ORIGINAL ARTICLES

The Conflict Of Authorities Between Centralization And Decentralization In Local Governments And Its Impact On The Activation Of Strategic Plans In Egypt

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ABSTRACT

This research investigates the overlap between the competencies of the local governments – between centralization and decentralization and its impact on the activation of the strategic schemes; and this can be done by setting the example of Egypt in the management of urban development either on the central or local levels, and the roles of various levels in the development management; besides, manifesting the overlap of competencies through a real incident happened in Manzala town, in Dakahlia Governorate, where the problem appeared very clearly and hindered the activation of the strategic scheme in the town. The research has reached some recommendations which help achieve the flexibility in the relationship between central and local authorities in order to implement and activate the urban strategic schemes based on the awareness and participation of the local community and achieving, at the same time, the general framework of urban development policies across the state.

Key words: authorities, centralization, decentralization, governments, strategic plans

Introduction

The conservation of the city’s identity requires more flexibility about how to manage its development by the local community which is the most aware of its problems, requirements and urban character, provided that it can achieve that, in the meantime, in accordance with the general policies of the state.

Methodology:

The research adopts following approaches:
A - inductive approach:
Inductive approach through previous research in this area and that relate to the study directly or indirectly to identify the administrative organization of governments, and Results basic reached Recognition included levels of construction management in Egypt and the strategic plans of the Egyptian cities and the organization of local governments in Egypt and their mandates.
B - analytical approach:
To diagnose the form taken to block the construction management system and the overlap between specialties in the activation of the Cities Strategy plans.

Research Objectives:

The research aims to find an effective mechanism to overcome the problem of the conflict of competencies between the roles and functions of the central governments and the local governments, especially when creating the general strategic plan of the city.

Themes of the research:

The research deals with the following points:
1- Local governments in Egypt and their competencies.
2- The administrative organization of governments between centralization and decentralization.
3- The gradation of urban development management authorities in Egypt.
4- Strategic plans of the Egyptian cities.
5- An example of hindering the system of urban development management and the conflict between competencies in the activation of the strategic plans of the cities.

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1- **The local governments in Egypt and their competencies:**

Local governments stand for the administrative units which form the state and they are organized according to their competencies gradually from the greatest the simplest. In virtue of the provisions of the local Government Act No. 43 of 1979, which stipulates that the local government units in Egypt are: Governorates (provinces), centers, cities, districts and villages; while, each of them has its own legal entity.

1-1 **Competencies of local government units:**

According to the executive regulations of the local government law No.43, of 1979, the local government units take the responsibility of- within the public policy of the state and the public plan as set in the regulations- establishing and managing all the utilities located in their districts, except for the national ones as well as what comes out by the decision of the president, considering it as public utilities of special nature.

The regulations have stated twenty three areas, in which the competences, of each unit of the local government units in each area, are defined; and the most important of these areas are:

A- Education affairs
B- Health Affairs
C- Housing affairs, urban affairs and municipal utilities:

* In the field of housing, urban affairs and municipal utilities, the governorate’s authority shall propose the urban planning projects in its area and shall approve the plans and the projects related to housing, construction and utilities.

* The governorate, according to the regulations set by the council of ministers, will be responsible for financing and constructing the economical housing projects and dealing with lands designed for construction, and owned by the state and the local government units.

The local units assume- each in its area of competence- the management and operating of the public utilities and the enforcement of the laws and regulations related to organization affairs.

The regulations apply as follows: Each local unit is assigned to a certain level of the service it offers in the other fields such as the social affairs, logistics, agriculture, land reclamation and irrigation...etc.

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**Fig. 1:** The Structure of administrative divisions in Egypt.

*The Authority of building and developing the Village:*

The executive regulations of the law provides for – within the previous fields – building and developing of the village, as it stipulates that the local government units take the responsibility, within the scope of its competencies, of the following tasks:
- Improving the local capacities in the villages located within the borders of the governorate and setting the requirements of its support.
- Preparing, implementing and following up the projects of building and developing the Egyptian village.
- Participating in the preparation of studies and research pertinent to these projects.
- Implementing development projects that included in the agreements concluded by the authority of building and developing the Egyptian village with foreign and international organizations.

