

(LOCAL ADMINISTRATION IN MECCA)

by

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THESIS

Presented to the Faculty of the Graduate School of

The University of Texas at Austin

in Partial Fulfillment

of the Requirements

for the Degree of

MASTER OF ARTS

THE UNIVERSITY OF TEXAS AT AUSTIN,

May, 1970

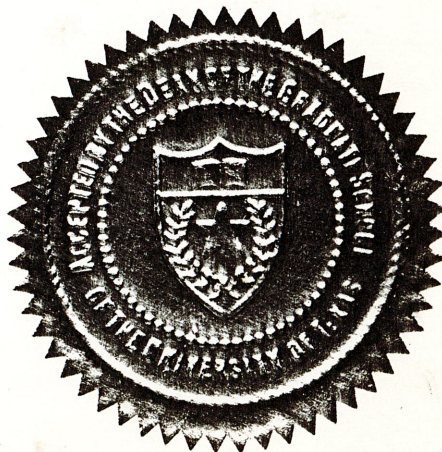
LOCAL ADMINISTRATION IN MECCA



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P R E F A C E

The city of Mecca is the subject of this study. This Saudi Arabian city derives its significance from the location of the Holy Mosque in it. This Holy Mosque is the focus of attention of about half a billion people around the world. An emphasis is placed on the city's administrative structures and functions in relation to the Pilgrimage and the city's daily life.

Data is lacking and information is limited. The city, though ancient, lacks a system of record-preserving archives. There has been negligible local interest in attempting to produce scholarly study or systematic analysis of the city of Mecca. What has been written has religious emphasis and motivation.¹ Furthermore, Mecca has been traditionally closed to most western observers and students. Those few who entered the city were

¹Few articles and books were written by native writers of this subject. For example, a book was published lately by a Meccan journalist: Ahmad al-Siba'i. The History of Mecca (in Arabic) (n.p., 1966).

interested mainly in Islam as a religion; some, like Sir Richard Burton, sought glamor and publicity.²

This study will concentrate on the administrative agencies that are directly involved with the administration of Mecca. One such agency is the Municipality of Mecca; this agency, though it represents the central government as a part of the Ministry of the Interior, is believed by the author to have the potentiality for the future assumption of the city's local government.

The Ministry of Pilgrimage and Mortmains is another agency that is emphasized here. The Pilgrimage season, in addition to its economic benefits to the Meccan population, inevitably affects the total administration and life of the city of Mecca. Due to its close involvement with the city, the Ministry of Pilgrimage and Mortmains is the only national ministry that exists in Mecca, far from the capital Riyadh. A later chapter will deal with the question of the Pilgrimage.

Other agencies that exist in the city of Mecca will only be briefly discussed due to the severe lack of

²Sir Richard F. Burton, Personal Narrative of a Pilgrimage to Al-Madinah and Meccah by Captain Richard F. Burton, ed. Isabel Burton (New York: Dover Publications, 1964), pp. 159-258.

data. Such agencies include the city's Department of Health, the Directorate of Education, and the Electric Company.

In order to understand the city's administration, it is of great value to note that Mecca, like many Arabian and Muslim cities, is dominated by religion and tradition. Here, the past serves as a guide to the present and as a blueprint for the future. The Koran, a scripture nearly fourteen centuries old, is referred to as the "law of the land." The rights and duties of individuals are not clearly expressed and the channels of communication are jammed. Recruitment for office is personalistic and the attainment of better positions, though a Civil Service Code exists, is dependent on knowing the right individuals.³

The present study represents possibly the first attempt to describe and analyze the administrative structures and functions of several local agencies in the city of Mecca. It is hoped that this study will serve as a stepping stone for further systematic and analytic studies.

It was my intention to analyze the politics and administration of the city of Mecca. Several factors,

³Gideon Sjoberg, The Pre-Industrial City: Past and Present (Glencoe, Illinois: Free Press, 1960), pp. 80-218, 326, and 342.

nevertheless, intervened and checked my ambitions in this regard. One factor was the short duration of time that I spent in the city (about thirty days). Another difficulty came from the extreme secretiveness of the officials when asked for information; some individuals spoke "off the record."

As a result, instead of the initially visualized study supported by empirically prepared models and aided by interviews, the present study is mostly formal-descriptive and historical-legalistic. I cannot pretend that this thesis gives the full story of the city of Mecca. Rather, this is an "interim report." The aim, nevertheless, is to help the reader become acquainted with the city's administrative structures, the functions of these structures, and some of the problems that face the local agencies in this metropolitan city.

I would like to express my deepest thanks and appreciation to Professor Carl Leiden for supervising my thesis. His persistent help and continuous reevaluation, criticism, and suggestions helped me immensely. I would also like to thank Professor James A. Bill who provided much time in patiently reading the text. Such reading helped me revive, enrich, and invigorate my earlier style

of English. My appreciation also goes to Professors Murray Clark Havens and Lawrence Sherman Graham, former and present Graduate Advisors in the Government Department, for their help and guidance.

Special thanks to Mr. Lawrence Paul Foley, a graduate of the Linguistics Department and Mr. Patrick O'Day, of the Sociology Department. Both gave me some precious moments in proofreading the initial drafts of the text.

During the period of my research, though short, many individuals helped me obtain information for this thesis. I would like to thank the Lord-Mayor of Mecca, Mr. Abdalla Uraif, who helped me reach some of the data regarding the Municipality of Mecca. In the Municipality, Dr. Muhammad F. Khorshid, the Municipality Environment Sanitation Expert, provided every piece of information he could reach and earnestly offered his help. Mr. Awn of the City's Health Department, provided me with data on the city's health. Messrs. Ahmad M. S. al-Amoudi, Abdal Kadir Gamlu, and M. Hidrawi of the Underministry of Mortmains, and Messrs. Saleh Rizg, Abdal Razzag Matbuli, and Hussain Gamlu of the Underministry of Pilgrimage who provided every possible help to reach some of the data.

Mr. Abdal Aziz Hussain of the City Planning Office offered all existing data available. I am deeply indebted to each of these gentlemen.

My final but endless thanks and gratitude are due my wife. Amna gave me her encouragement, support, and affection all along. Without her help this work and my entire graduate career would have been impossible.

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April 15, 1970

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PLAN OF MECCA

Source: This plan is borrowed from Christiaan C. Hurgronje, Mekka in the Latter Part of the Nineteenth Century (Leyden, 1931). Hurgronje borrowed it from John Lewis Burckhardt, Travels in Arabia (London, 1929).

Explanations:

This plan illustrates the point that Mecca is plagued by environmental congestion --a fact which was evident almost a century ago, at the time this plan was first published.

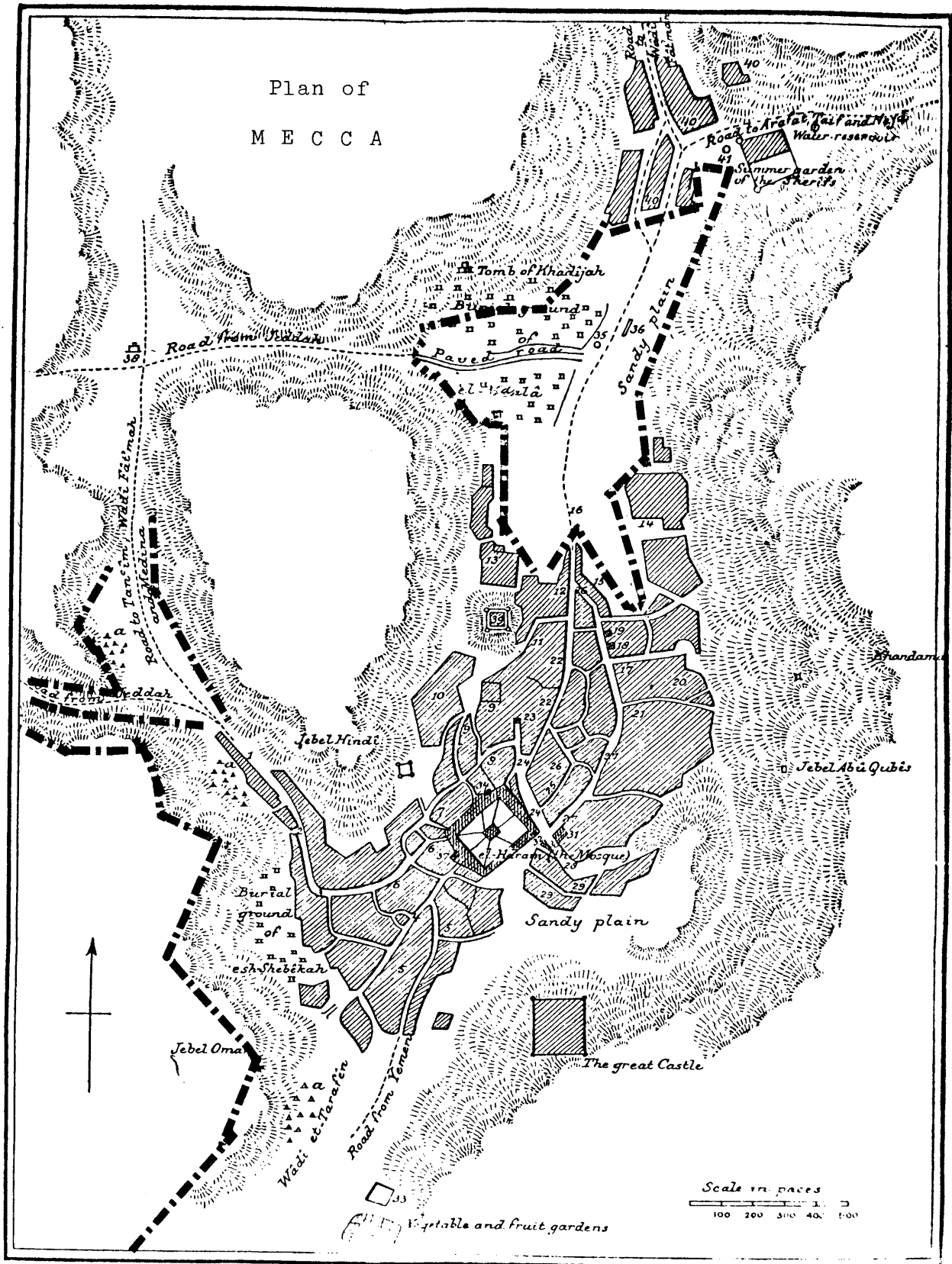
The mountainous formations represented on the plan contain the city and influence its growth. In an apparent position of centrality, the Holy Mosque lies in the heart of Mecca. The mosque is surrounded by the city's sectors.

