all four countries are concerned that laws to fight corruption are not rigorously enforced. Experts in Lebanon expressed the most concern.

➤ **Citizens' access to legal information**

A majority of experts in Egypt are concerned that citizens may not have easy access to legal information and court opinions. This concern is also shared by roughly a third of experts in the other three countries.

➤ **Reprimands for delay**

Many experts in each country express concerns that disciplinary measures are not taken against those that delay legal cases. A majority of experts in Lebanon express this concern.

Judiciary: Main Findings

➤ **Pressure on judicial decisions**

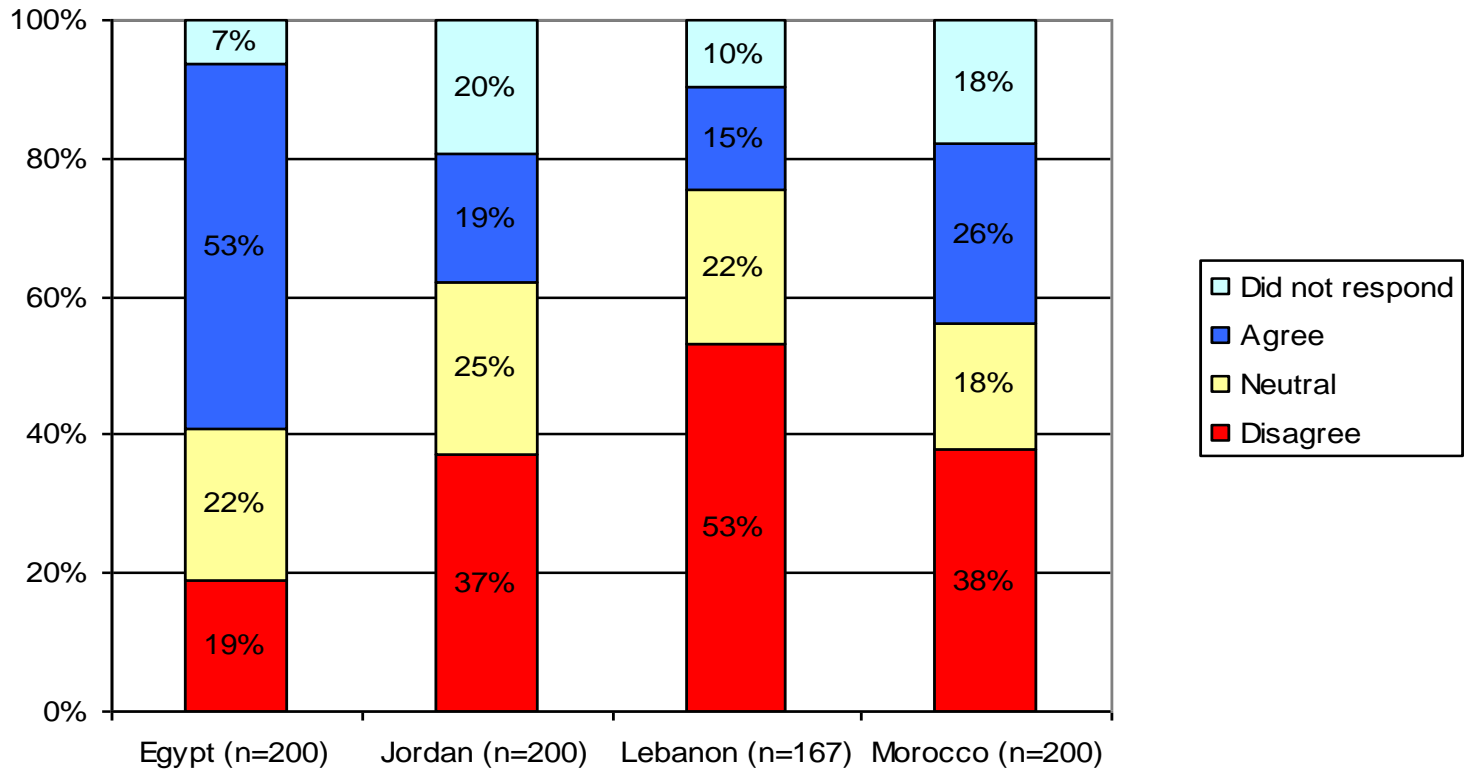
Experts in each of the four countries believe that external pressures interfere with the efficient enforcement of judicial decisions. A majority in Egypt and a plurality in Lebanon express this concern.

➤ **Need for reform**

An overwhelming majority of experts in the four countries think that reforms are necessary in each of the four dimensions of the judiciary – independence, integrity, efficiency, and competence.

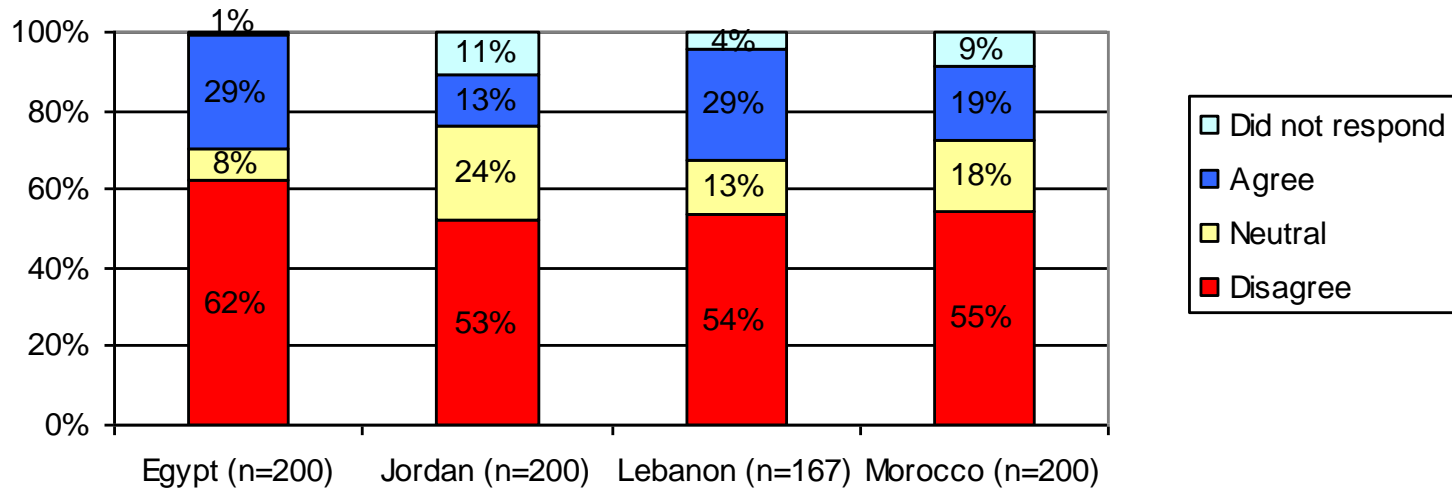
Judiciary: Resources

Agree/Disagree: *"The judiciary has adequate resources at its disposal".*



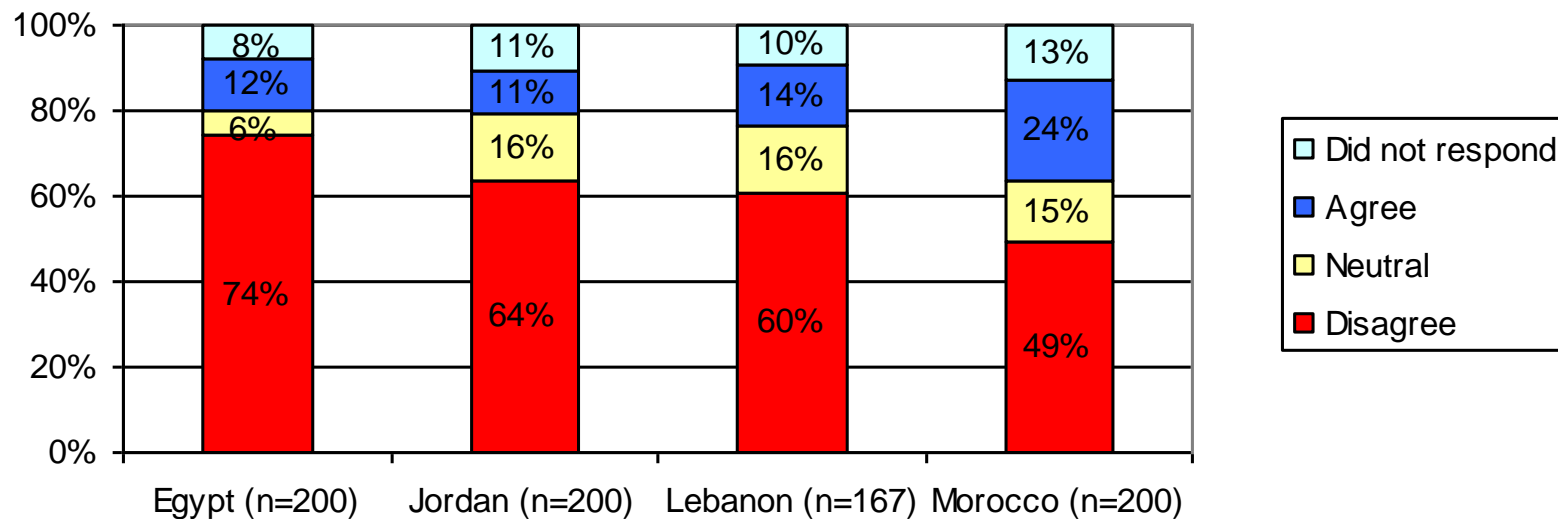
Judiciary: Freedom of Expression

Agree/Disagree: *"Judges enjoy freedom of expression of their political thoughts."*



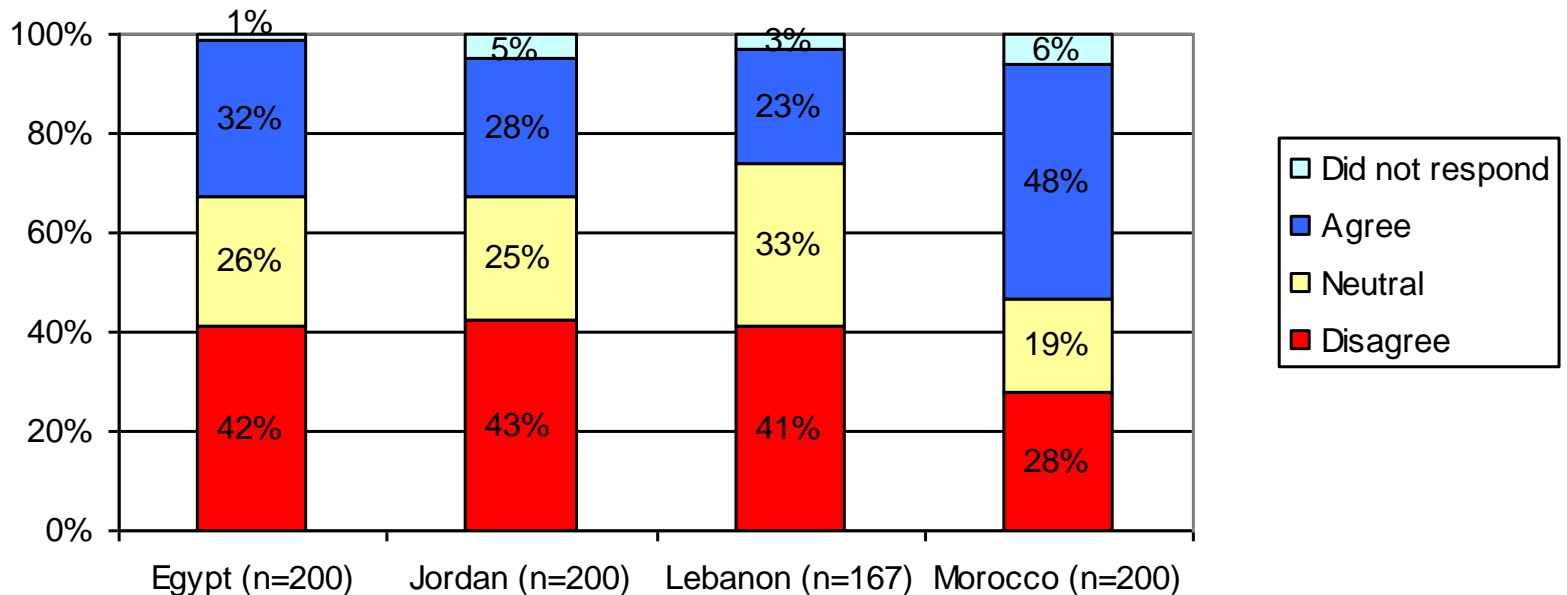
Judiciary: Freedom of Association

Agree/Disagree: *"Judges are free to join professional associations."*



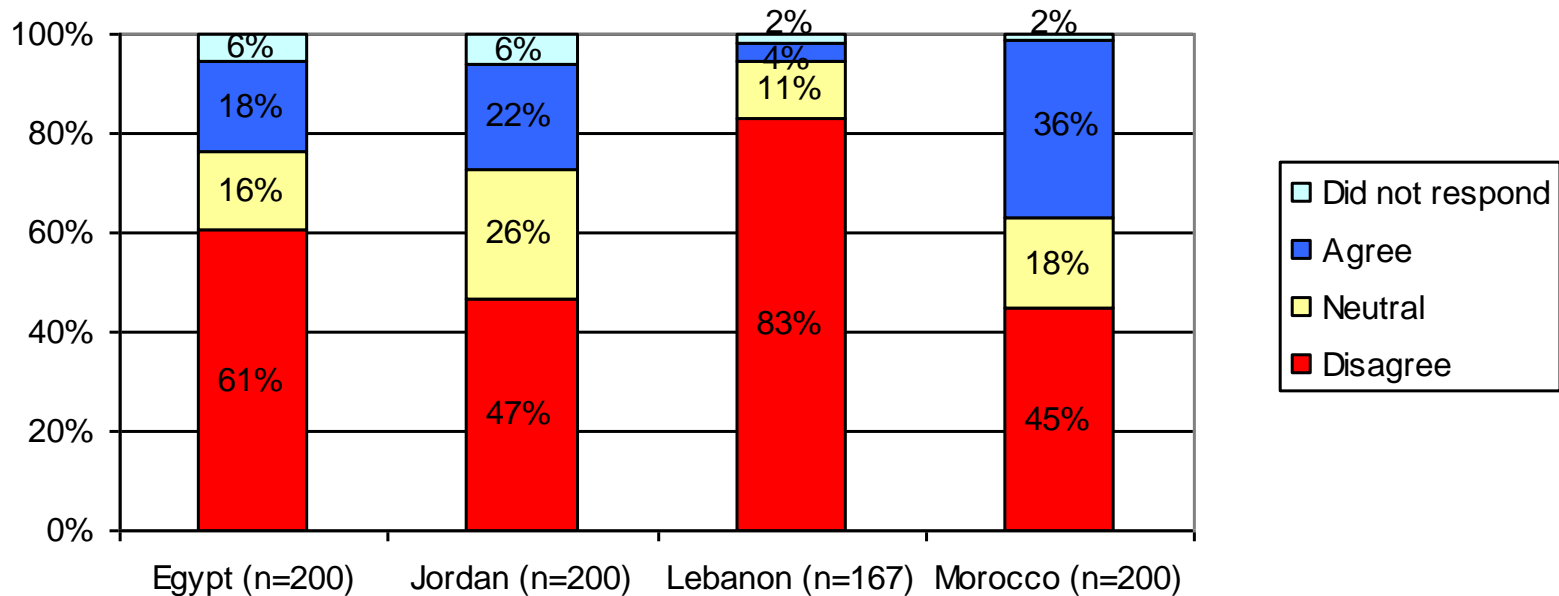
Judiciary: Objectiveness and Transparency of Judicial Appointments