*Economic Regions and regional planning organizations:*

- Article (8) of the local government Law No. 43, of 1979, stipulates that Egypt is divided into economic regions, each region includes a governorate or more and each region has a capital town.

And according to the provisions of Article (8), each region has a supreme committee for regional planning, which is formed and headed by the governor of the region’s capital and the membership of:
- Governors of governorates that comprise the region.
- Directors of local public councils forming the region.
- Director of urban planning authority as a general secretary for the committee.
- Representatives of the competent ministries.

- The supreme committee for regional planning is in charge of coordination between the governorates’ schemes proposed by the Regional Planning Authority, and considering the periodical reports with the purpose of checking the implementation of the scheme and studying the modifications proposed by the said organization.

- Article (9) stipulates that a regional planning organization should be established in each region of the economic regions, which is affiliated to Ministry of Planning.

- The organization is in charge of conducting the necessary studies and research for the purpose of determining the capacities and, natural and human resources of the region and the means of its development and optimum uses; besides, proposing the necessary projects for economic and social development of the region, and also it is responsible for creating the technical entities necessary for conducting studies and research and planning across the region.

   However, it is worth noting that prior to the enactment of this law of 1979, there was a presidential decree No. 475 of 1977, stating that Egypt shall be divided into eight schematic regions and creating a supreme committee for regional planning at each region, besides, creating an organization for regional planning at each region.

   It can be noticed also that the abovementioned local government Law has emphasized that the regions shall be economic regions only, while, it was supposed that these regions should be comprehensive, i.e. (economic – social – urban), so that there can be a comprehensive development.

   As a matter of fact, the division of Egypt into schematic regions is an inactivated structure, as there is no governor for the region for instance, or an executive or public council; and what currently exists is the centers of schematic regions affiliated to The Public Authority for Urban Planning, and they exercise their roles and tasks through the Public Authority for Urban Planning.

2- The administrative organization of the governments between centralization and decentralization:

   The administrative organization is based on technical techniques represented in centralized and decentralized systems, with the purpose of distributing the administrative activities between the different administrative state authorities.

   As centralization means the tendency to centralize the power, while, decentralization means the distribution of the powers and giving the freedom of decision making, and they are two concepts expressing the extent of mandating the power to the less administrative levels within the state government.

2.1 Centralization:

   Centralization is defined as restricting the tasks, responsibilities and roles in one spot within the state, representing its capital city such as the President, the government and the parliament.

   There are two forms of administrative centralization: administrative centralizing and administrative decentralizing.

   The first form: the administrative power as a whole is held by the ministers based in the capital city, as the ministers, from the capital city, supervise and monitor all public utilities, either national or local; thus, there is no room for the roles of municipal or regional councils, to supervise and check the local utilities, whereas, the task of consideration and final decisions is centered in, regarding all the affairs of administrative function, the hands of the central government, as they have the power of making final decisions or amending and/or cancelling them; and also the power of nominating people for public jobs is monopolized.
The second form: the ministry’s officials, based in the capital city or the states - either individually or in the form of committees – are entitled to decide about some matters without the need to refer to the minister.

2.2 Decentralization:

It basically means the distribution of administrative roles between the central government based in the capital city and the elected local organizations, whereas, these organizations are, when exercising their administrative role, under the supervision and control of the central government, but they are not subject to it in presidential matters.

The concept of decentralization indicates also the general process in virtue of which the political power and executive operations are transferred to governmental organizations at the local level; however, the theorists have divided decentralization, according to its degree and depth, into four patterns in view of the level of power transfer and the type of the unit with which the power is shared, and these patterns are:

- **Concession**: it means the transfer of the power to autonomous or semiautonomous local governments.
- **Mandate**: it means the transfer of services and management responsibilities to the local government authorities and organizations.
- **Decentralizing (or Non-centering)**: it means the empowerment of the national programs implementation to inferior governmental branches.
- **Conversion**: it means the transfer of public (governmental) services and organizations to private companies and organizations.