The following is a list of the city's sectors and places of interest. The names that appear in heavy type are more relevant to this study than the others. The numbers correspond to those on the plan.

- | | |
|---|---------------------------|
| 1 Sector of Jarwal | 21 Sector of Soog al-Iail |
| 2 Sector of al-Bab | 22 Sector of al-Mudaa |
| 3 Sector of ash-Shubaika | 23 al-Marwa |
| 4 Sector of Soog as-Assagheer | 24 al-Masaa |
| 5 Sector of al-Misfala | 25 Stone Street |
| 6 Sector of Bab al-Umra | 26 Mawlid Sitana Fatima |
| 7 Sector of Shammiyya | 27 Sector of Gushashiya |
| 8 Sector of Swaiga | 28 as-Safa |
| 9 Sector of Garara | 29 Sector of Jiad |
| 10 Huts | 30 Main Guard-House |
| 11 Sector of Raguba | 31 House of Wali |
| 12 Sector of an-Naga | 32 Madrasa |
| 13 Sector of as-Sulaimaniyya | 33 Birkat Majin |
| 14 Sector of Shi'ib Amir | 34 Court of Justice |
| 15 Haddadin Street | 35 Tomb of Abu Talib |
| 16 Street of al-Maala | 36 Watering place |
| 17 Sector of Ghazza | 37 Tomb of Sayyid Aqil |
| 18 Palace of the Grand-Sharif Aun
ar-Rafiq (1882-1905) | 38 Tome of Shaik Mahmood |
| 19 Place of Grand-Sharif Abdalla
(1877) | 39 Jabal Qu'aikaan |
| 20 Sector of Shi'b al-Mawaleed | 40 Sector of Maabda |
| | 41 Reservoirs of water |
| | a Beduin huts |

New sectors rose as a result of the expansion and reconstruction of the Holy Mosque. Some of the new sectors are: Shisha and Aziziya to the north of the city and Zahir, Zahra, and Nuzha to the west and southwest parts of the city. These new sectors appear within heavy dotted lines on the plan which have been added by the author.

Plan of M E C C A



C H A P T E R I

MECCA

A Brief Background

The city of Mecca lies in the western part of Saudi Arabia at about half-way between the Gulf of Aqaba and the Yemeni borders at a distance of forty-five miles from the Red Sea. The city occupies the bottom of an alluvial-filled depression, a barren valley called the Valley of Abraham.¹ This location formed the point of confluence for pre-Islamic trade and even then contained an important religious shrine. Mecca existed as an important city before Muhammad's time (570-632). We know, however, relatively little about that indistinct pre-Islamic period for which there are few historical records.

¹Stanton Hope, The Arabian Adventurer: The Story of Haji Williamson (London: Robert Hale, Ltd., 1951), pp. 150-154 and 158. See also Abdal Aziz Hussain, "An Approach to Regional Planning in Saudi Arabia" MS (In Arabic)(Jeddah, Saudi Arabia, 1968); Koran 14:37; Henri Lammens, Islam: Beliefs and Institutions Trans. Sir E. Denison Ross (London: Frank Cass and Co., Ltd., 1968), p. 16; William B. Fisher, The Middle East: A Physical, Social, and Regional Geography (London: Methuen and Co., Ltd., 1963), p. 460.

A major part of the information available is derived from pre-Islamic poetry and the Koran. Some orientalists like Henri Lammens, H. A. R. Gibb, Sir Richard Burton, and others, used both sources to write about that period.²

The essential elements of Mecca's existence were religion and trade. The city grew around the Kaaba which has been the center of pilgrimage and the focus of pre-Islamic as well as Islamic religions. The Kaaba, "the house of Allah" was responsible for the city's religious importance. In pre-Islamic times, pagan pilgrims visited the Kaaba annually and performed certain rituals to cleanse their sins, to renovate their faith, and to take part in trade enterprises. The Quraysh, the most powerful tribe in the area, assumed control over the sources and supply of water and held the position of guardianship over the holy places.

As for trade, Meccans seemed to have made the most of favorable circumstances. They eliminated rivals by wars and sharp practices. They organized caravans efficiently and made effective arrangements for their security

²For example, Philip K. Hitti, in his monumental work, History of the Arabs (London: Macmillan and Co., Ltd., 1964), deals with Mecca in only 2 pages, pp. 103-104.

all along the routes. As a result, they established a virtual supremacy and monopoly of the West Arabian trade. The city itself was full of stockholders, middlemen, and bankers. They speculated on currency exchanges, on currency value changes, and on the caravan freights and their early or late arrival. Meccans also exacted the knowledge of manipulating the old monetary system.³

The Quraysh owned, prepared, and dispatched his annual caravans of goods and merchandise as far north as Gaza in Byzantium and south to Ma'rib in the ancient Yemen. They, in turn, received trade caravans in Mecca from all parts of the Arabian Peninsula.⁴

Mecca reached the peak of its genuine political importance during the two centuries between 400 and 600 A.D.; this period was characterized by a transition from nomadic pastoralism to a gradual process of settlement and localized government. The tribe was the main political unit in pre-Islamic times; its structure was based on

³W. Montgomery Watt, Islam and the Integration of Society (Evanston, Ill.: Northwestern University Press, 1961), p. 6; see also Lammens, Islam, p. 15.

⁴Koran CVI:2; Hitti, History, p. 103.

kinship. A guild of merchants, formed of the most influential people in the city, governed Mecca. That government, sometimes viewed as an oligarchic city-state republic, maintained domestic peace and security among the various interest groups in the city. In the city's council, the ruling body reached decisions by unanimous vote and the city chief was an arbiter and a "first among equals." That council controlled the establishment of confederations with the city's neighbors and concluded treaties with outside powers such as Byzantium, Abyssinia, and the Yemen.⁵

By the turn of the seventh century, a state of disequilibrium characterized the Meccan society. Mercantile ties slowly but surely replaced the old tribal group solidarity; this change occurred both on the tribal and clan level and within the smaller family units as well. The change from nomadic pastoralism to city settlement and city mercantilism may be a direct cause for this. The newly rich increased their individual wealth and began to ignore their traditional obligation toward the poor members of their clan and immediate families. Even the orphans,

⁵Lammens, Islam, pp. 13-15; Watt, Islam, pp. 3-14.

the widows, and the underprivileged were subject to oppression, acts of cheating, and maltreatment by this aristocratic upper class. Many Meccans invested in trade caravans, but the "lion's share" of the profits went to the pockets of a few entrepreneurs.

In addition to this economic gap, the city had a social cleavage. Although Christian and Jewish minorities lived in the city, their coexistence with the Meccan majority was an uneasy one. Slaves and migrants were considered inferior and were often mistreated.

Such a system could not be effectively dismantled from within, although the Prophet Muhammad tried to do so. But, keeping in mind that that system depended on trade, Muhammad was able eventually to overthrow the Meccan government by carrying out a series of raids against north-bound trade coming from Mecca. He could do that only from without, when he migrated to Medina, a distant town to the north.⁶

Mecca's political posture began to decline soon after its conquest by Muhammad and when its oligarchic republic was vanquished in 630. Since then the city

⁶Watt, Islam, p. 11.

underwent a status of dependency. In fact, the whole Hijaz, the region that includes the city of Mecca, became somewhat of a backwater politically. This was to last for more than a thousand years. During that period, the city was subjected to various warring Muslim groups. Some prominent examples were the Ottomans and their agents in Egypt; the Ottomans backed a military expedition sent by the Egyptian governor Muhammad Ali in the 1810s to expel the Wahhabis from the Hijaz. This resulted in Meccan dependency on Ottoman-Egyptian power for about a century. The Wahhabi forces later returned and conquered the city decisively in the 1920s.