Agree/Disagree: *"Appointments of judges are made based on objective and transparent criteria."*



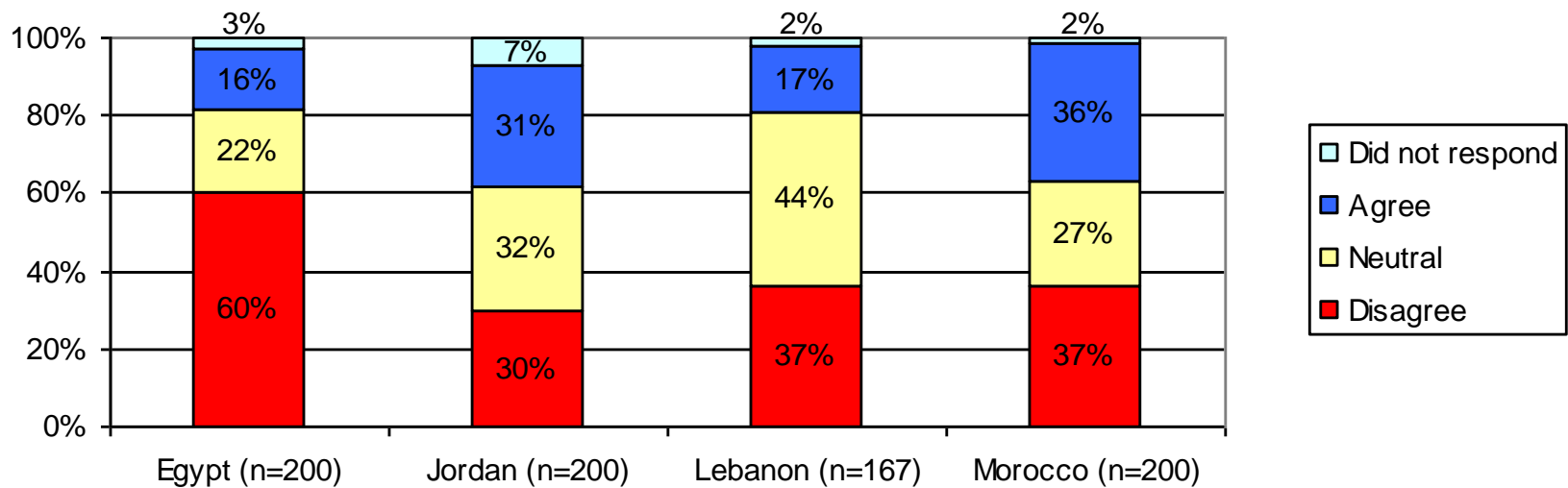
Judiciary: Anti-Corruption Laws

Agree/Disagree: *"Laws to fight corruption in society are rigorously enforced."*



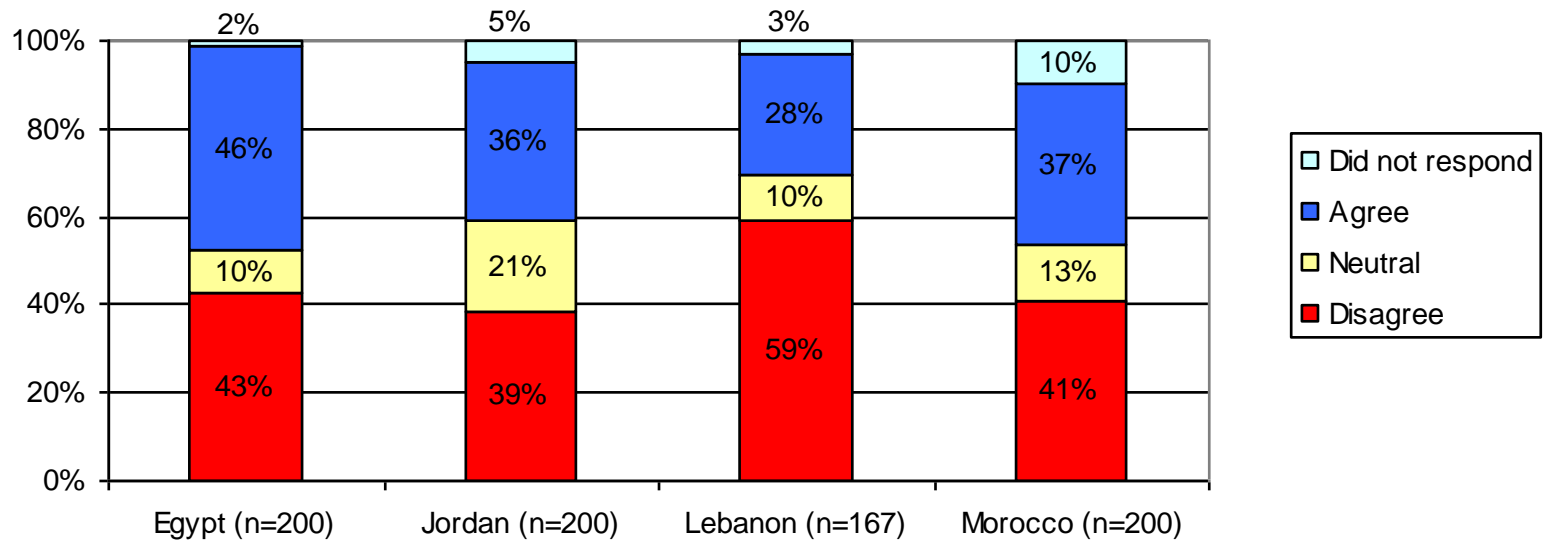
Judiciary: Access to Legal Information

Agree/Disagree: *"Citizens have easy access to legal information and judgments."*



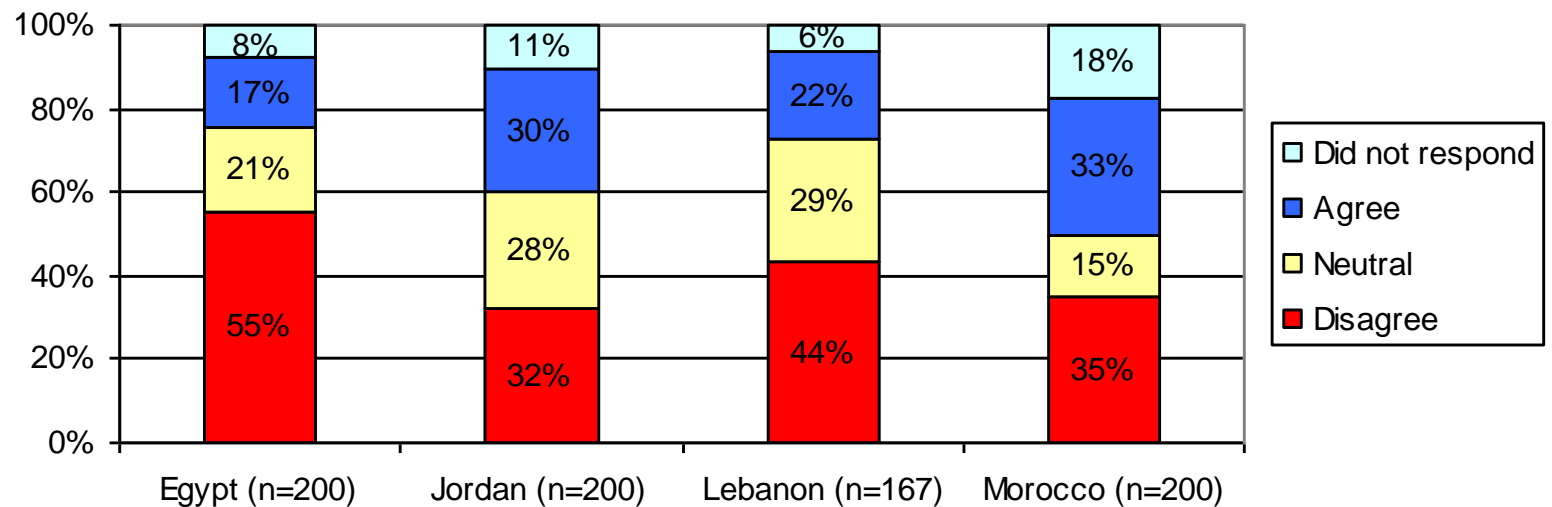
Judiciary: Reprimands for Delay

Agree/Disagree: *"Disciplinary measures are taken against those that delay cases."*



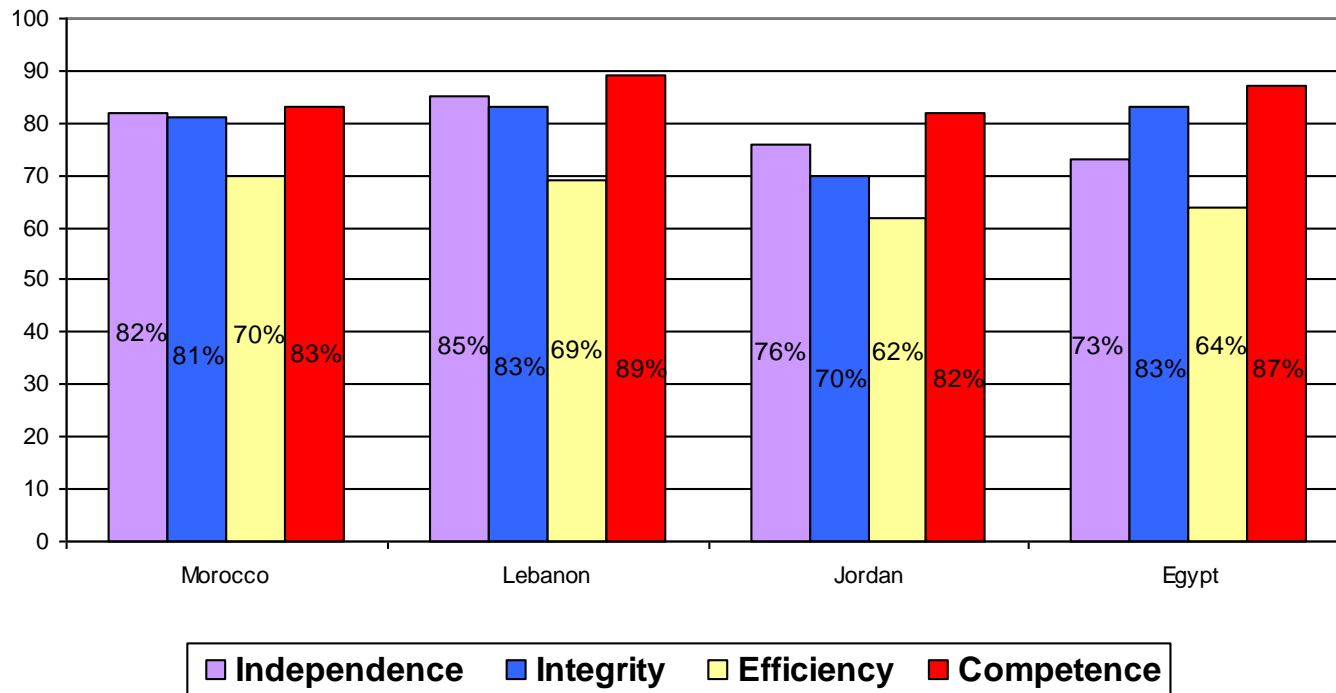
Judiciary: Pressures on Judicial Decisions

Agree/Disagree: *"There are no external pressures that interfere with the efficient enforcement of judicial decisions."*



Judiciary: Need for Reform

% of respondents who are "strong advocates" for judiciary reform

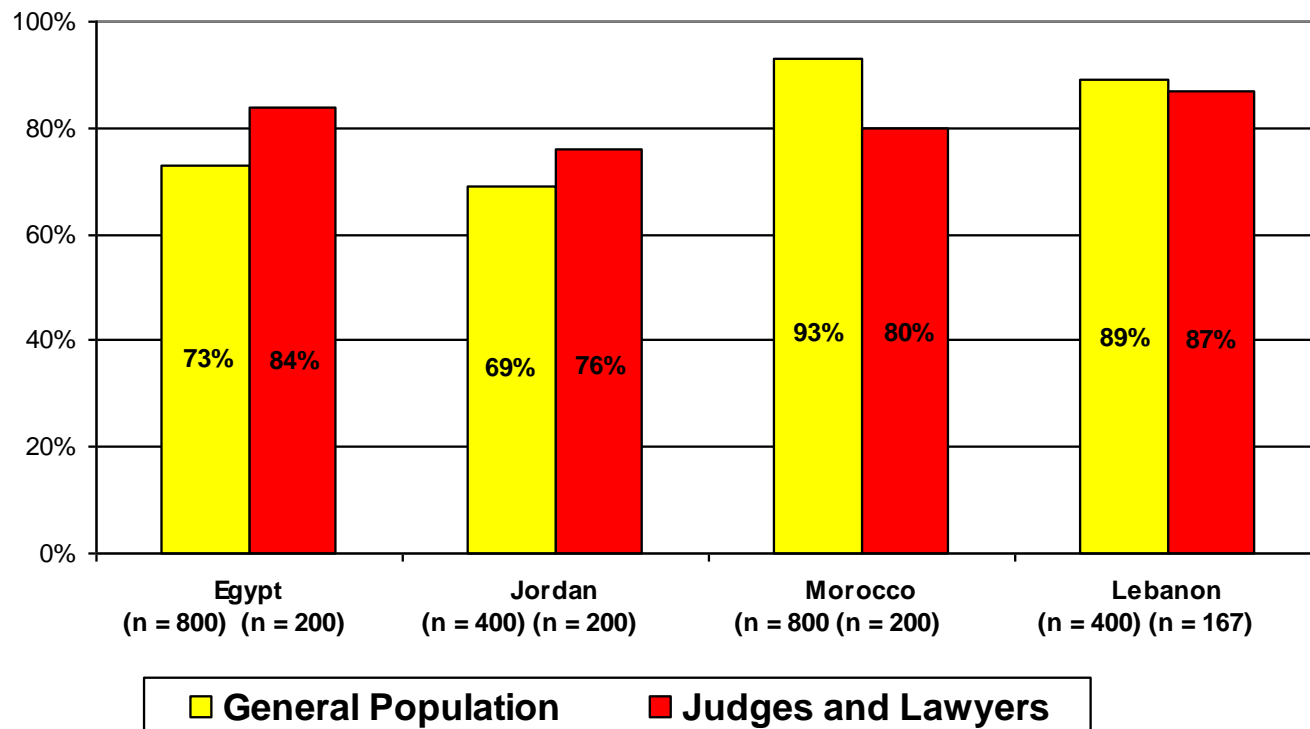


Note:

For each category we made an index of all the questions relating to that particular type of reform. The index was constructed by taking the average of the respondent's answers (scored 1 strongly in favor of reform to 5 strongly against reform) in that particular battery of questions. "Strong advocates" of reform are those who scored an average of 2 or lower on that particular battery of questions.