![Fig. 2: Patterns of Decentralization.](image)

![Fig. 3: Difference between Centralization and Decentralization.](image)
3- Gradation of urban development levels in Egypt:

3.1 The Supreme Council for Urban Planning and Development:

The Law No. (119) of 2008 has set the structure and role of the Supreme Council for Planning as follows:

A supreme council for urban planning and development is to be established and holds the general legal
entity, with its headquarters in Cairo; it is formed by the presidency of the PM, membership of the competent
ministers, directors of the authorities concerned with urban development and state land usages and ten of
competent experts in relevant issues, with half of them, at least, from nongovernmental employees and units of
local administration, to be recommended by the competent minister; and there must be a presidential decree
stating the establishment of the council and its bylaw.

The Supreme Council for Urban Planning and Development exercises the competencies stipulated for in
this law and its executive regulations, and it is entitled particularly to the following:

- Approving the general policies and objectives of urban planning and development and civilized coordination at
  the national level.
- Coordinating between concerned ministries and departments in charge of urban development and state land
  usages, so as to create and implement the national strategic plan.
- Approving the assignment of distinctive value areas, besides, approving the criteria and regulations used in
  setting these areas and the necessary programs to preserve and protect them; and also the priorities and
  mechanisms of implementation and sources of funding according to the offer given by the minister concerned
  with cultural affairs.
- Proposing and giving opinions on the laws drafts relevant to urban development.
- Evaluating the general results of implementing the national strategic plan and regional strategic plans, besides,
  enabling and reinforcing development partners to carry out their roles and responsibilities to achieve the national
  objectives.
- Approving the criteria, bases and guidelines developed by the National Authority for Civilized Coordination.
- Approving the demarcation of re-planning areas, its plans and programs, priorities and mechanisms of
  implementation, besides, sources of funding for new urban development projects which are established outside
  the borders of the approved urban cordon of the city or the village, according to the strategic plans of the
  governorates and schematic regions approved by the national strategic plan, in addition to taking the necessary
  procedures for passing its establishment decree by the President of the state.
- Collecting stipulations, related to the approvals on the licenses stated by the relevant laws and decisions, from
  the competent authorities; and passing a decision with it to be within the stipulations that must be followed to
  issue a statement about the validity of the site for construction and issuing of the licenses; besides, the
  stipulations and conditions provided for in this law and its executive regulations and also the relevant decisions,
  without the need to obtain the approvals previously indicated from these authorities when issuing the licenses.

The council, for the sake of executing its competencies and tasks, shall take the necessary procedures and
actions under the provisions of the executive regulations of this law.

3.2 Ministry of Housing:

The Ministry of Housing, Utilities and Urban Development shall take the responsibility of developing the
general policy of urban development and reconstruction at the national level, through its planning, research and
executive departments, and by coordination with ministries and central and local organizations based in
governorates, according to the general policy of the state and responsibilities of the departments concerned with
development and reconstruction.

3.3 The Public Authority for Urban Planning:

The Public Authority for Urban Planning has been established under the Presidential Decree No. (1093) of

The Law No. (119) of 2008 has set the role of The Public Authority for Urban Planning as follows:

The Public Authority for Urban Planning is a state authority responsible for creating the general policy of
planning and sustainable urban development, besides, preparing schemes and programs of this development at
the national, regional and governorate level, reviewing and approving the urban plans at the local level, in the
framework of national, regional and local objectives and policies for planning and sustainable urban
development; the authority also shall take the responsibility of verifying the application of these plans and
programs according to the indicated objectives and policies, besides, referring its reports, in this regard, to the
competent minister, so as to be submitted to the Supreme Council for Planning and Urban Development.
The Public Authority for Urban Planning shall exercise its competencies and responsibilities under the provisions of Law No. (119) of 2008, and its executive regulations and it is entitled particularly to the following:
- Developing the national program of preparing the strategic plans of urban development at its different levels.
- Preparing the strategic plans for urban development at the national, regional, governorates and the strategic plans of cities and villages.
- Reviewing, approving and monitoring the implementation of the general strategic plans of cities and villages and its urban projects.
- Preparing research and specialized sector studies with respect to planning process and urban development.
- Preparing work guidelines for urban plans and monitoring its implementation.
- Organizing the exercise of planning processes and urban development.
- Developing and enhancing the capacities of urban planning departments at the local units.
- Developing mechanisms of implementing the strategic plans at different levels and detailed schemes.
- Assessing and updating urban data and indicators through coordination with information centers at different levels.
- Proposing and opinion giving on the laws, regulations and decisions governing urban planning and development.
3.4 Planning and Development Committees and Organizations in Governorates:

The Law No. (119) of 2008 provides that there shall be a public department for urban development in each governorate; so, the process of urban planning and decentralization of decision making and taking, in the field of urban development, has entered a new stage of the state’s concern stages with local development, as a foundation for the achievement of development at the national level.

Thus, besides taking the responsibility, by the local government’s units, of preparing general and detailed plans for cities and villages by its departments, or through consulting offices or regional universities; as the same law provides for the establishment of a committee, that shall be in charge of doing that in each governorate, consisting of experts in the fields of urban planning, architecture, public utilities, transport and roads, social, economic, agricultural, industrial, tourist, environmental and legal affairs, besides, people who are interested in urban planning, and representing different classes of the community.

4- Strategic Plans for Egyptian Cities:

The Public Authority for Urban Planning has prepared, starting from 2005 till present, the strategic plans for Egyptian cities and villages, which aim at developing an integrated system for sustainable urban development for Egyptian cities and villages; however, it sought to achieve the following:
- Enabling and enhancing local communities to set the development priorities and agreement on development strategies.
- Creating new job opportunities at cities, which in turn, contribute to the development of local economy.
- Enabling and enhancing communities to manage change and viewing future in a better way.
- Encouraging broad participation from all development partners in the city.
- Developing work plans with results, objectives and timed programs, besides, distributing roles, responsibilities and budgets to encourage partnership between public and private sectors.

5- Example Model on hindering urban development management system and conflict between competencies in activation of strategic plans of cities:

This model is based upon a real example related to Manzala City, in Dakahlia Governorate, as the problem has appeared clearly at the time of developing the strategic plan of the city and setting its needs of services until the targeted year; the matter which hindered the performance of the city’s strategic plan perfectly.

The problem lies in the need of the city to educational and health services and industrial projects (to transfer the workshop crafts that distinguish the city) for the city until the targeted year, but there is no state property under the control of the city’s council, but there are several areas as follows:
- Areas for fish farms with a total area of 1000 feddans/ acres, and it is rented to the Public Authority for Fisheries, and due to the fact that its management is subject to Ministry of Agriculture, it is not allowed, even to the governor, to deduct any area of it and benefit from it for one purpose, despite the pressing need of the residents of the city to one hundred acres to transfer the undesirable activities to it, and develop the crafts sector in the city.

- A police station with a total area of (5) acres, but it is also under the control of Ministry of Interior, while the city needs a number of (2) schools or more.

- There is also a governmental factory under the control of Ministry of Investment and it is also unused.

However, due to the fact that these lands are not allowed to be used without permission from the central departments in charge of it, the process of achieving the objectives of the plan has become a failure.

*The scientific and practical procedures for developing the proposed strategic plan of Manzala City:

a- Preparing a status quo study:

This study is based upon conducting the urban survey to Manzala city, using 2008 satellite maps, and the preparation of geographic data base, and holding in- depth consultations with the participation of the city’s partners, besides, analyzing the current situation of all sectors of study related to the city from social, economic and urban aspects, so as to find out the resources and capacities available there and determining the existing problems and challenges at the city.