The local rulers, beginning with the Musawi Grand Sharifs and ending with Sharif Hussain, enjoyed a degree of local autonomy in the period between 961 and 1924. Local autonomy for the city of Mecca was maintained only when outside powers were weak.⁷

⁷M. Th. Houtsma, et al. (eds.), Encyclopedia of Islam, No. 43 (Leyden, Holland: E. J. Brill, 1931; London, Luzac and Co., 1931), pp. 437-448; H. St. John Philby, "Mecca," Encyclopedia Britannica, 1968, pp. 139-143; Roy Lebkicher, et al., The Arabia of Ibn Saud (Dahran, Saudi Arabia: The Arabian American Oil Company, 1952), pp. 52, and 61-62.

The first Arabian attempt to establish a municipal system in the city of Mecca began in 1926 when Ibn Saud proclaimed the Organic Instructions as the constitutional document of the new regime. This document provided for the establishment of a "General Municipal Council" and a Consultative Council as legislative bodies. The new government proclaimed a series of statutes concerning the local municipal agencies over the following ten years. The city of Mecca continued to serve as the national capital from 1924 to 1953.

The City's Ecological Setting

It is necessary to review some of the environmental features of the city of Mecca in order to understand its administrative problems. Despite the city's relatively high altitude (about 1400 feet), its climate is usually warm and dry. The area is conspicuously short of greenery and this adds to the severity of the weather in Mecca. Rainfall occurs suddenly and is apt to be destructive. For example, in 1968, a heavy rain occurred in so sudden and severe a way that it destroyed many public and private

properties, caused great losses to many people, and flooded the Holy Mosque.⁸

The city of Mecca has been expanding along the axis of the Valley of Abraham between the surrounding mountains. That expansion has been restricted by three factors: the inadequate supply of water, the existence of numerous hills in the area which makes it difficult to build homes, and the desire of the majority of Meccans to live as close to the Holy Mosque as possible. Religious as well as economic convictions are responsible for the latter; numerous and very expensive properties were built over the years around the Holy Mosque, the center of the city. Later, in order to open wide roads and spacious squares, the government had to pay enormous amounts of money to expropriate and demolish those properties. The demolition of the homes and properties in the center of the city forced the construction of new sectors; as a result, the city of Mecca was enlarged to at least three sectors and, simultaneously, by three Precinct Officials (Omdas). (An Omda is the lowest

⁸H. St. John Philby, The Arabian Jubilee (London: Robert Hale, Ltd., 1954 and New York: Day, 1953), p. 113. An occurrence of such rainfall took place in July, 1950. A similar one occurred in 1968.

official in the municipality.)⁹ Despite the restrictions on the city's growth, Mecca grew steadily over the years. The present area of the city, for example, is fifteen times what it was half a century ago. By the end of the Early Caliphate Era, Mecca's area was about forty acres; during a period of over a thousand years (until the 1920s), that area increased to only 350 acres; at present, the area of the city of Mecca is about 5,000 acres.¹⁰

Data on the Meccan population are scanty. This hinders any systematic study of the area. The available information indicates that the original inhabitants of Mecca came from Yemen as immigrants after the destruction of the Ma'arib Dam. One such immigrant group was the Jurhum tribe; it is believed that this tribe laid the earliest settlement in the area. By the turn of the third century, the Jurhum tribe was displaced by another Yemeni tribe

⁹The present official sectors of the city of Mecca are: Al-Baab, Gushashiya, Hindawiya, 'Itaibiya, Jarwal, Maabda, Mina, Misfala, Naga, Shammiya, Shi'ib Amir, Shisha, Shubaika, Sulaymaniya, Soog al-Layl, Tondubawi, Zahir, and Zahra. (The underlined are the newly formed sectors, as residential suburbs.)

¹⁰The Kingdom of Saudi Arabia, the Underministry of the Interior for Municipal Affairs, The Semiannual Publication (in Arabic)(Riyadh, Saudi Arabia, 1966-67), p. 140. A hectare equals about 2-1/2 acres.

(the Khozaah) only to be displaced, in turn, by the Quraysh which governed the Mecca area from the 400s to the 600s. The Quraysh, led by Qussay, took over the administration of the holy places and the trade of the area; they levied taxes and supported the poor through a welfare system; they also maintained public peace and security.¹¹

Today, Mecca is a cosmopolitan city with a mixed population. The majority of the city's present population came from foreign but Muslim lands; they underwent a process of acculturation and naturalization. One permanent source of this heterogeneity is the annual pilgrimage. Many pilgrims, attracted by the sacredness of the place and lured by the city's economic opportunities, decided to stay in the city, permanently. The annual influx of people into the city of Mecca added to its urban complications economically, demographically, and environmentally.¹²

Until 1962, there was no systematic mechanism for estimating the population in Mecca. The City Planning Office began in that year to estimate the Meccan population

¹¹Eduoard Bremond, Yemen et Saoudia (Paris: Charles-Lavauzelle et Cie, 1937), p. 28.

¹²G. Hamdan, "The Growth and Functional Structure of Khartoum," Geographical Review, L (January, 1960) 21-40.

using the sampled-survey methods. They counted the number of households (44,400) and the average number of individuals who lived in each household (6 persons) in a particular sector of the city. According to their findings, the population of Mecca should be 266,400 (by multiplying the number of households times the number of individuals in each household), or about the population of the city of Austin, Texas. Other estimates of the Meccan population vary greatly and range between 35,000 (the number of individuals who actually carry the official documents of citizenship), and 200,000 (the number cited often in dictionaries and academic works). The Lord-Mayor of Mecca is inclined to believe the figure 400,000 for the population of Mecca.¹³ The estimate by the City Planning Office seems more plausible.

¹³The Director of the Bureau of Immigration and Naturalization at Mecca, private interview held on July 1, 1969.

Abdalla Uraif, the Lord-Mayor of Mecca, "Modern Mecca," (in Arabic) al-Nadwa Newspaper, February 17, 1966. Here, the Lord-Mayor gave the following percentages of the groups that live in Mecca and form its population:

Saudi	. . 80%
Yemeni and Hadrami	. . 7
Asiatic	. . 6
African	. . 6
Egyptian and Sudanese	. . 1/2
Palestineans	. . 1/2
	100%

See also Morroe Berger (ed.), The New Metropolis in the Arab World (New Delhi: Congress for Cultural Freedom, 1963), p. 16.

The most important physical feature of the city of Mecca is the Holy Mosque. This mosque is the essence of Mecca's existence; it is also the most important center for the Islamic faith; it includes the Kaaba. A sacred forty-foot high cubical building, the Kaaba is believed to have been originally built by Adam and later rebuilt by Abraham. In the pre-Islamic era, this building housed the chief pagan dieties.¹⁴ The Holy Mosque occupies the center of the city; around it rises the city's business area and beside it pass the city's routes of communication. (Most traffic lines pass by the mosque from all directions; this makes traffic congestion all the more critical, dangerous, and noisy.) Near the center of the mosque lies the sacred well of Zamzam, the water of which is believed to have a curing effect and to be of heavenly origin. This belief makes the price of the water high and has caused the formation of an association of Zamzam-Distributers (Zamzami Guild). There are some distinguishing characteristics that the Holy Mosque of Mecca has; these characteristics are related to the Kaaba. One is the act of circumambulation (circling) around the Kaaba, the second is the existence

¹⁴Abd-al-Rahman Azzam, The Eternal Message of Muhammad (New York: Devin-Adair Co., 1964), p. 6n; Koran II: 124-26; Lammens, Islam, p. 17.

of the Black Stone on the Kaaba's southeast corner, and the third is the use of the Kaaba itself as a prayer-direction. Every other Muslim mosque has a niche that faces the direction of Mecca, of the Kaaba.

Concerning the city's local government, Mecca ceased to have an indigenous elected body after its occupation by Muhammad in 630 A.D. From that time on, with few exceptions, an appointed official, sometimes picked from the native Sharifs, was installed by the central governments in Medina, Damascus, Baghdad, Cairo, Constantinople, and now in Riyadh. Although it lost its status as a political center, Mecca continues to occupy the center of attention and respect by Muslims throughout the world. This is of course because of the existence of the Holy Mosque, the source of its continuous viability.

C H A P T E R I I

LOCAL GOVERNMENT IN MECCA: THE LEGAL FOUNDATION

This chapter will deal chiefly with four legal developments concerning the local government system of Mecca. These four phases of development are: the Organic Instructions, the Municipal Agency Act, the General Law of the Lord-Mayoralty and the Municipalities (hereinafter referred to as the General Law of the Municipalities), and the Prefectoral Act.