Judiciary: Need for Reform

% who agree that reforms are necessary to strengthen the integrity of the judiciary

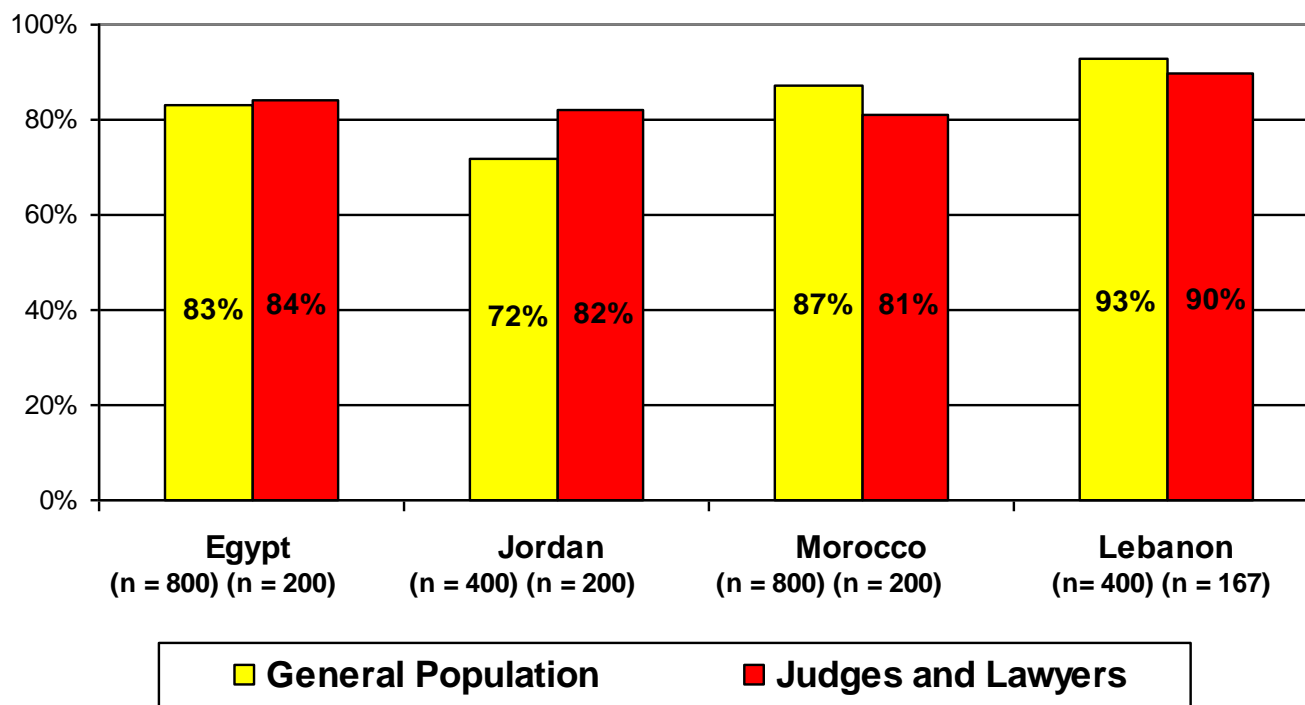


General Population survey questionnaire:
"Reforms are needed to enhance the judiciary's integrity."

Expert survey questionnaire:
"Reforms to increase institutional integrity are needed."

Judiciary: Need for Reform

% who agree that reforms are needed to strengthen the independence of the judiciary



General Population survey questionnaire:

"Reforms are needed to enhance the independence of the judiciary."

Expert survey questionnaire:

"Institutional reforms are needed to strengthen the independence of the judiciary."

Media: Main Findings

➤ **Freedom of expression**

In three of the four countries, a majority of media experts question the freedom of journalists to express their thoughts without fear of reprisal. Respondents in Jordan express the most concern.

➤ **Protection of journalists**

Clear majorities in all four countries believe that journalists do not enjoy sufficient legal protection to do their job effectively.

➤ **Media regulations**

A plurality of experts in Jordan and a majority in the other three countries indicate concerns that media regulations are not fairly applied in practice.

➤ **Defamation law**

Many respondents think that the defamation law is used to threaten the media. A strong majority of experts in Egypt and Morocco and a plurality in Lebanon express this concern.

Media: Main Findings

➤ **Government censorship**

A majority of the surveyed media experts in three of the four countries are concerned that government censorship may significantly hinder the independence of the media, with respondents in Egypt expressing the most concern.

➤ **Arbitrary prosecution of journalists**

A majority of respondents in Morocco and a plurality in Egypt believe that journalists are subject to arbitrary criminal prosecutions.

➤ **Threats to journalists**

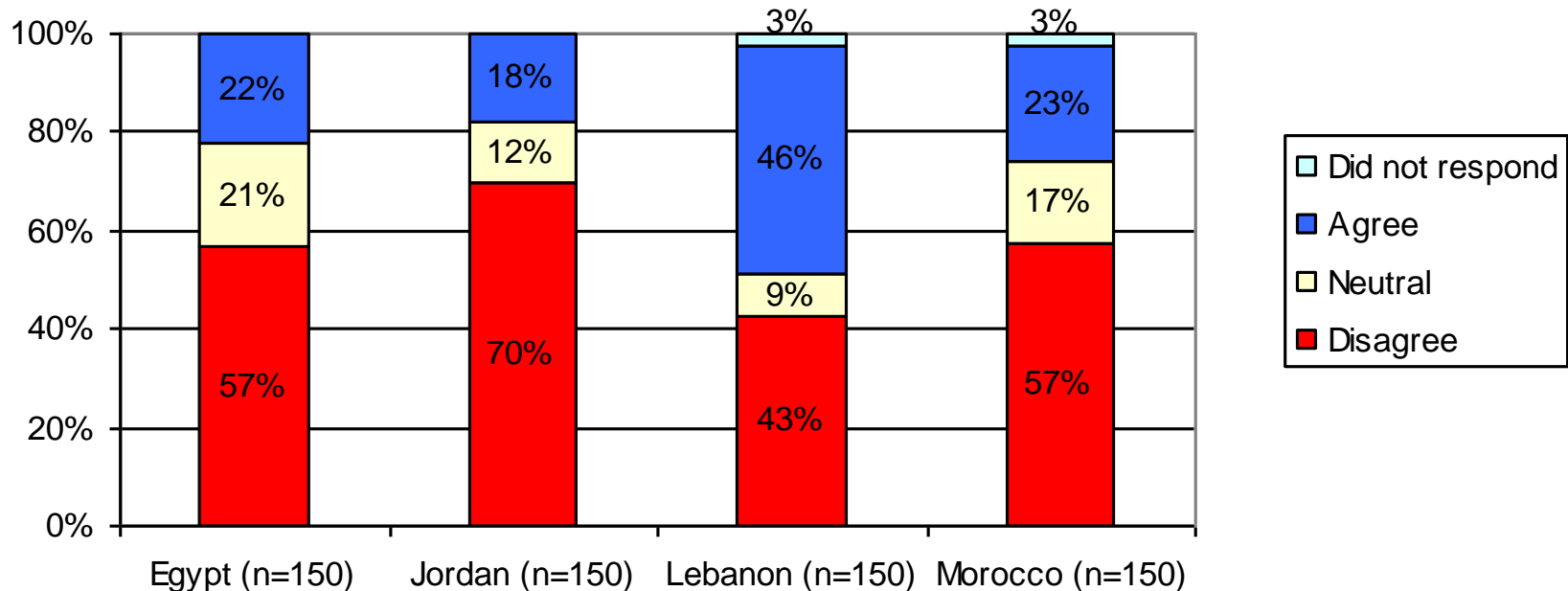
A plurality of the surveyed experts in Egypt and majorities in the other three countries think that journalists are subject to being fired.

➤ **Need for reform**

Strong majorities in all four countries believe that reforms are necessary in each of the three dimensions of the media – independence, integrity, and competence. Freedom of expression and government censorship are two of the biggest problems for journalists in all countries except Lebanon.

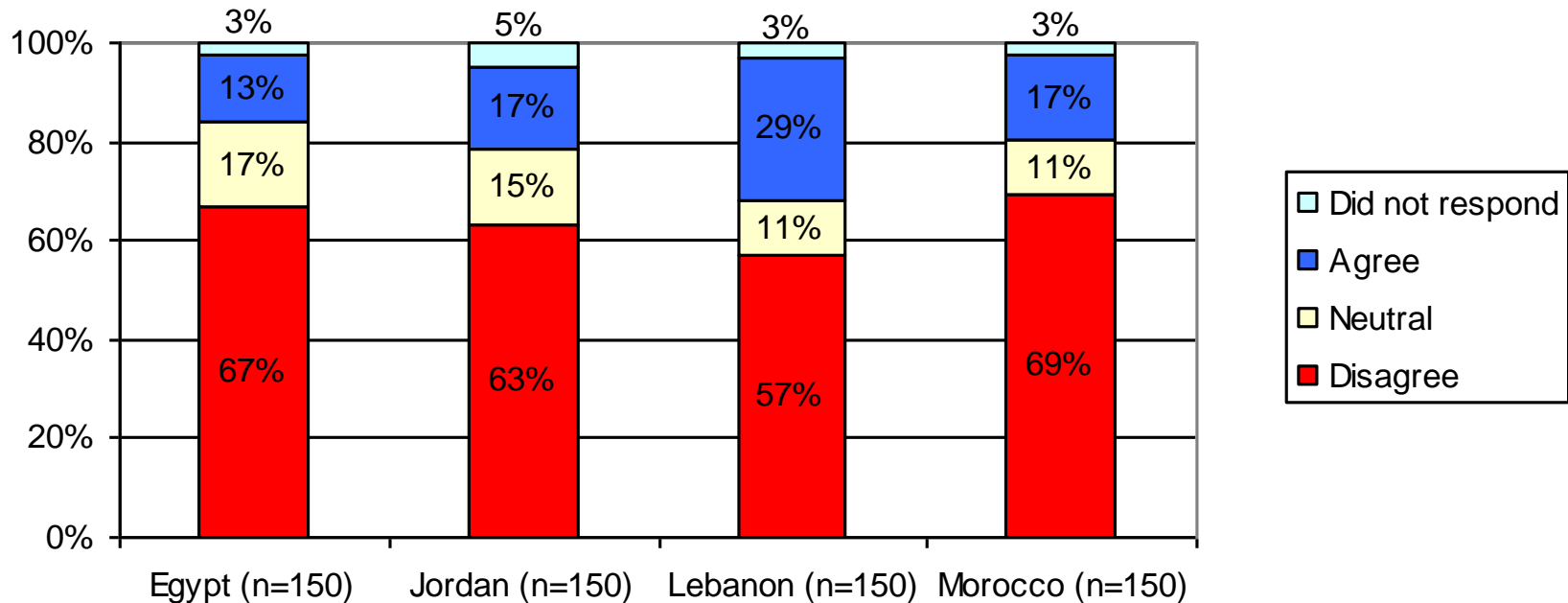
Media: Freedom of Expression

Agree/Disagree: *"Journalists effectively enjoy freedom of expression without fear of reprisal."*



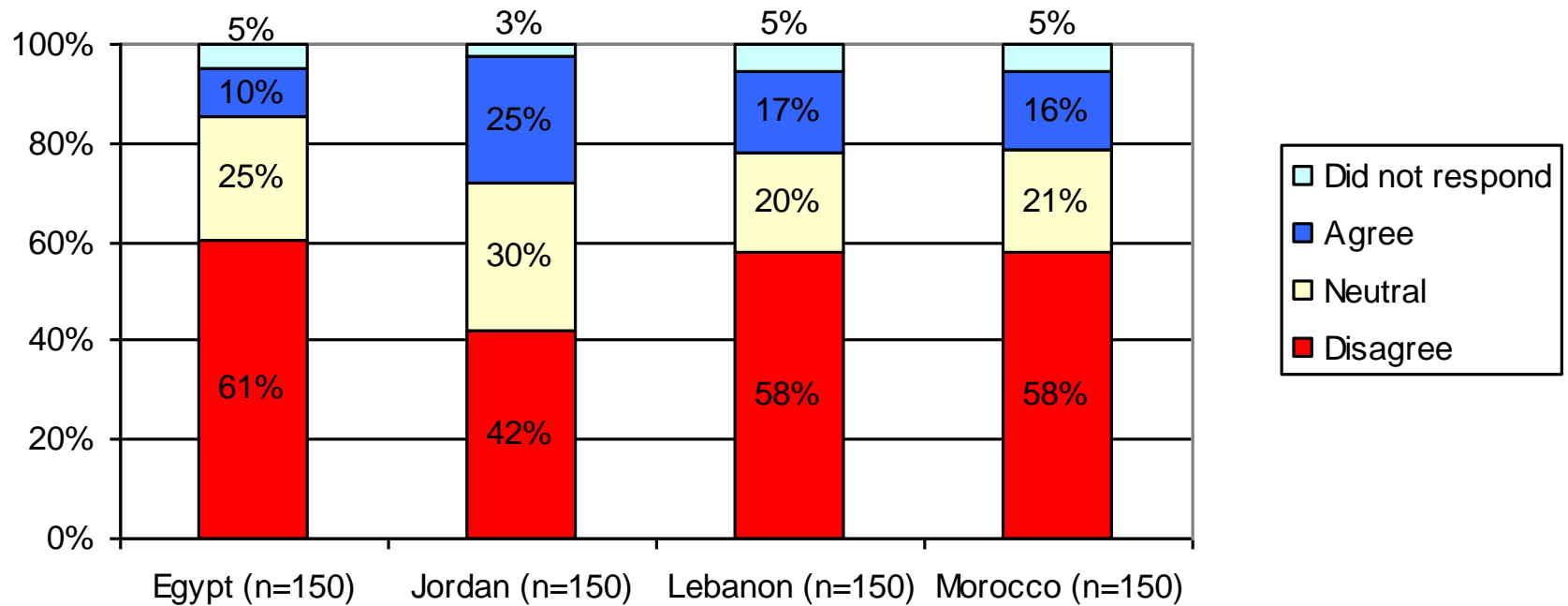
Media: Protection for Journalists

Agree/Disagree: *"Journalists enjoy sufficient legal protection to do their job."*