The study conducted to the status quo has shown that there is much need to educational and health services and industrial projects (to transfer the workshop crafts which distinguish the city) for the city until the targeted year.

b- Setting the main characteristics and the future vision of the city:

In reply to the question asked to the development partners on their vision to the city, and the answer was centered around the following: the aspirations and ambitions of Manzala residents to see their city as a developed and advanced city and connected, through development, with Damietta and Port Said cities; and to make their city economically and socially advanced and environmentally clean, and to enjoy a local and international reputation in the field of transport, whereas, it represents the greatest urban pole in Dakahlia Governorate in the field of transport; and this pole should be able to save Dakahlia Governorate from relative backwardness and poverty which prevail over a huge part of the citizens there, while being capable of occupying a higher position than what it has now among Egypt’s governorates, with respect to the scale of human development guide; and also to be able to disseminate and spread economic growth and urbanization across the cities and provinces of the governorate.

Building Manzala city’s strategic development vision has been based upon the possibility of maximizing the benefit from the capacities and resources of the city, through the concept of sustainability without wasting these capacities; in addition to bearing in its content a therapy for the aspects of deficiency and existing problems in some development sectors, which enables it to participate in pushing the development wheel without hindrance; however, the city’s vision aims to demonstrating the competitive capability of the city and setting its identity and distinct role in its region at the national level, which makes it an object of attraction for many investments that push the city’s development towards the future horizons.

c- The Preparation of the city’s general strategic plan:

Having agreed upon the final strategy for the city’s development and setting the first priority programs, then translating the strategy into the general strategic plan through assigning the projects and its subordination and time interference, besides, programs of implementation and funding and the proposed urban cordon, and also the impact of the proposed programs and projects, according to its priority, on the city’s investment plans.

Despite all these scientific and practical procedures which were represented in the abovementioned points, so as to develop the proposed strategic plan, there was no flexibility between the competent authorities to enforce the decisions related to the plan. In other words, and in view of the above, the strategic plan has not been applied effectively, due to the abovementioned fact that all lands are owned by the central departments, such as Ministry of Agriculture, which do not allow the disposition in its property to achieve developmental objectives that are not under their competencies; thus, the schematic decisions remain inside the drawers and inactivated in reality, and their scope does not even exceed the theoretical field.

In view of the above, the strategic plan - which has been approved by all competent authorities – lacks most schematic decisions and proposed projects, which resulted from the public participation attitudes, as shown in Figure (7).
Fig. 6: The Map of the proposed land usages for Manzala city – Dakahlia Governorate.

Fig. 7: The Map of the proposed Strategy plan for Manzala city.
Accordingly, the proposed strategic plan, which has been approved by the competent authority, does not meet the objectives of the city’s citizens.

*Conclusions of the research:*

- The division of the local governments in Egypt has been based upon the unity of the pattern, which is considered an organized structure, with special attention paid to pyramidal gradation from the highest to the lowest (governorates – provinces – cities – neighborhoods – villages); and also the classification according to urban districts and rural districts.

- The legal, technical and political conditions, related to the local administration in Egypt, lack flexibility, precision and objectivity which make it capable of launching initiatives and local capacities, despite its legal provisions that appear quite consistent with giving a great role to the local units to manage its affairs; in addition to the tyranny of the central departments regarding decision making and holding the rights of nomination and penalty, which in turn hinders the development of the local standard.

- The vision of the local community is always connected to the center, as the consecutive governments have deepened the concept of centralization inside the minds of the public, making the public pursue the lashes of the government wherever they go, while the public really suffer from their actions, laws, decisions and crises.

- This approach, however, has led to the intensification of the problems and deterioration of services in both the urban community and the rural one, besides, the disinterest of people in serious participation, except for rare cases, and all this has affected the culture of the society and its progress, besides, keeping it completely away from the idea and approach of self-dependence.

- Despite the fact that the Law No. (43) of 1979, related to the local government, provides for the provisions of the competencies and responsibilities of the local units, the central government is still the holding power of its resources and action; and also the concerned ministers softly rob, sometimes and ruthlessly in other times, the local authorities’ powers for the purpose of imposing their absolute dominance and influence; and the services sectors are still under the control of the central ministries, and they have the last word in determining the local needs and setting the priorities and approving the budgets, and they also, in many cases, submit transactions for execution (Building family health units in the Egyptian country and its supplies under the supervision of the Ministry of Health, without any participation, either publicly or executively, of the governorates).