The Organic Instructions established the first "constitutional" provisions for the administrative structures and functions of the apparatus of the new Saudi regime in the 1920s. A section of that document deals with local agencies.

The Municipal Agency Act provided specific legislation related to Municipal agencies. This law was not, nevertheless, comprehensive enough to account for all cities and townships in Saudi Arabia.

The General Law of the Municipalities, in contrast to the preceding law, gave detailed provisions for municipal agencies and dealt with most municipalities in the kingdom. Now, after thirty years, this law is considered out of date.

The Prefectoral Act is the latest and most modern law in the country regarding local government. The Act provided for some local authority and responsibility; it stipulated the establishment of popular elected councils at the prefectoral level with some powers to initiate limited actions. This power, however limited, surpasses the power given to previous elected councils on city levels; those councils were restricted to mere deliberation.

What is called here "local government" refers to the sum total of the local agencies that belong to the central government. The concept of local government, as is used here, does not imply local control, local authority, or local representation as used in the West.

The vast area of the country makes it necessary to decentralize the government and delegate some control to the local agencies.¹ The geographic vastness, coupled with the difficulties of communication and the chronic shortage of qualified personnel, puts the central government in an acute dilemma. This dilemma stems from the central government's desire for maximum control and its need for the help of the local agencies in sharing the burden of

¹Ursula K. Hicks, Development from Below (Oxford, 1961), p. 48.

responsibility. That help, to be effective, needs to be strong enough to carry out a substantial part of the total burden. In order for the local agencies to be strong, they must have available government funds as well as considerable freedom to develop their potential for leadership. Such development will also increase their ability to be concerned with and to participate in the management of their own affairs.²

The central government, to be effective, must concentrate on the functions of guiding, controlling, and supervising. It should intervene directly with local matters only if a conflict with the law existed, and if such conflict could not be corrected at the local level.³

Strong local authority, on the other hand, helps consolidate the base of the governmental pyramid. Thus the delegation of authority lessens the burden of the central government in performing the local functions, and holds the local authorities responsible for their actions.⁴

²Harold Alderfer, Local Government in Developing Countries (New York, 1967), pp. 51-97, and 111-112.

³S. Ghaleb Abbasi and A. De Zayas Khan, The Structure of the Islamic Polity (Lahore, Pakistan: Sheikh Muhammad Ashraf, 1952), pp. 28-36.

⁴Morroe Berger (ed.), The New Metropolis in the Arab World (New Delhi, 1963), pp. 230-234.

Both the central government and the local agencies must act in dynamic harmony characterized by cooperation rather than by conflict and competition. Although it seems likely that local representatives will understand their problems better than the bureaucrats of the central government because they are close enough to the local conditions, the central government must retain the responsibility for successful control of the regions in order to assure the harmonious fulfillment of the national policy, and to guarantee the maintenance of national security. Put differently, the central government can assume the role of "staff" by providing control, advice, and expertise. At the same time, the "line and services" functions can be left to the local authorities; by so doing, the central government can free itself from concern with such things as garbage collection, road maintenance, and city utilities maintenance, and the local authorities may correct any mistakes that occur instead of blaming them on the central government.⁵

Prior to the proclamation of the Prefectoral Act of 1963, national laws stressed unilinear relationship between the central government and the local agencies.

⁵Alderfer, Local Government, pp. 230-231.

Those laws emphasized the subordination of the local agencies and often specifically stated that local agencies were to follow higher decisions, execute edicts, and implement rules and regulations. The national laws left little or no room for local initiative. The Prefectoral Act introduced some degree of local popular representation and allowed some local initiative and responsibility.

When the Ottoman Constitution of 1904 was issued, there was no system of municipal government in the city of Mecca. That constitution called for the creation of municipal agencies in the cities of the Ottoman Empire. The Ottomans appointed an officer to oversee the activities of the city; that officer derived his authority from the Governor-General of the province (something similar to the provisions of the Prefectoral Act).⁶

The Ottoman municipal system continued in Mecca through the Sharifate regime of King Hussain I until the city surrendered to the forces of Ibn Saud, in 1924. Two years later, the Organic Instructions were promulgated in

⁶The Kingdom of Saudi Arabia, the Underministry of the Interior for Municipal Affairs, The Semiannual Publication (in Arabic), No. 2, (Riyadh, 1966-67), p. 139.

the city of Mecca.⁷ For all practical purposes, this document served as a constitution for the newly established regime. In 1926, the country was called the "Kingdom of Hijaz and the Sultanate of Najd and its Dependancies."⁸

The Organic Instructions consisted of nine sections. For the purposes of the present study, however, we shall deal with only four of these sections, the first, second, fourth, and eighth. The first section of this document provided for the "Form of Government," and declared that the government shall be Islamic and "consultative;" it also selected the city of Mecca as capital, and declared Arabic as the official language.⁹

The second section of the Organic Instructions described the "Government Administration." This specified the lines of authority and the sources of check on the

⁷The Organic Instructions were published in the national gazette, Umm al-Kura, September 3 and 10, 1926; see also George A. Lipsky, et al., Saudi Arabia (New Haven, 1959), p. 126.

⁸Umm al-Kura, September 23, 1932. The royal decree no. 2716 to that effect was published in it.

⁹The Organic Instructions, Articles 1, 2, 3, and 4. (These as well as the other citations regarding this law were used by Muhammad Tawfig Sadiq, The Development of Government and Administration in Saudi Arabia (in Arabic) (Riyadh, Institute of Public Administration, 1965), pp. 31.

government's powers; it gave the highest authority to the king who was also immune from any popular control and influence. The only possible check on the powers of the king can emanate from the provisions of the Koran or the practices of the Prophet Muhammad. This section also described the role of the viceroy of the Hijaz who was headquartered in Mecca.¹⁰

In its fourth section, the Organic Instructions dealt with the Consultative Council. This council, parliamentary in spirit, was meant to serve as a legislative body for the kingdom. It was located in Mecca and was chaired by the viceroy of the Hijaz. The consultative Council deliberated on various national matters including the national budget, the review of permits for construction, the study of the economic projects, the investigation of the transfer of properties, and the issuance of rules and regulations. Although the Council reached decisions and passed resolutions by simple majority, the final and binding decision was left to the king.¹¹

¹⁰The Organic Instructions, Articles 6, 7, and 8.

¹¹On July 7, 1927, a new law was issued to amend the system of Consultative Councils. This increased the membership from six to eight. Four of the members were

The question of municipal affairs occupied the eighth section of the Organic Instructions. As far as Mecca was concerned its municipal matters were to be discussed by a Municipal Council. The Municipal Council of Mecca was composed of twelve members for a renewable term of three years, subject to royal approval. The function of the Municipal Council was to deliberate municipal issues, to discuss policies, and to offer solutions for any problems that arose. That deliberative function of the Municipal Council was supplemented with executive functions of an Administrative Council. The latter council, composed of the heads of the Municipality's administrative and technical units, was to implement resolutions passed by the Municipal Council.¹²

appointed by the government and the other four were selected by the government "after consultation." The term of the council was also increased from one to two years. This amendment spelled out the functions of the Consultative Council. This lasted for two years, when, in 1929, another amendment was issued. The latter amendment left the question of membership to the king, called for a permanent Vice-Chairman for the council, and required that the council meet daily.

The functions of the Consultative Council were taken over by the Council of Ministers in 1953. The latter council held its first meeting in March 7, 1954.

¹²The Organic Instructions, Articles 62, 63, 65, 74, and 75.

A year after the proclamation of the Organic Instructions, a new law specialized in municipal affairs was issued, in 1927.¹³ The Municipal Agency Law contained some provisions for the municipal structures and functions. In terms of the municipal structure, the Municipal Agency Law listed twelve administrative sections. The municipal functions, on the other hand, included the maintenance of roads, the construction and maintenance of public squares, the establishment of a sewage system, the supervision of water circulation, the beautification and lighting of streets, the maintenance of parking facilities, the preparation of a map for the city, and the supervision of cleanliness of schools, bakeries, slaughterhouses, and homes. The law also stipulated the supervision of welfare functions such as the construction of facilities for orphans, the deaf, and the blind.¹⁴ That was the first clear definition of the structures and functions of the municipalities. The Municipal Agency Law, for example, provided for the establishment of the office of the Lord-Mayor (for the

¹³Umm al-Kura, July 7, 1927 and February 9, 1927.

¹⁴The Kingdom of Saudi Arabia, The Municipal Agency Law (in Arabic)(Mecca: The Government Press, 1927), Article 6. Citations for this law and the Organic Instructions were given by M. T. Sadiq, Development of Government Administration in Saudi Arabia (Riyadh, 1965) (in Arabic).

city of Mecca) with a separate entity and a definable role. Previously, the viceroy of the Hijaz held the responsibility for the city of Mecca simultaneously with his larger one.