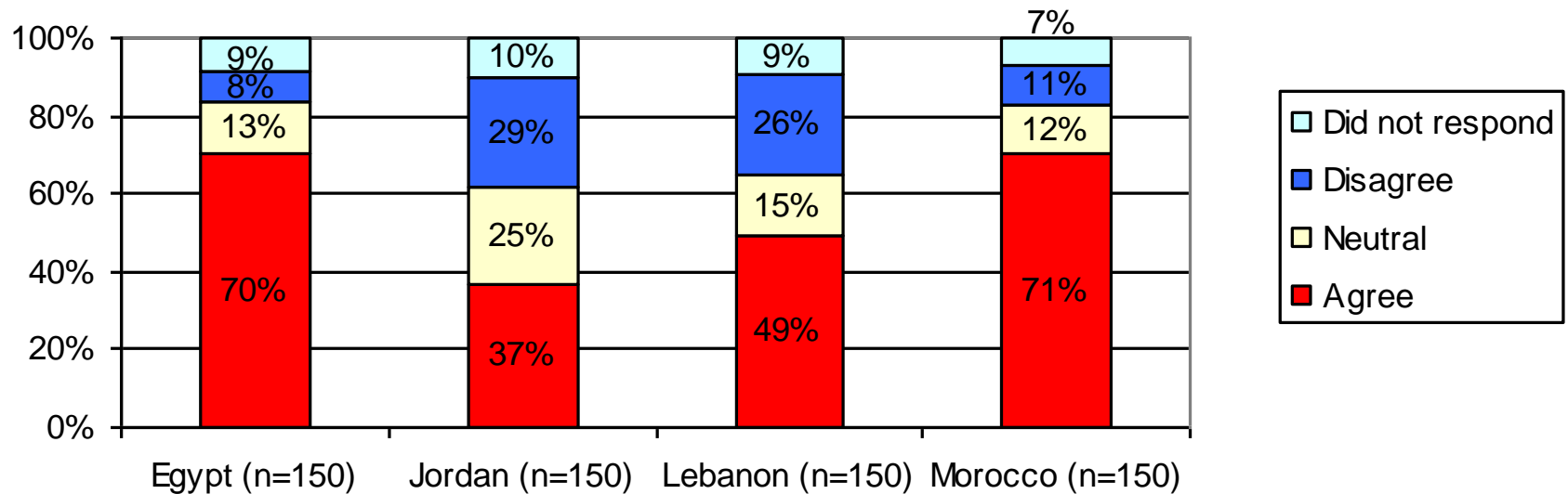
Media: Regulations

Agree/Disagree: *"The authority responsible for regulating the media (country specific) renders fair decisions."*



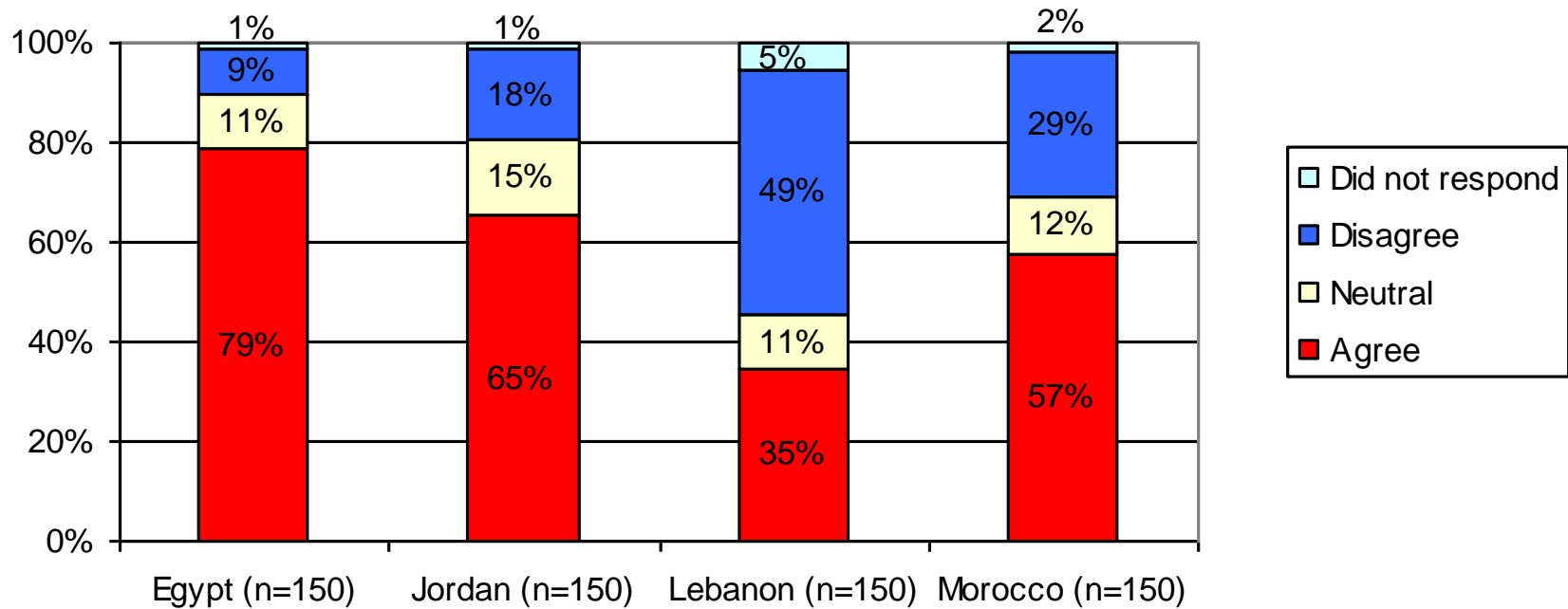
Media: Defamation Law

Agree/Disagree: *"The defamation law is misused in practice to threaten the media."*



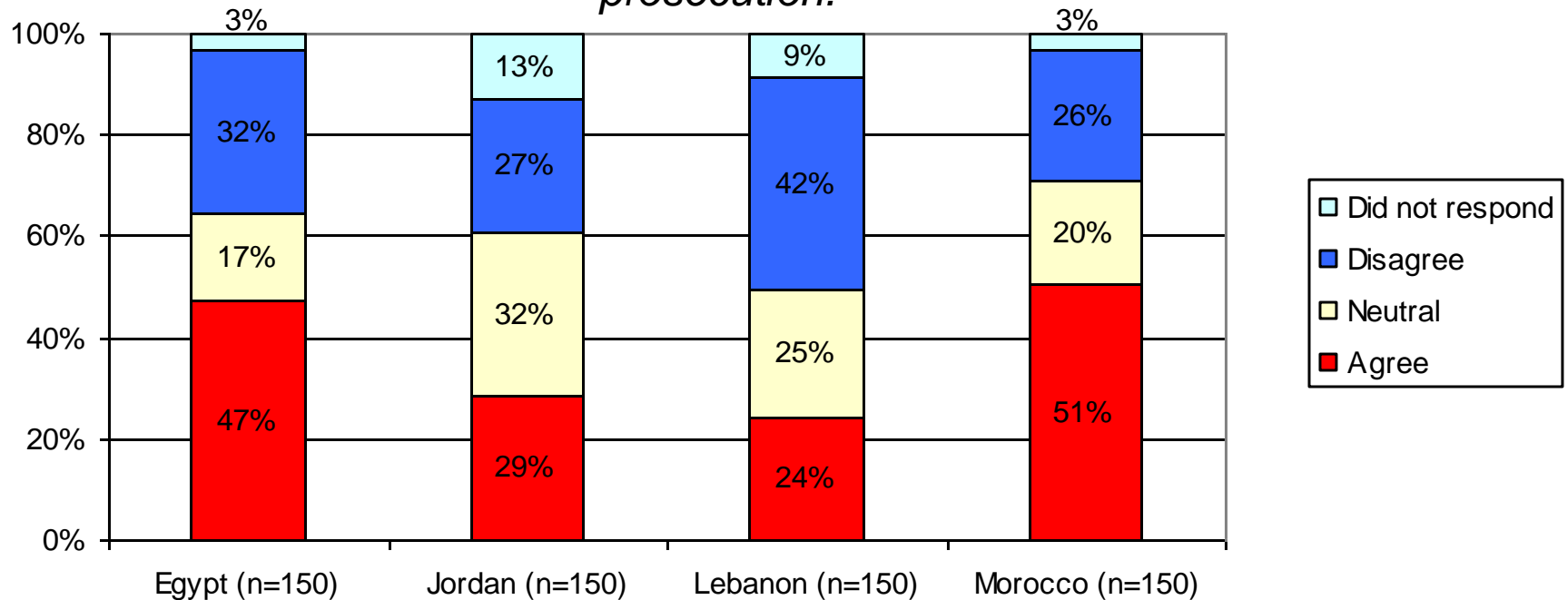
Media: Government Censorship

Agree/Disagree: *"Government censorship significantly hinders the independence of the media."*



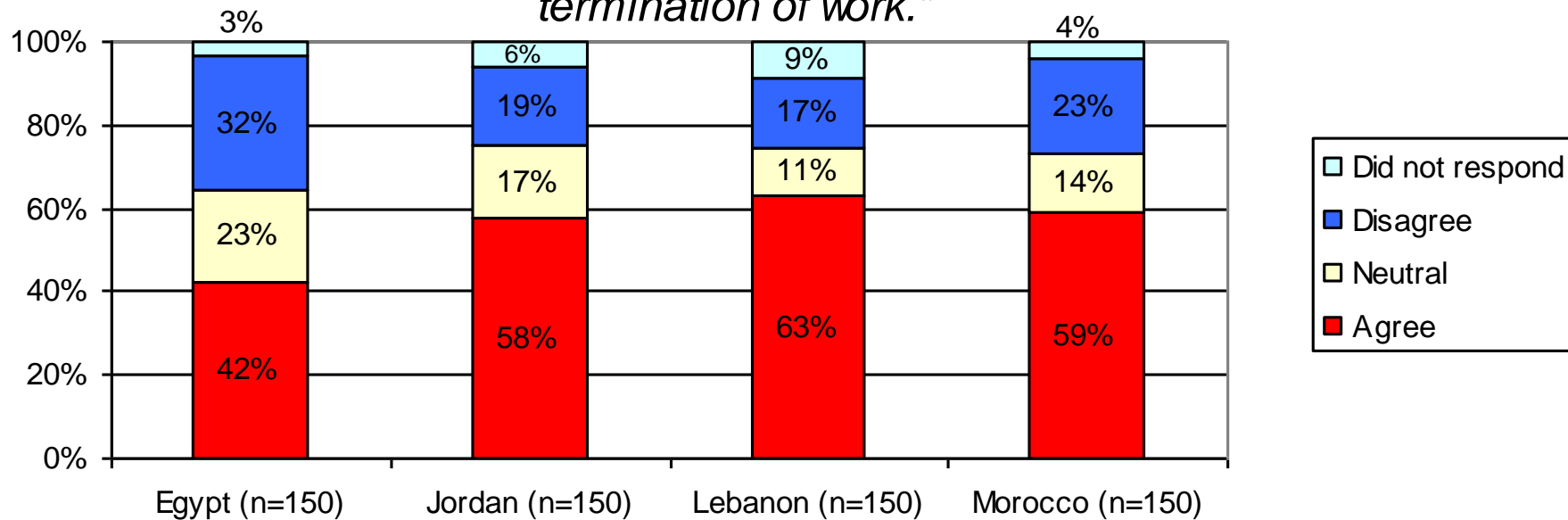
Media: Arbitrary Prosecution of Journalists

Agree/Disagree: *"Journalists are subject to arbitrary criminal prosecution."*



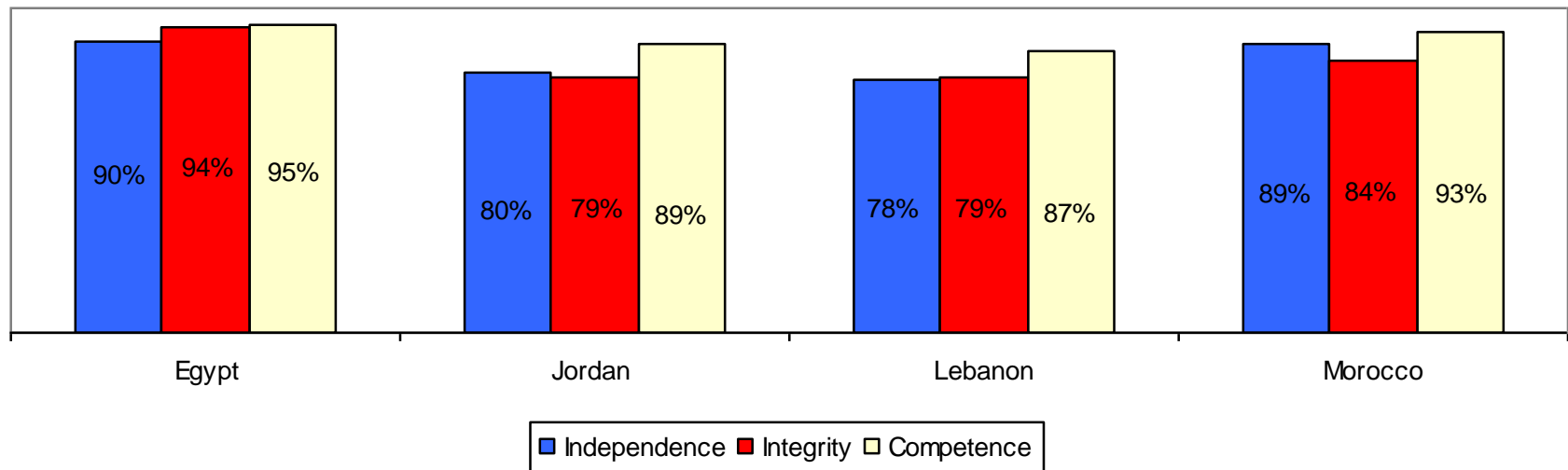
Media: Threats to Journalists

Agree/Disagree: *"Journalists are subject to threats of termination of work."*



Media: Need for Reform

% of respondents who are strong advocates for media reform in the areas of Independence, Integrity, and Competence



Note:

For each category we made an index of all the questions relating to that particular type of reform. The index was constructed by taking the average of the respondent's answers (scored 1 strongly in favor of reform to 5 strongly against reform) in that particular battery of questions. "Strong advocates" of reform are those who scored an average of 2 or lower on that particular battery of questions.