- With respect to the executive and public aspects, the local units do not manage their resources, but originally they do not hold them, and the central government collect all resources in its hands, then it redistribute them, while, the role of the local administration is confined to the spending of these resources according to the rules set by Ministry of Finance, and no local official can, at any level of the process, transfer any amounts from one item to another, without the consent and approval of Ministry of Finance officials.

- Dividing Egypt into schematic regions is inactivated system, since there is no governor for the region, for instance, or a public or an executive council; and what exists currently are the centers of the schematic regions affiliated to the Public Authority for Urban Planning, and they exercise their responsibilities through the Public Authority for Urban Planning.

- The interference of competencies distribution, in the administrative organization of centralized and decentralized governments in Egypt, leads to several problems and issues, the most important of which is the inactivation of most local development proposals, due to the conflict over power between the local government and the central power.

- The Uniform Construction Law No. (119) of 2008, has added obvious and specific roles and tasks to the authorities in charge of urban development management, the most remarkable of which was the establishment of the Supreme Council for Urban Planning and Development, which is responsible for approving the general policies and objectives of urban planning and development and civilized coordination at national level, besides the coordination between the concerned ministries and authorities in the sector of urban development.

- The Law also amended the title (Urban Planning Management) at the governorate level to be (the General Administration for Urban Development), and it is entitled to several tasks that allow it more flexibility to develop the development proposals in the governorate in collaboration with consultation offices and experts.

- The experience of the Public Authority for Urban Planning, after 2005, in creating the strategic plans for cities and villages in Egypt, is considered a pioneering experience in the activation of the public participation, and also a new and good beginning for raising the awareness of the local community and generalization of public participation culture for the citizens of the local community to propose their development plans and projects, and the way of its management if need be.

- The problem of conflict, between competencies of local government and central government, appeared clearly through presenting the model example of Manzala city – Dakahlia Governorate, since the needs of the city to areas of land for prospective development, which in turn, will help the city preserve its nature and identity, while these areas of land cannot be attained except through the state’s land which is subject to the control of the central power (the competent ministries), and in case these ministries refused to activate and execute the
proposals of the strategic plan which is aspired and sought by the societal participation and requirements of development.

- Decentralization cannot be achieved without the transfer of powers from the central government to the local government units, besides, achieving the administrative and financial decentralization which cannot be done unless there is a strong and effective government that is capable of monitoring, surveillance and objective correction.

In light of the separation between the administrative authorities, the activation of the strategic plan cannot be effective, like what happened in the case of Manzala City; despite the fact that there is need to house services and projects at the city, but due to the fact that all lands are owned and subject to the control of the central departments such as Ministry of Agriculture, which does not allow the usage of its property to implement developmental projects out of its competency; the matter which results in the fact that most planning decisions remain inside the drawers without enforcement, in addition to the fact that the proposed projects, listed in the proposed plan, have not been executed.

*Recommendations:*

Creating an effective mechanism to handle the conflict of competencies between the role of the central power and the role of the local governments; especially, when developing the general strategic plan of the cities; and the occurrence of the said case regarding the state’s land located within the scope of the central government competency.

We propose, in this respect, as follows:

- The Supreme Council for Urban Planning and Development should be the ruling authority between the central government and the local government.
- The Discussion meetings should be held at the headquarters of the Supreme Council for Urban Planning and Development, with the attendance of the representative of the concerned authorities along with the governor, in his governorate the city subject of discussion is located, and the representatives of the local community (development partners), so as to present their city’s development proposals and the extent of their real need to the state’s land which is located within the scope of the central ministries’ competency.
- Having presented the discussion, the decision of the Supreme Council for Urban Planning and Development, shall be the criterion between the central government and the local government.
- This task shall be added to the competencies of the Supreme Council for Urban Planning and Development in the Uniform Construction Law No. (119) of 2008.

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