The office of Lord-Mayor became responsible for the execution of higher orders, the implementation of laws concerning the municipality, and the supervision of the local budget. A new development in the experimentation with the local government system was thus crystalized through the separation between the all encompassing role of the viceroy and the lower level of the Municipality.¹⁵

Another innovation in the Municipal Agency Law of 1927 was the establishment of an Administrative Committee. This committee was formed of six members appointed by the governor of the region for a period of two years; it had the responsibility for investigating as well as controlling and checking the functions of the whole machinery of the Municipality.¹⁶ (A decade later, this committee was renamed the Municipality Committee.)

In 1938, the General Law of the Municipalities was issued.¹⁷ This document authorized a new group of

¹⁵Ibid., Articles 7-11.

¹⁶Ibid., Articles 11-14.

¹⁷Umm al-Kura, November 18, 1938. The royal decree No. 8723, dated September 13, 1938, was published here.

functions that included: the construction of incinerators for garbage disposal, the enumeration and numbering of buildings and properties, the supervision of cemeteries, the daily spraying of streets with water, and the encouragement of humane treatment of animals.¹⁸ The General Law of the Municipalities also increased the membership of the Municipal Council for the city of Mecca from six to fourteen and extended its duration of office from two to three years. It also set the term of office of the lord-mayor at three years and gave him the authority to sign resolutions passed by the Municipal Council. This authority was often nominal since the final decision and the ultimate authority was left to the king.¹⁹

Another development brought about by the 1938 law was the provision for joint meetings between the Municipal Council and the Administrative Council to discuss matters that arise in "extraordinary situations" and "when a deadlock of opinion exists between the two councils."²⁰

¹⁸The Kingdom of Saudi Arabia, The General Law of the Municipalities (Mecca: The Government Press, 1938), Section I, Article 9.

¹⁹Ibid., Articles 10-20; also articles 21-38. See also Alderfer, Local Government, pp. 97-111.

²⁰The General Law of the Municipalities, Articles 68 and 71.

The General Law of the Municipalities is outdated by the needs of the modern development and the increasing complexity of contemporary Saudi cities. A quarter of a century passed before an effort was initiated to modernize the local government system, namely through the Prefectoral Act of 1963.

During the five years that preceded the declaration of the Prefectoral Act, the region surrounding the nation was politically tense; pressure for popular representation was high and strong. Two revolts took place during that period, the one in Iraq, and the other in Yemen. The latter had a far reaching effect on Saudi Arabia and caused a variety of pressures and problems. Several exiled Saudi "revolutionists" demanded popular representation and a voice in the process of decision-making. Inside the government, certain members of the Council of Ministers, the nation's semilegislative body, actively pushed for the decentralization of authority and the localization of government. One result was the Prefectoral Act of 1963.²¹

²¹The Kingdom of Saudi Arabia, the Council of Ministers, The Prefectoral Act (in Arabic)(Mecca: The Government Press, 1963). This law was issued as resolution no. 419 of the Council of Ministers (Jumada I 13, 1383 - 1963), and was approved by the royal decree no. 12 (Jumada I 21, 1383); it was also published in the gazette, Umm al-Kura, on October 18, 1963.

The lawmakers of the Prefectoral Act granted the prefectures a means of portraying their individual character in the process of performing the necessary functions, and recognized that many public activities have a local imprint. The Prefectoral Act consisted of four sections: the Administrative Classification, the Prefect, the Prefectoral Councils, and General Provisions for the Prefectoral Councils. This study will emphasize the second, third, and fourth sections of the act (those provisions concerned with the Prefect and the Prefectoral Councils) for their direct relevance to the concept of local government, the subject matter of this chapter. (The first section simply defined what a prefecture is.)

The Prefect heads the prefecture and represents the central government as part of the Ministry of the Interior. The law required the prefect to implement the laws, to carry out rules and regulations, to supervise the administration of the regions and districts (the prefectural administrative subdivisions), to cooperate with the prefectural councils, and to guarantee the rights and freedom of the individual. This last provision, though put in a subsidiary paragraph of an article, was the most

important provision of the Prefectoral Act; it was the first clear guarantee of its kind.²²

The Subprefect is the second officer in the prefectoral hierarchy and is subordinate and responsible directly to the prefect. A subprefect is in charge of an administrative area called region, which may consist of a town or a number of towns. A region is composed of several districts.²³

Districts in a region are directed by "heads." A head is the third and last in the prefectoral hierarchy and is in charge of the smallest prefectoral unit. He is expected to implement the laws pertinent to his district, to cooperate with other governmental agencies, to help levy the central government's revenues, and to maintain law and order.²⁴

The sole use of the title "prefect," though previously used interchangeably with "amir" (Prince), presents

²²The Prefectoral Act, Chapter II, Sections 1-2, Articles 3-4, and 8. See paragraph D of Article 8 for freedom and rights.

²³Ibid., Chapter II, Section 1, Article 5. Also see Section 2, Article 9 for the functions of the subprefect.

²⁴Ibid., Chapter II, Section 1, Article 6 and Section 2, Article 9.

a significant innovation in the Saudi concept of government and may eventually set the tone for change in the style of relationship between the people and the government, from a ruler-ruled relationship to one between a governmental representative and the popular prefectoral representatives. Put another way, this change in terminology may socialize the people and acquaint them with a governor-citizen type of government instead of a traditional lord-subject type. At any rate, the introduction of the whole prefectoral act, though it is not fully implemented yet, is a significant development, especially with regard to local government.²⁵

The third section of the Prefectoral Act dealt with prefectoral councils. The law included some provisions for the councils' formation and the prerequisites for membership in those councils. Members were to be elected, with the recommendation of the Minister of the Interior, by the prefectoral population. Membership in the prefectoral councils was limited to a maximum of thirty;

²⁵Despite the fact that the second paragraph of the royal decree validating the Prefectoral Act and setting the period of nine months as the deadline for the completion of the implementation of the law, the law is still unimplemented.

each council should include nonelected members as representatives from the central ministries that are directly relevant to the prefecture. For example, a Hijazi prefecture that includes Mecca would have in its prefectural council some representatives from the Ministry of Pilgrimage and Mortmains. A candidate for a council seat needs to be 25 years of age, to be in "good standing," to be a resident in the prefecture, to be a property holder and/or a craftsman, and to be literate. The law offered to forgo the last three prerequisites in circumstances forced by "extraordinary situations" and required by the "public interest."²⁶ This loophole, especially with regard to literacy, is an enormous shortcoming, and is likely to perpetuate an archaic tribal leadership throughout the country.

The Prefectural Councils were required to hold ordinary monthly sessions; two thirds of the members constituted a quorum and decisions were to be reached by simple majority.²⁷

The law set forth several areas of activities for the Prefectural Councils. These areas included

²⁶The Prefectural Act, Chapter III, Section 1, Articles 13 and 14.

²⁷Ibid., Chapter IV, Section 1, Articles 26-27.

educational, agricultural, financial, as well as municipal matters.²⁸ Moreover, a council may, with the approval of the Minister of the Interior, go into joint efforts with other prefectural councils in administering functions of mutual interest, and to initiate any actions of mutual concern.²⁹ On the other hand, the Prefectural Councils were prohibited from interfering in military matters, in internal security issues, or in foreign affairs.³⁰

A recurring shortcoming of the Prefectural Act is the uneven distribution of power and control. An overwhelming amount of power is given to the Minister of the Interior. For example, in addition to occupying the supreme position of the prefectural hierarch, the Minister of the Interior can nominate the members of the Prefectural Councils and has the power to recommend their dismissal. This amalgamation of power in the hands of the central authorities reduces significantly the responsibility of the population for their own affairs, and, due to the subsequent formation of a decision-making bottleneck, causes a great deal of delay.

²⁸Ibid., Chapter III, Section 2, Article 18.

²⁹Ibid., Chapter III, Section 2, Article 19.

³⁰Ibid., Chapter III, Section 2, Article 24.

The question of electing the council members was treated only superficially. Although the law provided for the popular election of these council members, it stopped short of stipulating in any detail the means, methods, and procedures for conducting the elections. The law failed to touch on proportional representation, or on how a candidate may campaign (if they could do so), or what to do if a multiple candidacy resulted in the absence of a majority, and so on. Only through inference can one tell the number of members a prefecture may elect. For example, the law set the maximum of members a prefectural council may include, but stops short of approximating the number of ministerial representatives that should attend a given council; the number of the popularly elected members can be manipulated by the increase or decrease of the ministerial representatives.

Although given a maximum period of nine months to be implemented, the Prefectoral Act has not been fully put into effect. A committee was formed to demarcate the areas that can form prefectures and, within the prefectures, regions and districts. That committee included the Under-minister of the Interior for Municipal Affairs, the Governors of Ras Tannura and Joaf, the Deputy Governor of Mecca,

the Deputy-Director of the Personnel Office, the Head of the Political Department of the Bureau of the Premier, the Director of the Institute of Public Administration, a legal advisor from the Ministry of Finance, and the head of Personnel Office in the Ministry of the Interior. The committee was supposed to report its findings to the Minister of the Interior who, in turn, would present those findings, with his recommendations, to the Council of Ministers. The outcome of the whole issue is still unknown.