Media: Recommendations for Reform

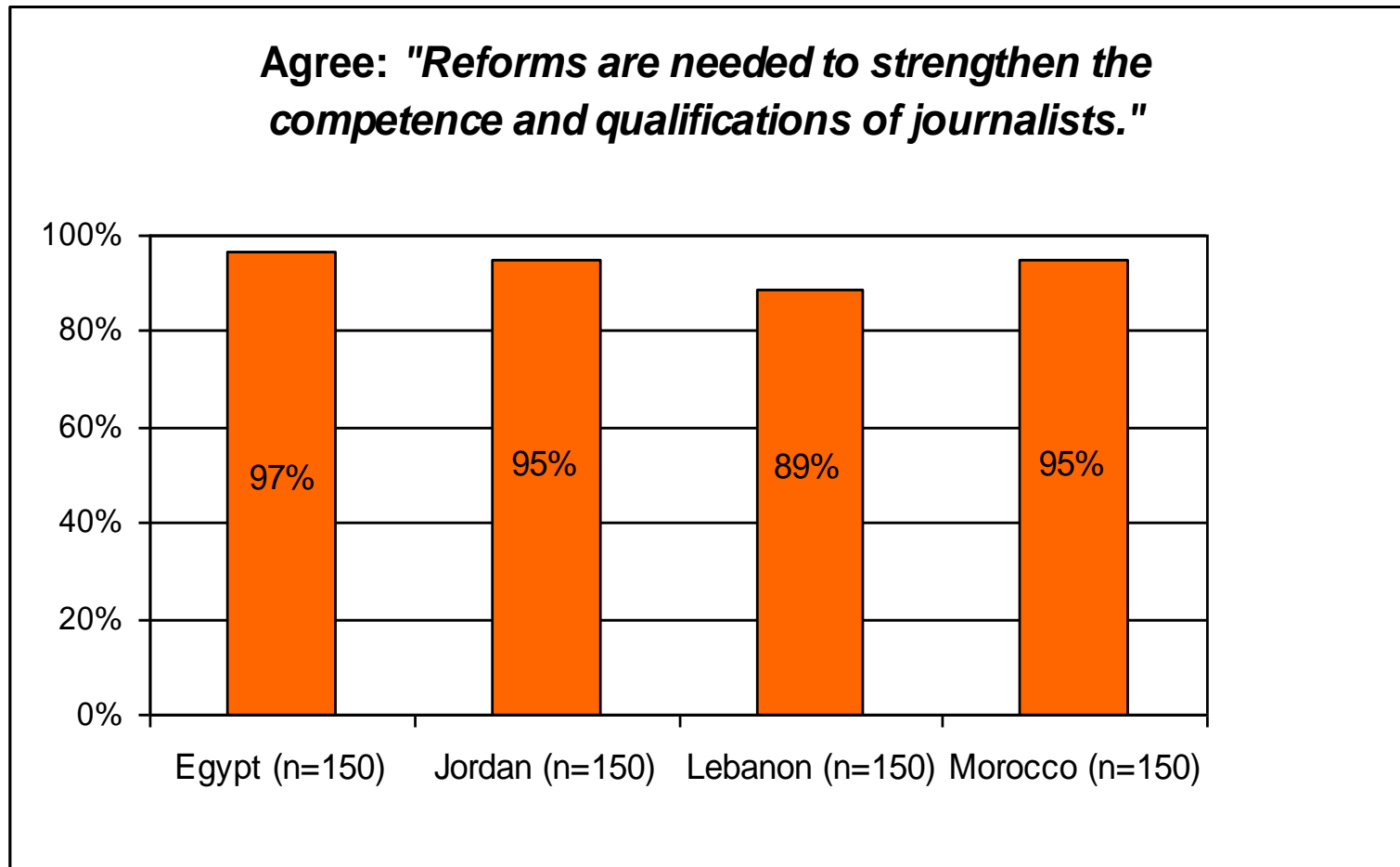
1. Reforms to strengthen the competence and qualifications of journalists
(Competence)
2. Reforms to guarantee the personal independence of journalists
(Independence)
3. Reforms in the regulatory framework to enhance the independence of the media. (Independence)
4. Legal reforms to enhance the independence of the media.
(Independence)
5. Higher professional standards to enhance the integrity of the media
(Integrity)

Media: Recommendations for Reform

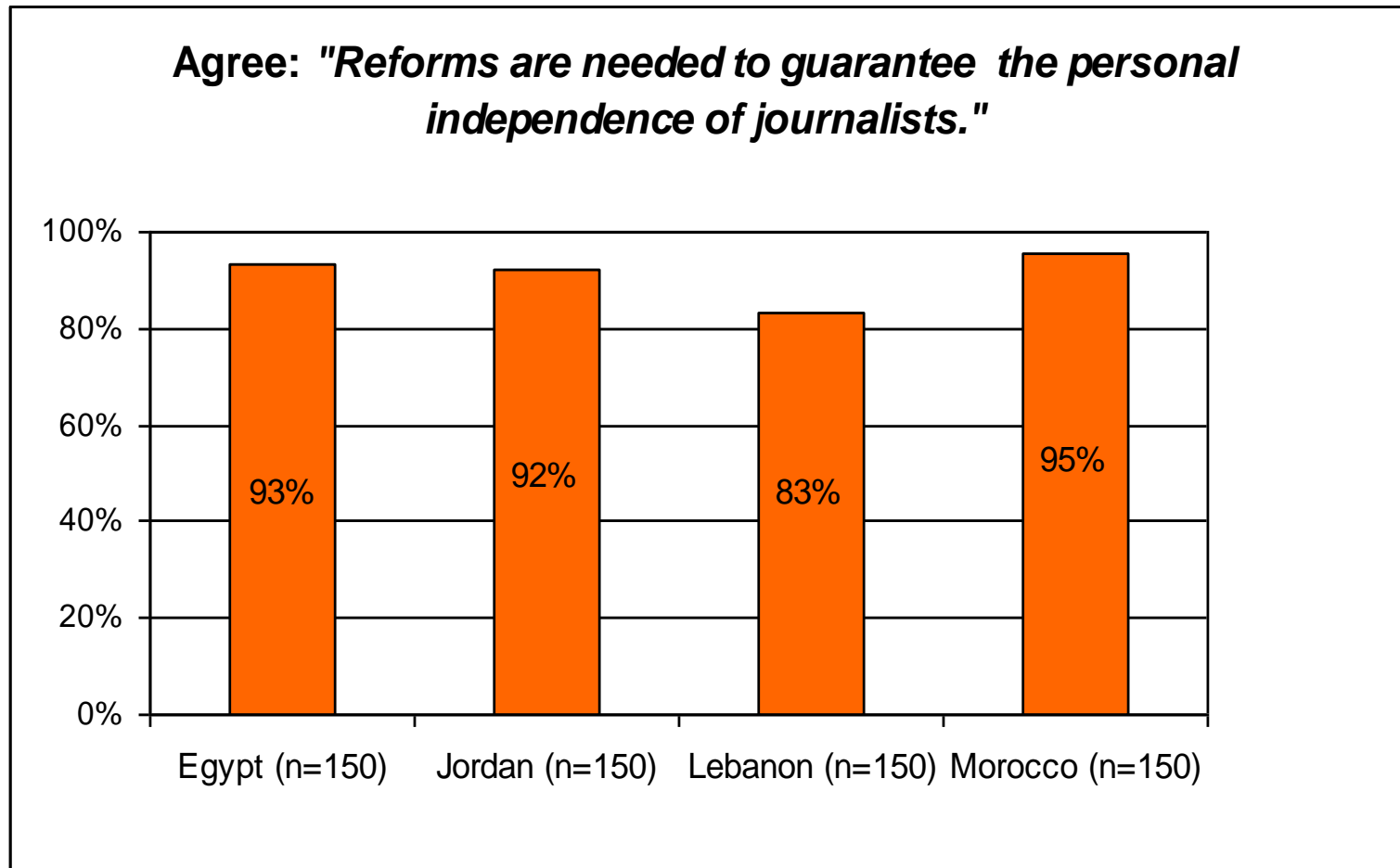
Media Reforms		Overall average	Egypt	Jordan	Lebanon	Morocco
1	Reforms to strengthen the competence and qualifications of journalists	94%	√	√	√	√
2	Reforms to guarantee the personal independence of journalists	91%	√	√	√	√
3	Reforms in the regulatory framework to enhance the independence of the media.	87%	√	√		√
4	Legal reforms to enhance the independence of the media.	86%	√	√		√
5	Higher professional standards to enhance the integrity of the media	86%		√	√	

√ – top five priority within the country itself

Media: Recommendations for Reform

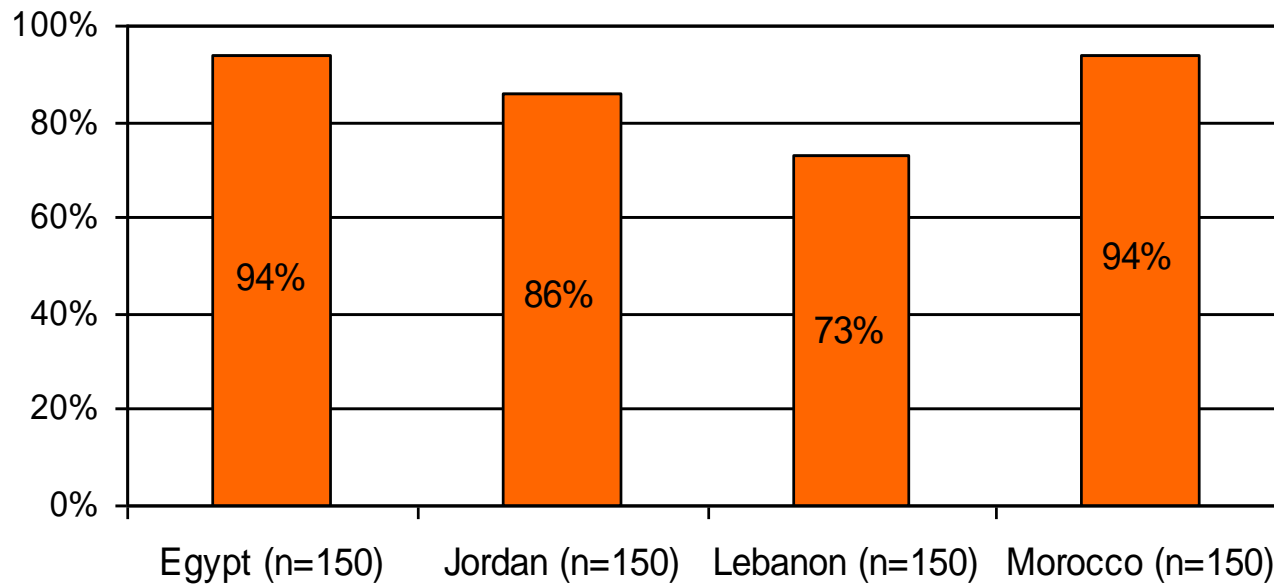


Media: Recommendations for Reform

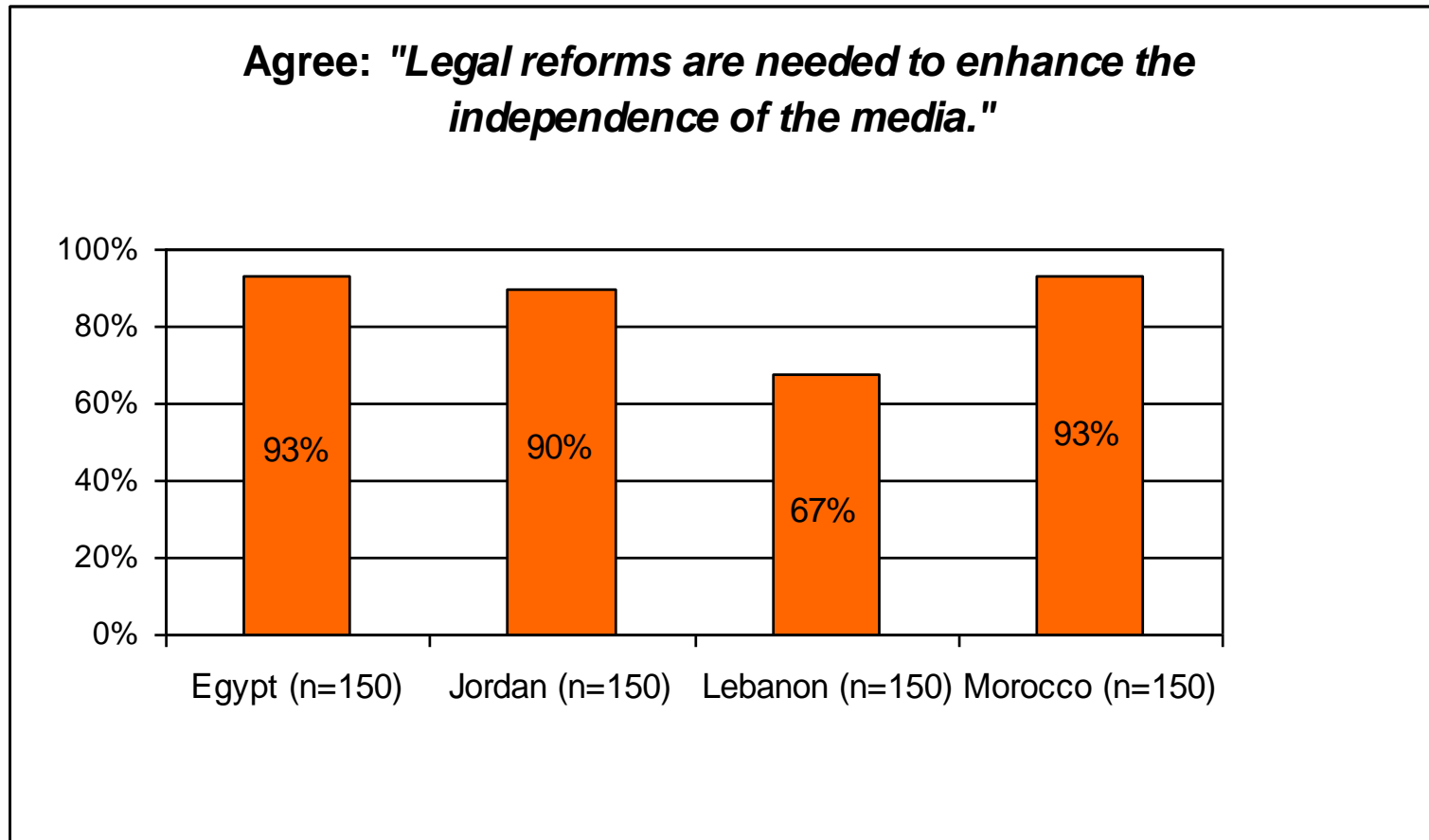


Media: Recommendations for Reform

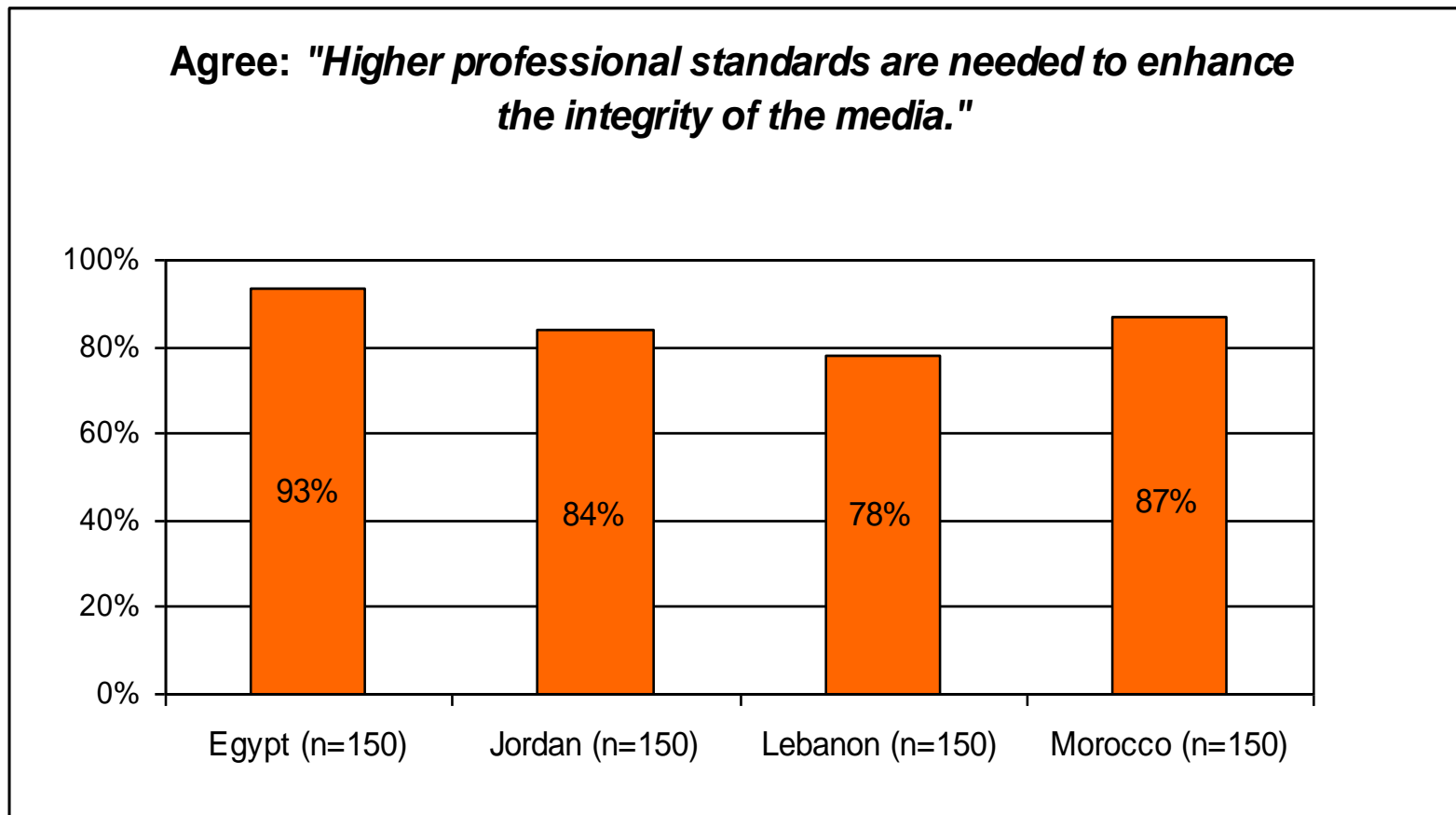
Agree: "Reforms are needed in the regulatory framework to enhance the independence of the media."



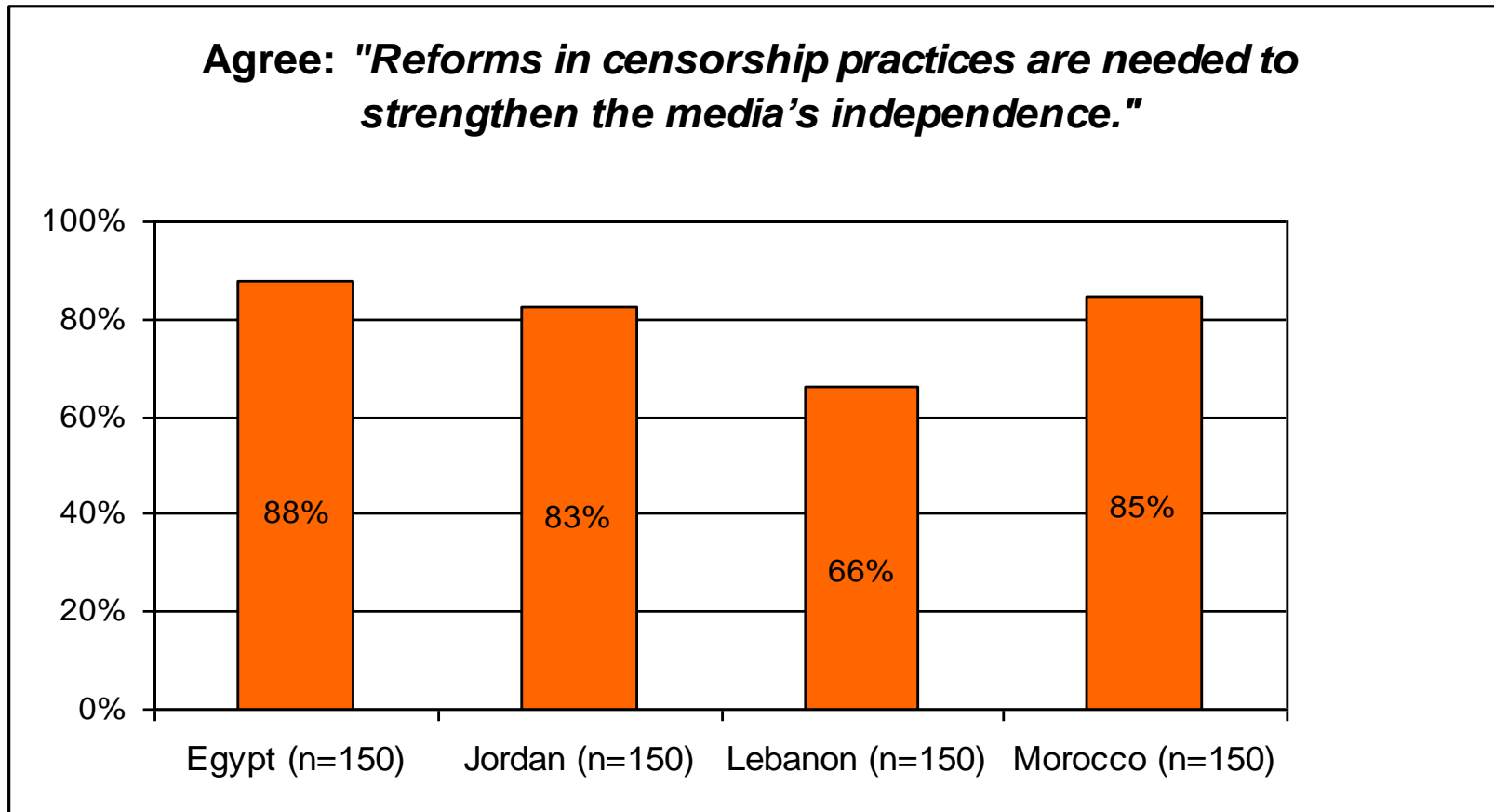
Media: Recommendations for Reform



Media: Recommendations for Reform



Media: Recommendations for Reform



Parliament: Main Findings

➤ **Access to private and public media**

In two out of four of the countries surveyed, a majority question the ability of candidates to have access to private and public media. Respondents in Lebanon express the most concern.

➤ **Election campaign funding**

A strong majority of respondents in all four countries believe that election campaigns are financed to a large extent by the candidates' personal funds.

➤ **Government pressure/influence on parliament**

Two thirds of respondents in Jordan and roughly one third in Egypt, Lebanon, and Morocco express concerns that the parliament is to a large degree influenced or pressured by the government.

➤ **Work of parliamentarians**

A majority of respondents in all four countries agree that parliamentarians study and debate laws seriously and in detail before adopting them. Agreement was highest among respondents in Lebanon and Morocco.

Parliament: Main Findings

➤ **Work of parliamentary committees**

A strong majority of respondents in all four countries believe that parliamentary committees effectively study and debate draft laws before submission to the plenary assembly. In Lebanon, all of the surveyed experts who gave an answer to this question agree that parliamentary committees carry out their work effectively.

➤ **Financial assets disclosure**

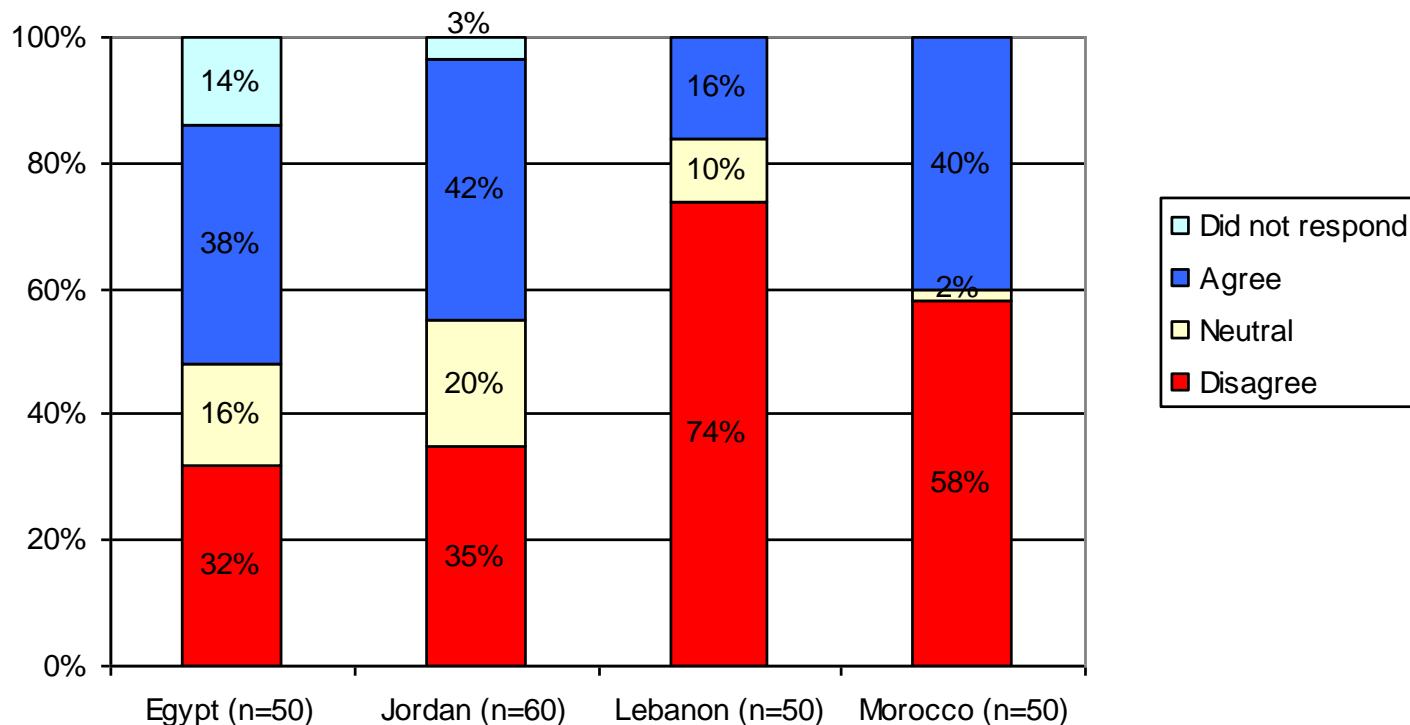
Half of the surveyed experts in Morocco doubt that parliamentarians declare their financial assets in an accurate and honest manner. At the same time, a plurality in Lebanon and Egypt tend to believe that their legislators properly disclose their personal financial assets.

➤ **Need for reform**

Most respondents in all four countries believe that there is a strong need for reform focused on parliamentarians' representation and participation, independence, performance, and integrity. Reform targeted at representation and participation is ranked as a first priority in Egypt and Jordan, while respondents in Lebanon consider it as important as reform to enhance integrity. Performance improvement is the next most important reform for experts in Jordan, Morocco, and Lebanon.

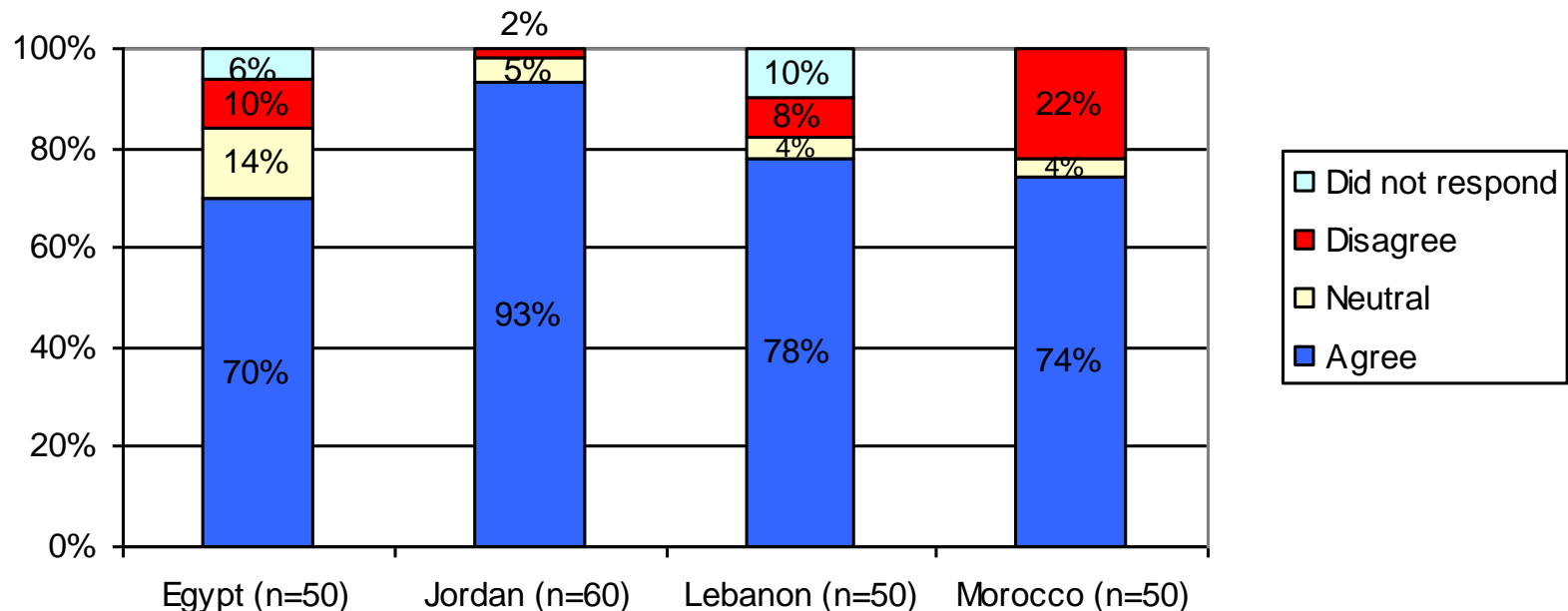
Parliament: Access to Private and Public Media

Agree/Disagree: *"Candidates for parliamentary seats have equal access to private and public media enabling them to communicate with their constituents."*