C H A P T E R I I I

THE MUNICIPALITY

Introduction

Mecca served as capital for the Hashimite Kingdom of the Hijaz under Sharif Hussain, and continued in that role under Ibn Saud's new regime in the 1920s. The city thus combined religious significance with political importance from the 1920s to the 1950s, when the capital was moved to Riyadh. The pilgrimage produced a gradual settlement of some pilgrims in the city.

As to the municipality itself, it belongs to the Ministry of the Interior. It is therefore an agent of the central government. The municipality of Mecca is subordinate to the Governor of Mecca who is also a representative of the central government and a subordinate of the Ministry of the Interior. The relationship between the municipality of Mecca and the Governor of Mecca is that of coordination and cooperation. The municipality maintains the city's public cleanliness while the governorate of Mecca maintains the city's law and order. The

governorate is superior to the municipality in the sense that it is responsible for the whole Mecca region, in the administrative hierarchical sense. (See Chart 1, p. 35.)

The municipality of Mecca grew slowly but steadily in terms of size, function, and the scope of its activities. At the present time, the municipality's administrative structure is composed of the office of the Lord-Mayor (the municipality's chief executive), the administrative council, the municipal council, the municipality committee, and several functional agencies that form the administrative machinery of the municipality. (See Chart 2, p. 36.)

The municipality of Mecca is in charge of such basic functions of the city as garbage collection and disposal, sewage system maintenance, supervision of cemeteries, and lighting of the streets. This agency is involved in real estate construction and property disputes.

If the prefectoral act (the law cited and analyzed in the preceding chapter) was to be implemented, the municipality of Mecca would form a "district" and the lord-mayor, or head, would be responsible for all of the agencies that exist in the city of Mecca.

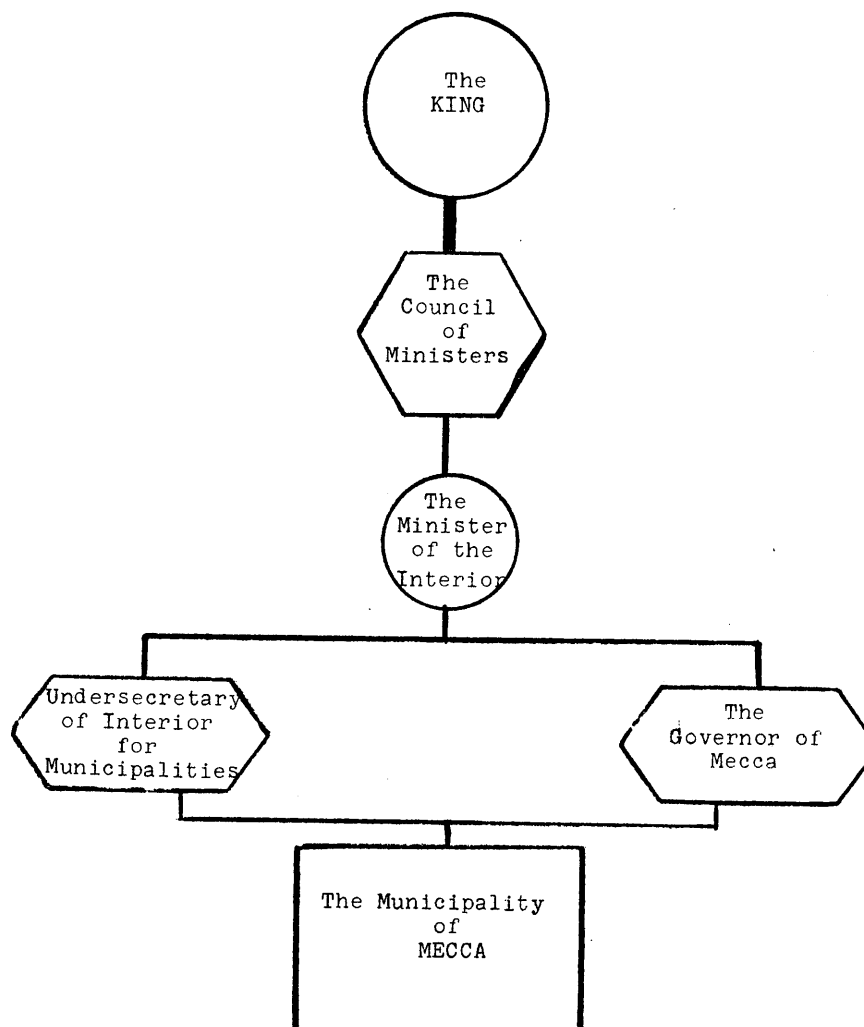


CHART 1

THE MUNICIPALITY'S RELATIONSHIP TO THE CENTRAL GOVERNMENT

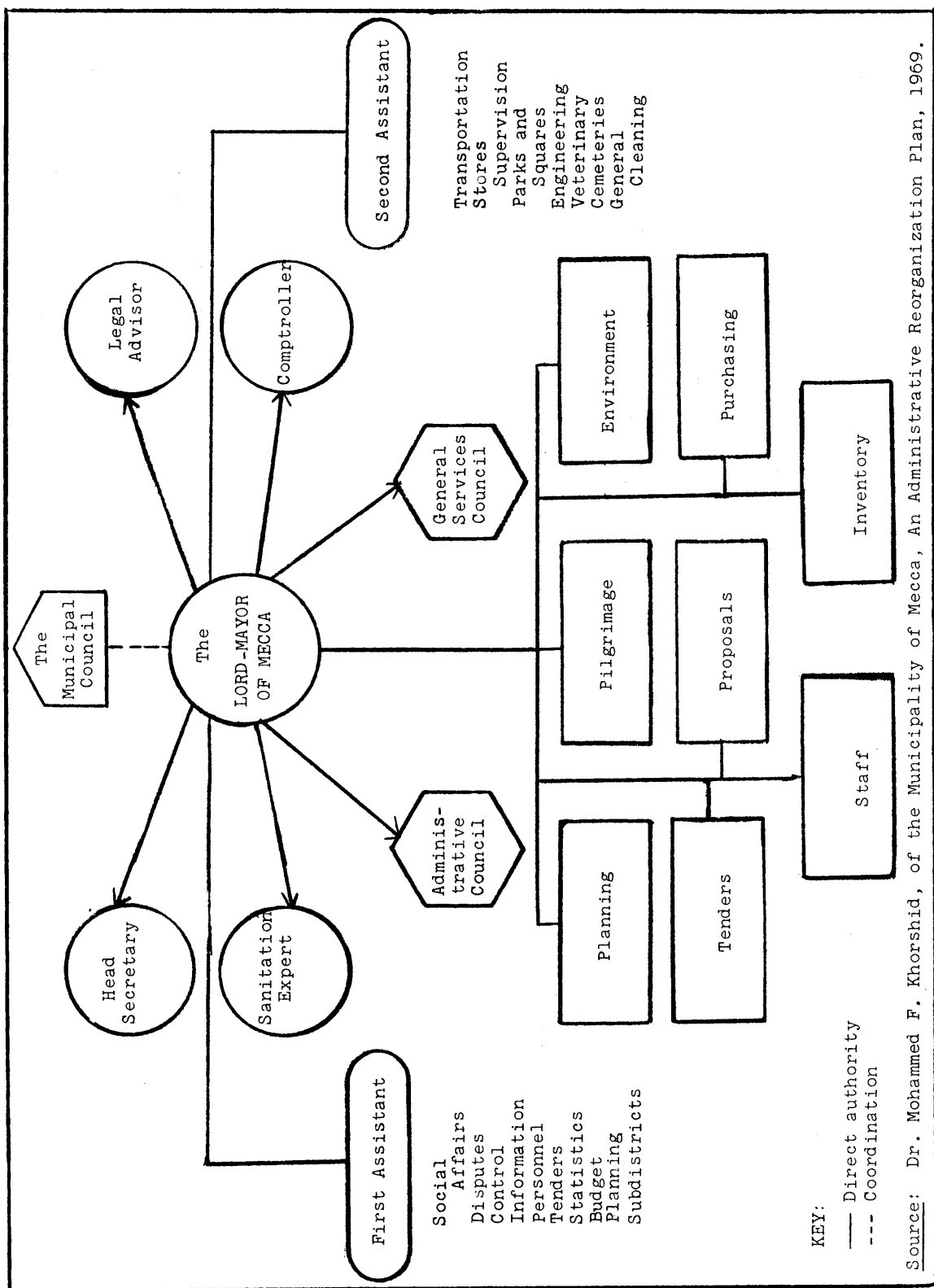


CHART 2. THE MUNICIPAL ADMINISTRATIVE STRUCTURE

Governing Bodies

The Lord-Mayor. The title lord-mayor is reserved for the head of the municipality of Mecca. He is in charge of the municipality's administrative structure. The lord-mayor, appointed by the king for renewable terms of three years, represents the central government in the city and has the responsibility of cooperating with the national ministerial agencies that exist in the city.