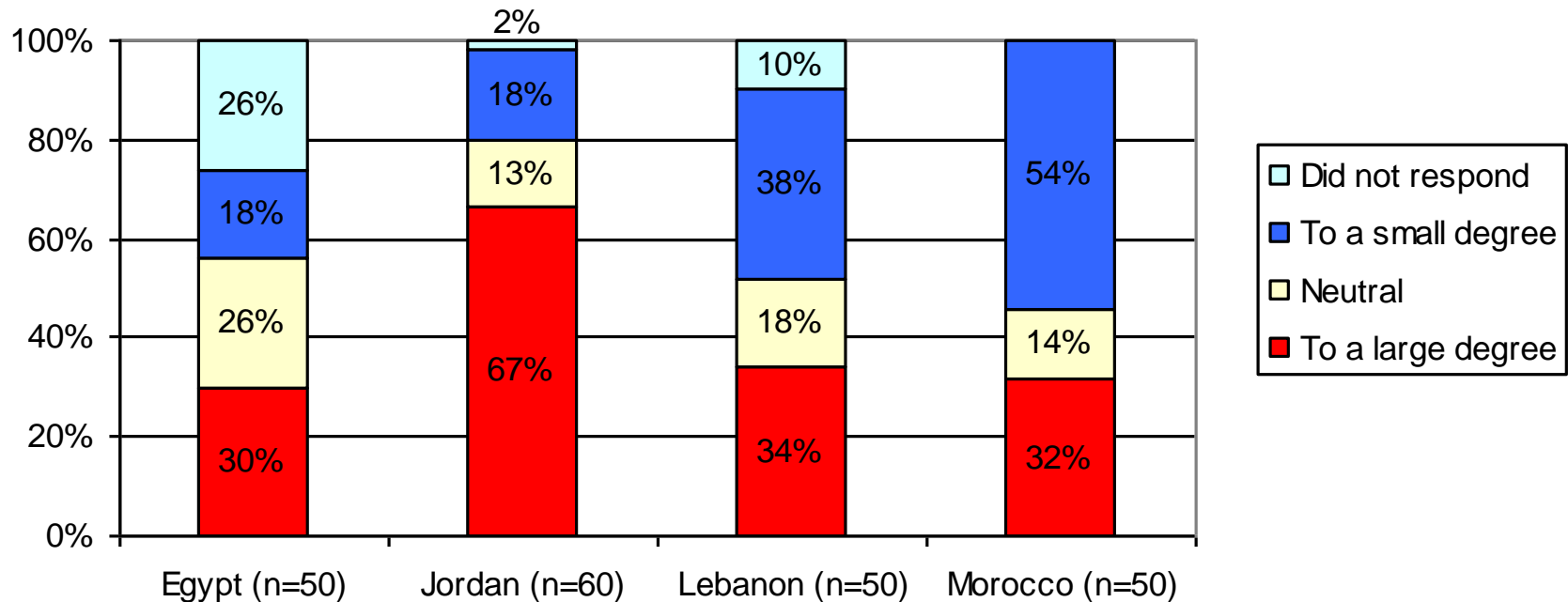
Parliament: Election Campaign Funding

Agree/Disagree: *"Election campaigns are financed to a large extent by the candidates' personal funds."*



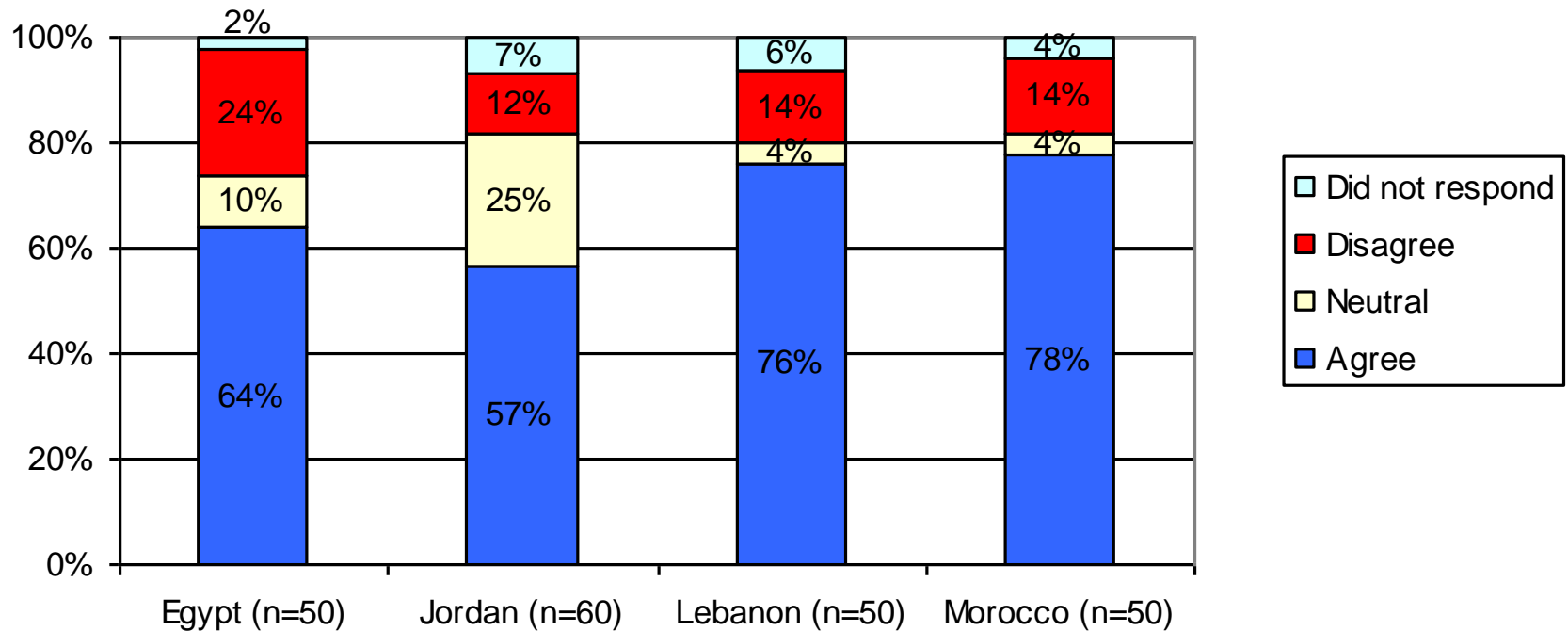
Parliament: Government Pressure

Agree/Disagree: *"To what degree is the parliament pressured by the government?"*



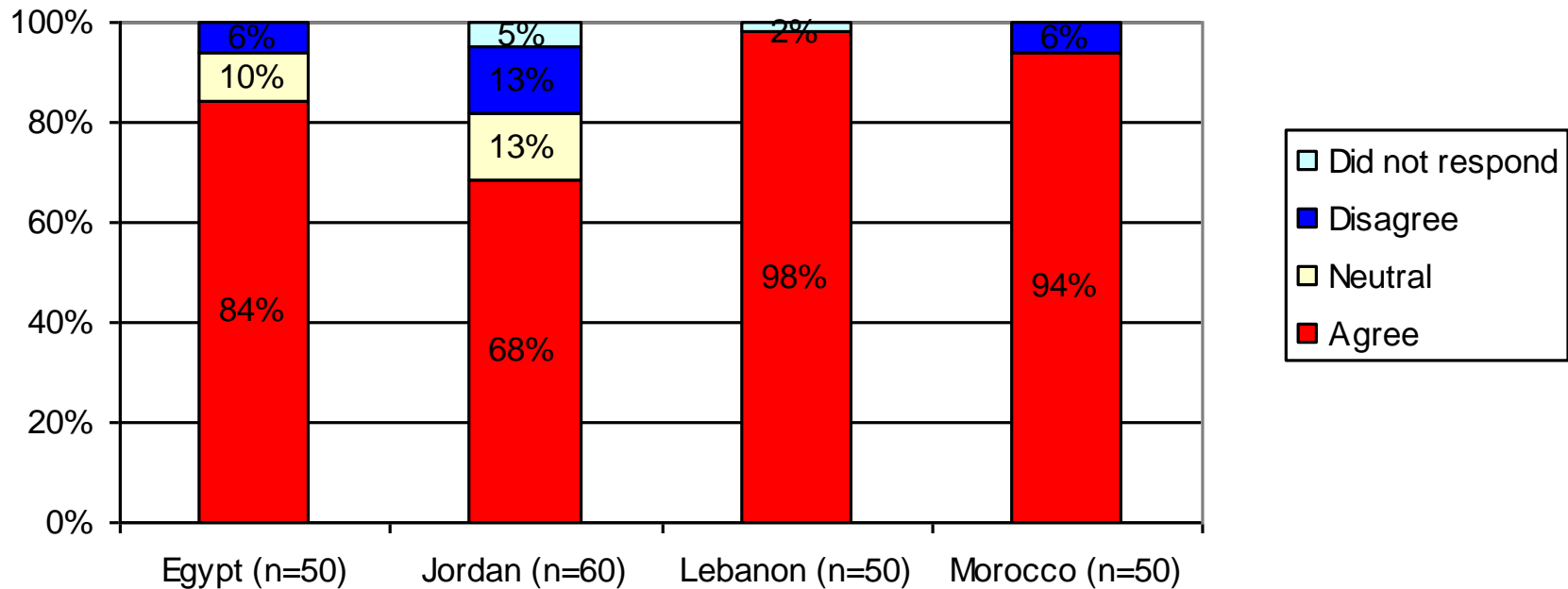
Parliament: Work of Parliamentarians

Agree/Disagree: *"Parliamentarians study and debate draft laws seriously and in details before approving them."*



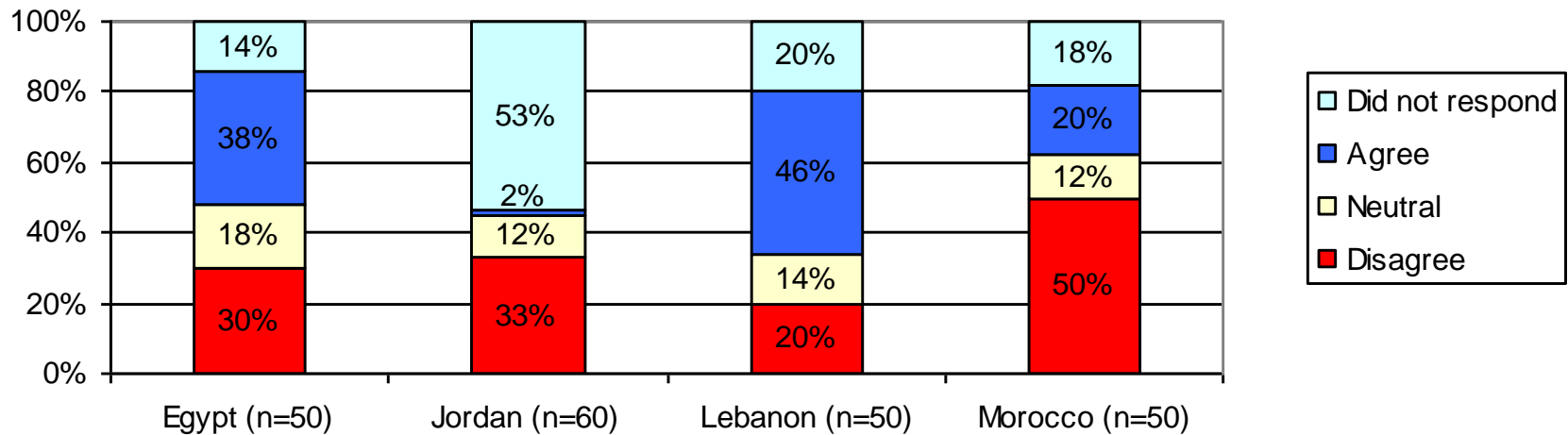
Parliament: Work of Parliamentary Committees

Agree/Disagree: *"Parliamentary committees effectively study and debate draft laws before submission to the plenary assembly."*



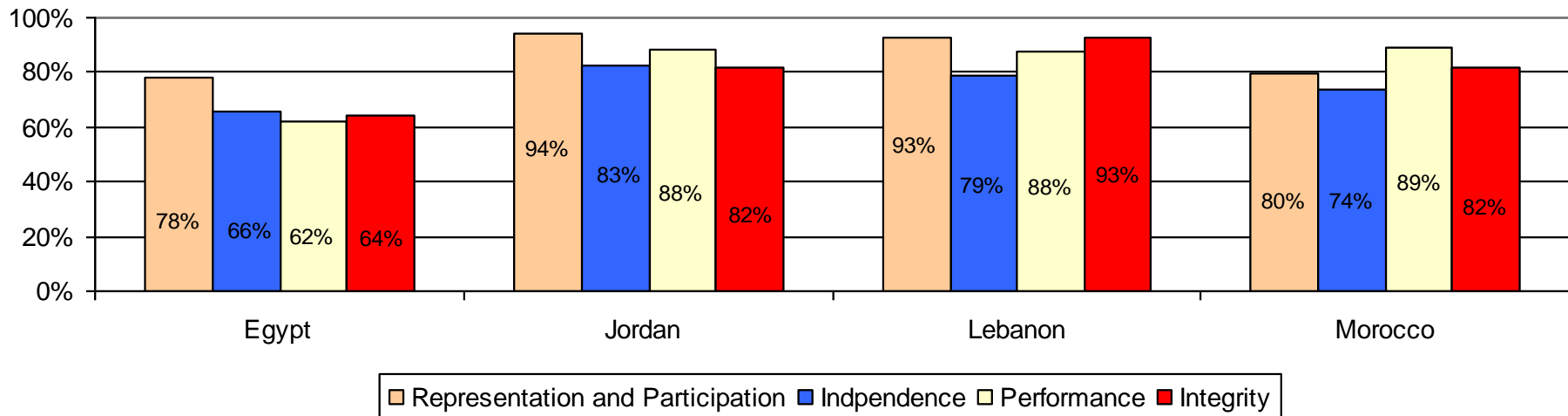
Parliament: Financial Assets Disclosure

Agree/Disagree: *"Parliamentarians declare their financial assets in an accurate and honest manner."*



Parliament: Need for Reform

% of respondents who are strong advocates for reform in the areas of Representation and Participation, Independence, Performance, and Integrity



Note:

For each category we made an index of all the questions relating to that particular type of reform. The index was constructed by taking the average of the respondent's answers (scored 1 strongly in favor of reform to 5 strongly against reform) in that particular battery of questions. "Strong advocates" of reform are those who scored an average of 2 or lower on that particular battery of questions.