Basically, the lord-mayor is required to execute all orders, to implement rules and regulations, to supervise the collection of governmental revenues, to prepare an annual budget, and to sign all papers, transactions, and documents.¹

The lord-mayor directs the municipality's personnel, appoints the heads of municipal functional sections, and circulates memoranda regarding rules and regulations. He may also plan, with the help of the municipality's administrative council, any necessary administrative reorganization for the municipality. The lord-mayor, for example, issued a memorandum in 1962 by which he divided these departments into two groups; each is headed

¹The General Law of the Municipalities, Chapter III, Article 14.

by an assistant; each assistant can act on behalf of the other, and each on behalf of the lord-mayor. That memorandum resulted in the creation of a second assistant, a number of new heads of departments, and an increase in the membership of the administrative council.²

The personal prestige and background of the lord-mayor, in addition to the amount of power delegated to him, influences and determines his success. The Lord-Mayor of Mecca has the symbolic role of representing the population of Mecca in ceremonial occasions and is included in the receiving group at the arrival of dignitaries to the city of Mecca. The present Lord-Mayor also points up the needs or demands of the city by means of newspaper articles, public lectures, and television appearances. He was an editor of the city's newspaper (Al-Bilad as-Saudiya) in 1959; the king selected him as lord-mayor and gave him the authority to propose steps for improving the administration of the municipality and the beautification of the city. In formulating these demands the Lord-Mayor, Mr. Abdalla Uraif, depended on his personal

²The General Law of the Municipalities, Chapter II, Article 12. Also see the Lord-Mayor's 1962 memorandum concerning the administrative reorganization of the municipality of Mecca.

observations and reflections, since an established systematic method of relaying information, with the exception of the word-of-mouth method, was lacking.

Prior to the selection of the incumbent, Mecca had few prominent lord-mayors. The late Abdal Rawoof Sabban and Abbas Kattan, prominent scholars and administrators, held municipal positions in the city of Mecca. Little changes or progress took place during that period. The municipal affairs came to a standstill during the late 1950s when Mr. Abdalla Khatlan was lord-mayor. Mr. Khatlan faced many difficulties in managing the municipal affairs of Mecca. Since 1959, the office of lord-mayor, partly because of the selection of Mr. Uraif and the subsequent activities he initiated and expanded, gained considerably more respect. Probably what has been achieved in the last decade exceeds all that had previously been accomplished.

The office of the lord-mayor is an expansion of the medieval Muslim concept of the office of the muhtasib. The muhtasib was charged with the supervision of a city's artisans and craftsmen. He checked on the standards of weights and measures, and maintained cleanliness in public facilities and the handling of food.³

³Ibn al-Ukhuwwa (d. 1329), Handbook for the Muhtasib; also Ma'alim al-Qurba, ed. and trans. J. Nicole, (Geneva, 1894). Both sources were cited in Von Grünebaum, Medieval Islam (Chicago, 1946), pp. 217-218.

The lord-mayor has two assistants. The first of these assistants is in charge of functions concerned with financial, legal, health, and control matters. The second assistant is concerned with social services and is responsible for secretarial and engineering activities. The latter assistant also oversees the activities of the municipality's branches outside the city. Each assistant is empowered to direct his own administrative section and to explain the relevant policies. Both assistants aid the lord-mayor in the total administration of the municipality and the coordination of its activities; both are responsible to him.⁴

The Administrative Council. Presided over by the lord-mayor, this council oversees the execution of all rules and regulations, prepares the municipality's annual budget, and supervises the daily operation of the various administrative sections of the municipality. As an executive cabinet for the lord-mayor and an administrative branch of the municipality, the administrative council decides the allocation of funds for particular projects,

⁴The General Law of the Municipalities, Chapter V, Article 39.

alters the number of the municipality's personnel, and studies all proposals given by the lord-mayor or resolutions handed down by the municipal council. Such proposals involve the daily requirements of the city and include, for example, the building of pavements along the edges of the shops and department stores in the city's market, the construction of awnings on each store, and the regulation of advertisement billboards and commercial signs. The council also proposes health measures such as the requirement of covering all meats with clean white sheets, the establishment of standards for the quality and quantity of bread sold in the market, and the overseeing of the general cleanliness of facilities for food and beverages.⁵

The Municipal Council. This is a quasilegislative body. It deliberates and studies the problems that face the city of Mecca.

In the 1920s, the municipal council was composed of religious scholars, merchants, and nobles. Later, it was expanded to include members from each of the city's

⁵Ibid., Chapter VI, Articles 40-42.

twelve sectors. Those members were elected on a precinct basis; each sector elected its representative to the council.

Several candidates might run for a given seat. Usually, a few people participate in the elections, and very few run for the council's seats. Those who run are usually prominent businessmen, big real estate owners, or famous journalists and publishers. Many councilmen remain in their position for a long time due to the lack of interest or ability of others to unseat them.⁶

Composed presently of fourteen members, the municipal council meets in weekly regular session upon the request of the lord-mayor, the petition of one third of the council members, or the request of the president of the council.

As to functions, the municipal council is expected to find the means of improving the operation of the municipality, to review the general budget, to study the rules and regulations, to review the municipality fees and decide their increase or decrease, to look into all contracts and commitments made by the municipality.

⁶Ibid., Chapter IV, Articles 21, 22, 24, 26, and 28.

The council has the right and power to draw the lord-mayor's attention to any bureaucratic misconduct, to remind him of any uncompleted project, and to point out to him any unimplemented resolutions.

If the lord-mayor fails to act on the council's reminders, or to correct any existing misconduct, or to apply the rules, the municipal council may report directly to the central government. This check is very functional; the city's elected body can utilize this last provision to check the power of the executive branch of the municipality.⁷

It should be abundantly clear, however, that the municipal council is limited to more deliberative functions than restrictive actions. It studies policies, gives advice, recommends solutions, reviews, look into . . . and so on. The council is deprived of the power to produce final and binding resolutions. (Resolutions passed by the municipal council must secure the signature of the lord-mayor to be effective.) Moreover, the council is forbidden from interfering with the administrative details of the executive branch of the municipality.⁸

⁷Ibid., Chapter IV, Article 36.

⁸The Kingdom of Saudi Arabia, the Underministry of the Interior for Municipal Affairs, Memorandum No. 1-1-1-4-1-14394 (Thul-Ki'da 8, 1386) (1966).

The Municipality Committee. The general law of the municipalities provided for the establishment of an elected committee to check and oversee the operation of the municipality. Presided over by the lord-mayor, the municipal committee oversees the municipality's personnel, the municipal contractual biddings, and the registering of commercial proposals. It also receives the treasury's receipts and checks on the execution of rules and regulations. Furthermore, this committee mediates between disputing parties over construction matters. Such a dispute may involve, for example, an individual claiming that an antagonist of his intruded into his property, or built his house so high as to invade that individual's privacy.⁹ The municipal committee often inspects the actual site of disputes, studies the quarrel, and readily decides the issue.

The Municipal General Assembly. Chaired by the lord-mayor, the administrative council and the municipal council may, in extraordinary situations, meet in joint session. Such extraordinary situations may result

⁹The General Law of the Municipalities, Chapter VII, Articles 45 and 47.

from an order by the central government, a request by the lord-mayor or by the president of the municipal council. A joint assembly between the two councils is necessitated when a conflict of opinion exists between the two, or between one of the councils and the lord-mayor. A decision reached by the joint assembly needs to be confirmed by the higher authorities (the central government).¹⁰

The Municipality's Functional Agencies. In 1938, the general law of the municipalities provided for the establishment of six administrative departments in the municipality of Mecca. These were: the office of the comptroller, the municipal physician, the office of the treasurer, the office of the engineer, the inspection department, and the storage-house.¹¹

The comptroller is responsible for the collection and organization of municipal revenues. The physician oversees the orderliness of the markets, the cleanliness of slaughterhouses, and the quality of foods and beverages. At present, the office of the municipality's physician is called the office of environment sanitation expert.

¹⁰Ibid., Chapter XV, Articles 68-71.

¹¹Ibid., Chapters VIII-XIV, Articles 48-66.

The sanitation expert issues work licenses for cooks, waiters, barbers, and all workers connected with public health.

The engineering department regulates the location of buildings as well as the demolition of slums and delapidated houses which prove to be hazardous to public safety. This department is supposed to draw a map of the city and decide the necessary road repairs.

The inspection department is required to report on the general cleanliness of markets, to maintain street lighting, and to acquire a fire engine. Inspectors conduct morning tours in the markets. Some of these inspectors, for example, evaluate the breads of the markets against the established standards of weight, quality, and freshness. They confiscate any bread that fails to meet the requirements. Inspectors also conduct occasional review of the structure of the market' shops. Using trucks and equipment, inspectors often overhaul any item that protrudes beyond the shops' permitted limits. (Some shopkeepers let their merchandise extend into the street.)