Parliament: Recommendations for Reform

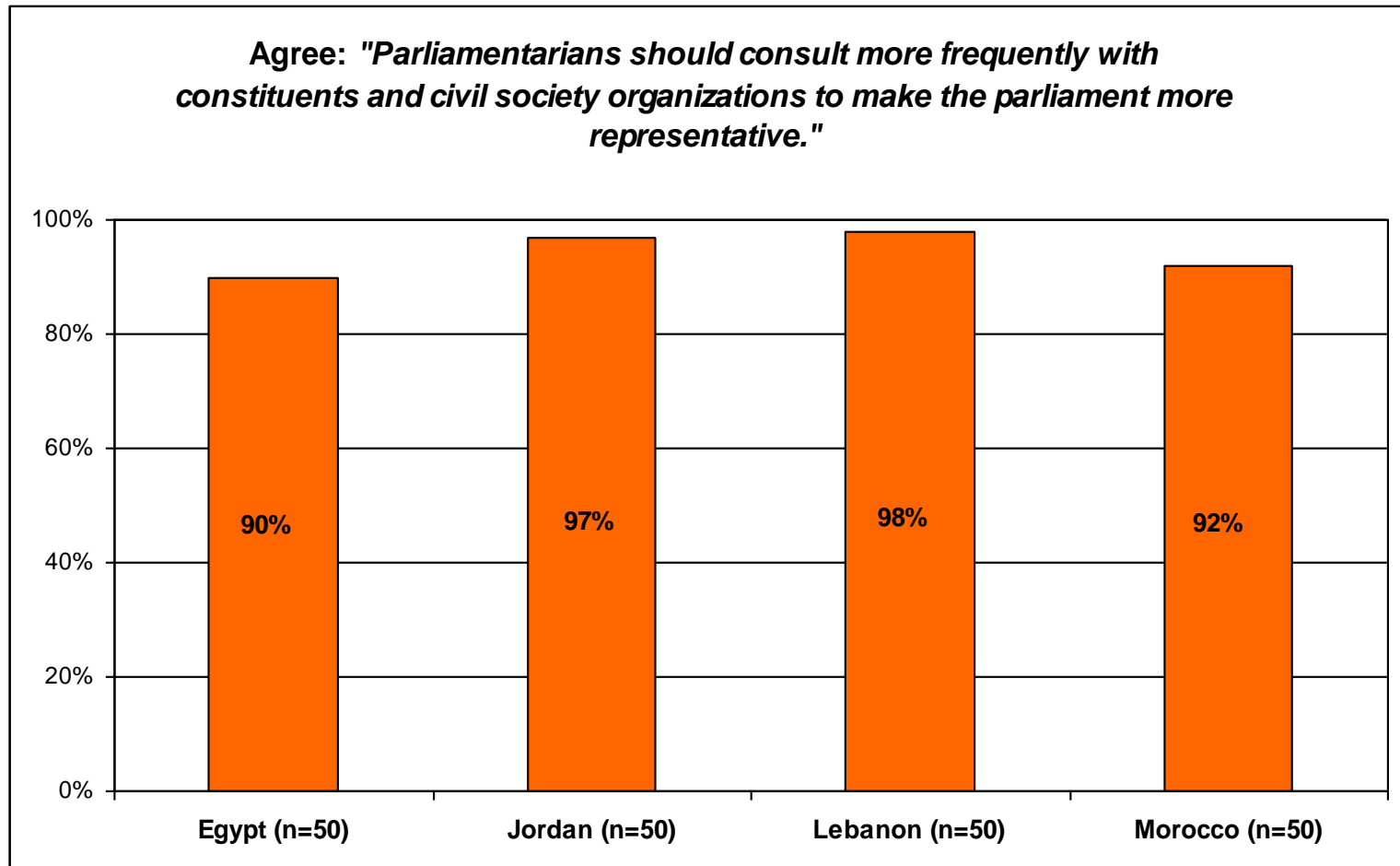
1. Parliamentarians should consult more frequently with constituents and civil society organizations to make the parliament more representative. (representation)
2. Parliament should be more active in overseeing the executive. (performance)
3. It is essential to have specialized financial experts assisting parliamentarians in reviewing and overseeing the budget. (performance)
4. Improved staffing and equipment would strengthen the ability of parliament to function effectively. (performance)
5. Reforms are needed to guarantee that parliamentarians fulfill their duties independently. (independence)

Parliament: Recommendations for Reform

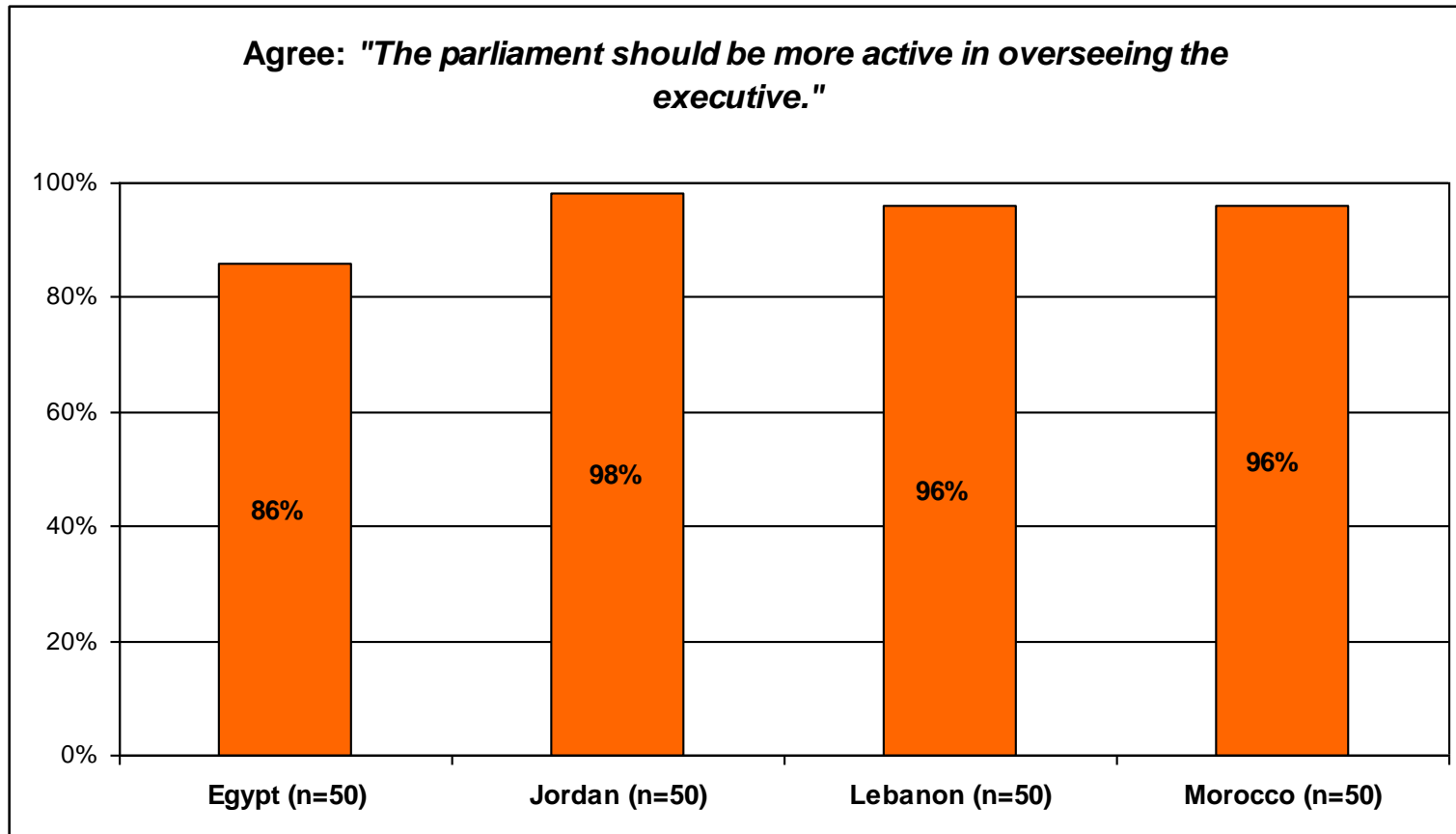
Parliament Reforms		Overall average	Egypt	Jordan	Lebanon	Morocco
1	Parliamentarians should consult more frequently with constituents and civil society organizations to make the parliament more representative.	94%	√	√	√	√
2	Parliament should be more active in overseeing the executive.	94%	√	√	√	√
3	It is essential to have specialized financial experts assisting parliamentarians in reviewing and overseeing the budget.	94%	√		√	√
4	Improved staffing and equipment would strengthen the ability of parliament to function effectively.	93%		√	√	√
5	Reforms are needed to guarantee that parliamentarians fulfill their duties independently.	86%		√		

√ – top five priority within the country itself

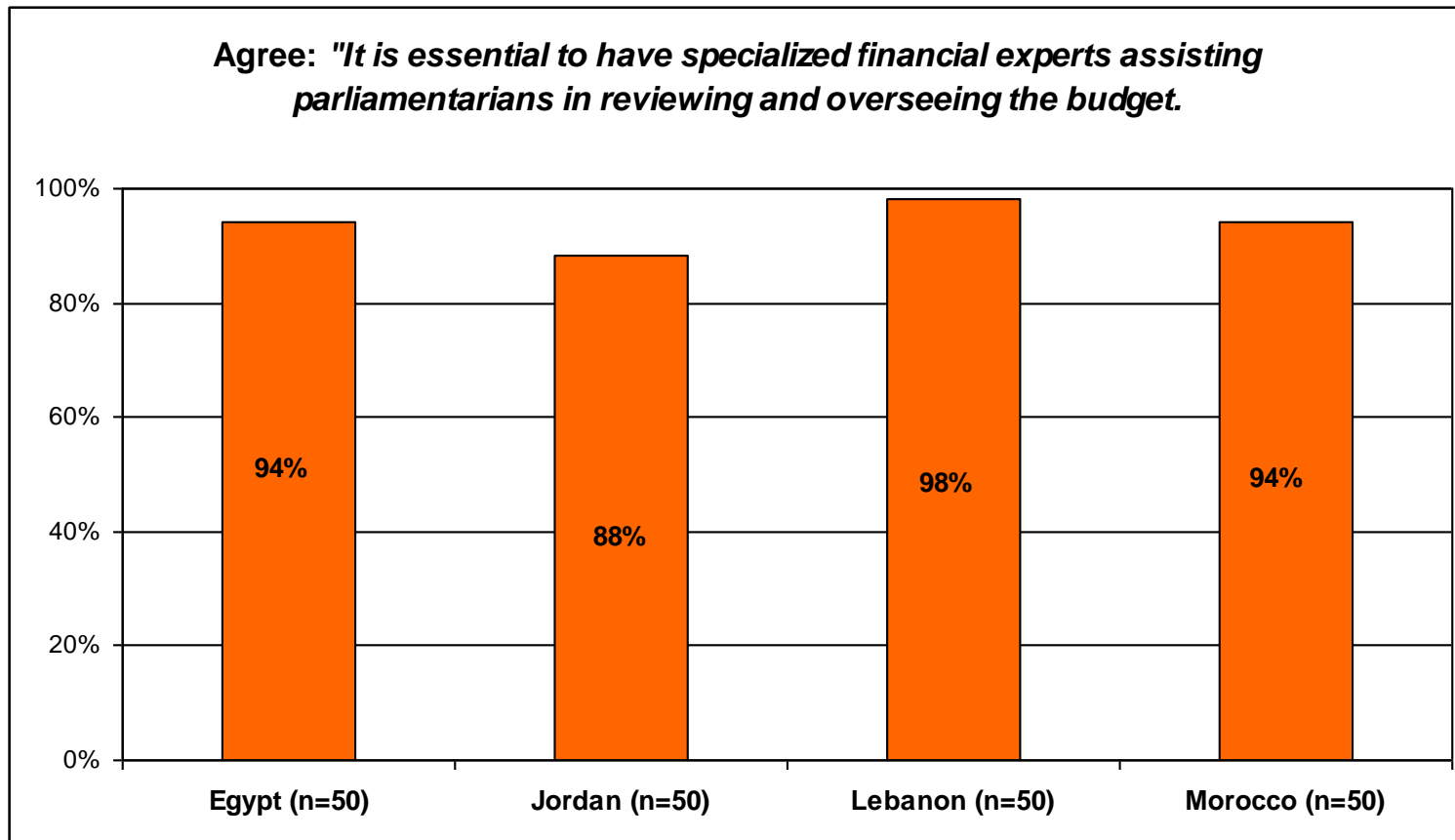
Parliament: Recommendations for Reform



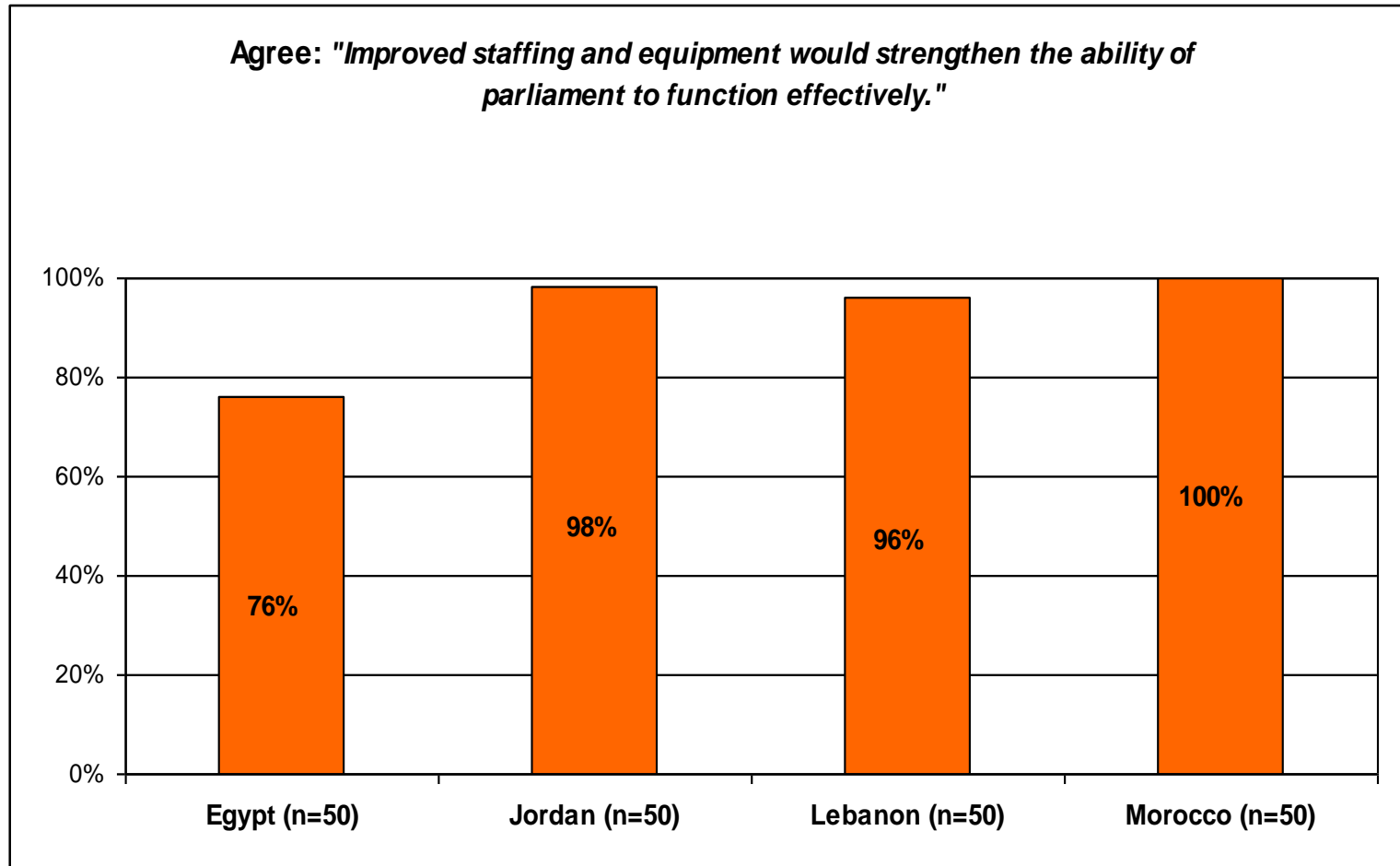
Parliament: Recommendations for Reform



Parliament: Recommendations for Reform



Parliament: Recommendations for Reform



Parliament: Recommendations for Reform