There are several other local agencies that exist in the city of Mecca, unrelated to the municipality. Some of those agencies are privately operated. These agencies will be studied in Chapter V.

Municipal Finance

The municipality's general budget has fluctuated over the past eight years (1961-62/1968-69). In terms of administrative cost, the municipality of Mecca shows a constant level. On the other hand, a slight increase appears in salaries. But most fluctuation occurs in allocations for projects. (See Table 1, p. 48, and Figure 1, p. 49.)

In 1966-67, for example, the allocation for municipal projects reached \$8.4 million; in 1967-68 and 1968-69, this amount was lowered substantially to \$1.51 and \$1.55 million, respectively.¹² There is no data that explains this fluctuation. During that period, however, the Kingdom of Saudi Arabia began subsidizing the invaded Arab states in the June, 1967 war, during which time the national Saudi budget was smaller than that of the previous year.

The total expenditure of a municipality can be related to the volume of activities performed in a given year. The government appropriation for the municipality

¹²The Kingdom of Saudi Arabia, the Underministry of the Interior for Municipal Affairs, The Semiannual Publication (in Arabic) (Riyadh), II (1966-67), 145.

TABLE 1
THE MUNICIPALITY'S GENERAL EXPENDITURE

Year	Total General Expenditure (Millions)	Adminis- trative Cost (Millions)	Salaries (Millions)	Projects (Millions)
1961-62	\$6.4	\$1.17	\$.44	\$5.0
1962-63	5.7	1.13	.46	4.2
1963-64	4.8	1.30	.50	3.0
1964-65	6.4	1.50	.50	4.6
1965-66	9.5	1.24	1.1	7.0
1966-67	11.0	1.40	1.2	8.0
1967-68	4.0	1.40	1.2	1.5
1968-69	4.4	1.55	1.4	1.57

SOURCE: These figures are based on information provided in the Semiannual Publication, Vol. 1 No. 2 "Table No. IV - 1," p. 147. The original figures were put in Saudi Arabian Riyals. (A U.S. dollar equals 4.5 Saudi Riyals.)

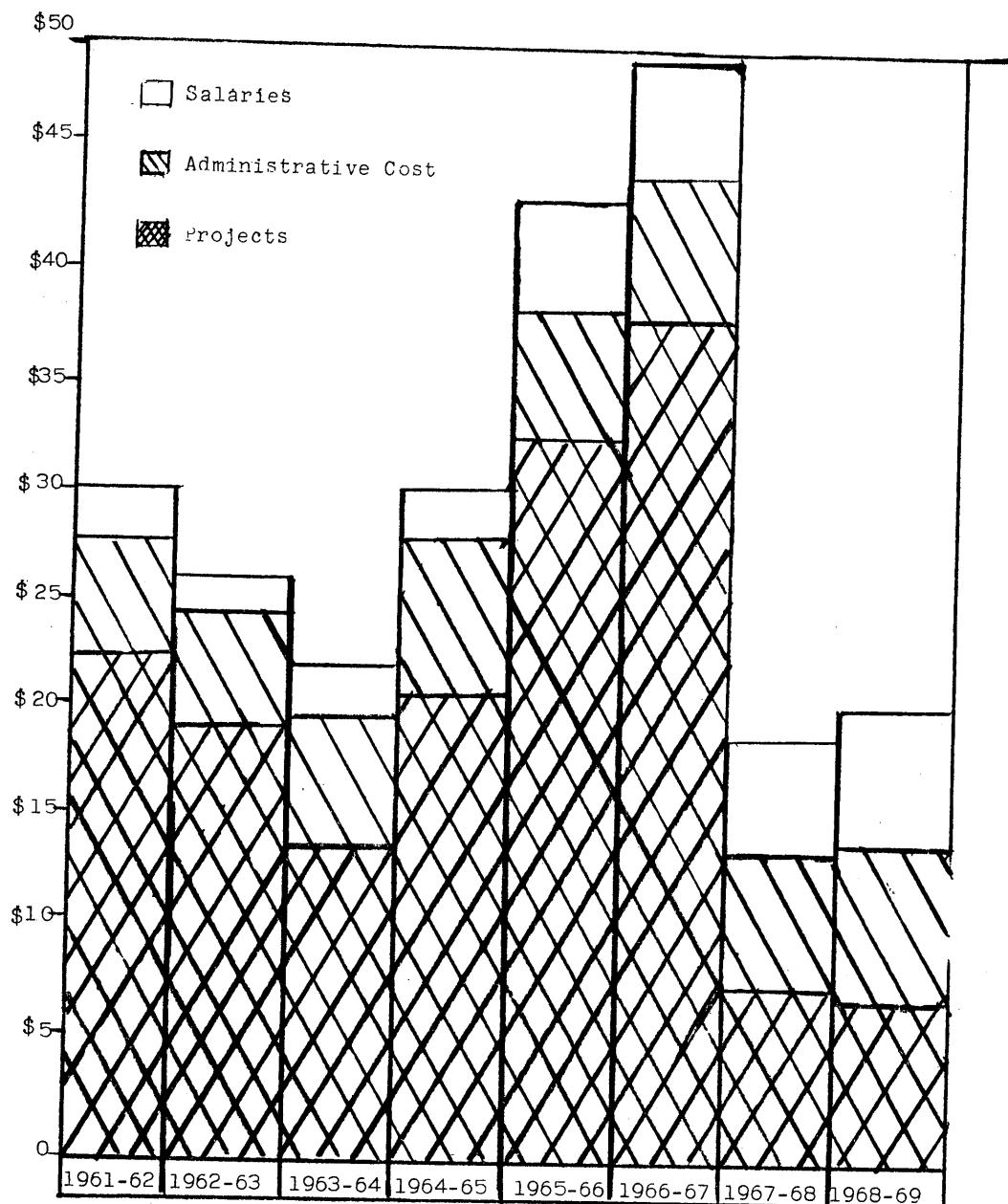


FIGURE 1. THE MUNICIPALITY'S GENERAL EXPENDITURES

Source: Based on data from the Semiannual Publication, II, 1967-68, p. 145.

of Mecca, in 1965 and 1967, for example, was highest (9.5 to 11 million U.S. dollars). That comparatively high level of appropriation was accompanied with a similar rise in the level of the municipality's projects.¹³

The law prevents municipal administrators from raising any revenues or appropriating any significant amount of money for expenditure. The 1938 general law of the municipalities, for example, allows the lord-mayor to appropriate a maximum of \$4.00, with the approval of the administrative council. In extraordinary situations, that amount can be increased to \$40.00.¹⁴

Conformity to the national guidelines and policies is stressed repeatedly. This consequently leaves little room for discretion and allows the administrators at the local level few chances to originate, allocate, or transfer any amount of appropriation for any purposes except as spelled out by the central government.

The municipality's revenues come from many sources. Approximately twenty percent of the municipality of Mecca's revenues comes from the central government

¹³Ibid., p. 147.

¹⁴The General Law of the Municipalities, Chapter III, Articles 17-18.

through the ministry of the interior. In allocating such amounts to the municipalities, the central government considers the city's relative size, its geographic location, and its economic and political importance. Receipts in the form of fines, permits, and license fees constitute a sizeable amount of income for the municipality of Mecca. Fees are collected for inspecting measurement standards, for issuing work licenses, and for issuing permits for commercial advertisement. A third source of revenue for the municipality comes as rent, collected from municipal facilities; these facilities include kiosks for small peddlers, for example. A fourth source of revenue comes from the tax on gasoline. The Arabian American Oil Company collects a one-third portion of the tax and deposits it in the national monetary agency for the account of the municipalities throughout the country, including the municipality of Mecca.¹⁵

Until 1962, a real estate rental tax of nine percent—four percent by tenants, five percent by owners—was levied. Later this tax was cancelled. The cancellation of this tax deprived the municipality from a sizeable

¹⁵The Kingdom of Saudi Arabia, the Council of Ministers, Resolution No. 107 (1957).

and steady income. The imposition of some tax on the public at the local level nevertheless is necessary in order to activate their involvement, concern, and responsibility.

The total revenue the municipality of Mecca received between 1960-61 and 1967-68 varied between \$177,000 and \$288,000 dollars. (See Table 2, p. 53 and Figure 2, p. 54.)

Fluctuation in revenues of course produces financial insecurity and a state of unpredictability; this hinders any serious attempt at long-term planning for the city.¹⁶

The municipality of Mecca, like the other municipalities, must have access to adequate finance in order to assume any significant role in the economic and social progress of the city. Figures indicate that the municipality of Mecca is dependent on government subsidy in order to perform its basic functions and duties. For example, the governmental subsidy that the municipality receives, though it constitutes one-fifth of its total revenue, does not satisfy its needs. The usual long list

¹⁶The Semiannual Publication, pp. 151-152.

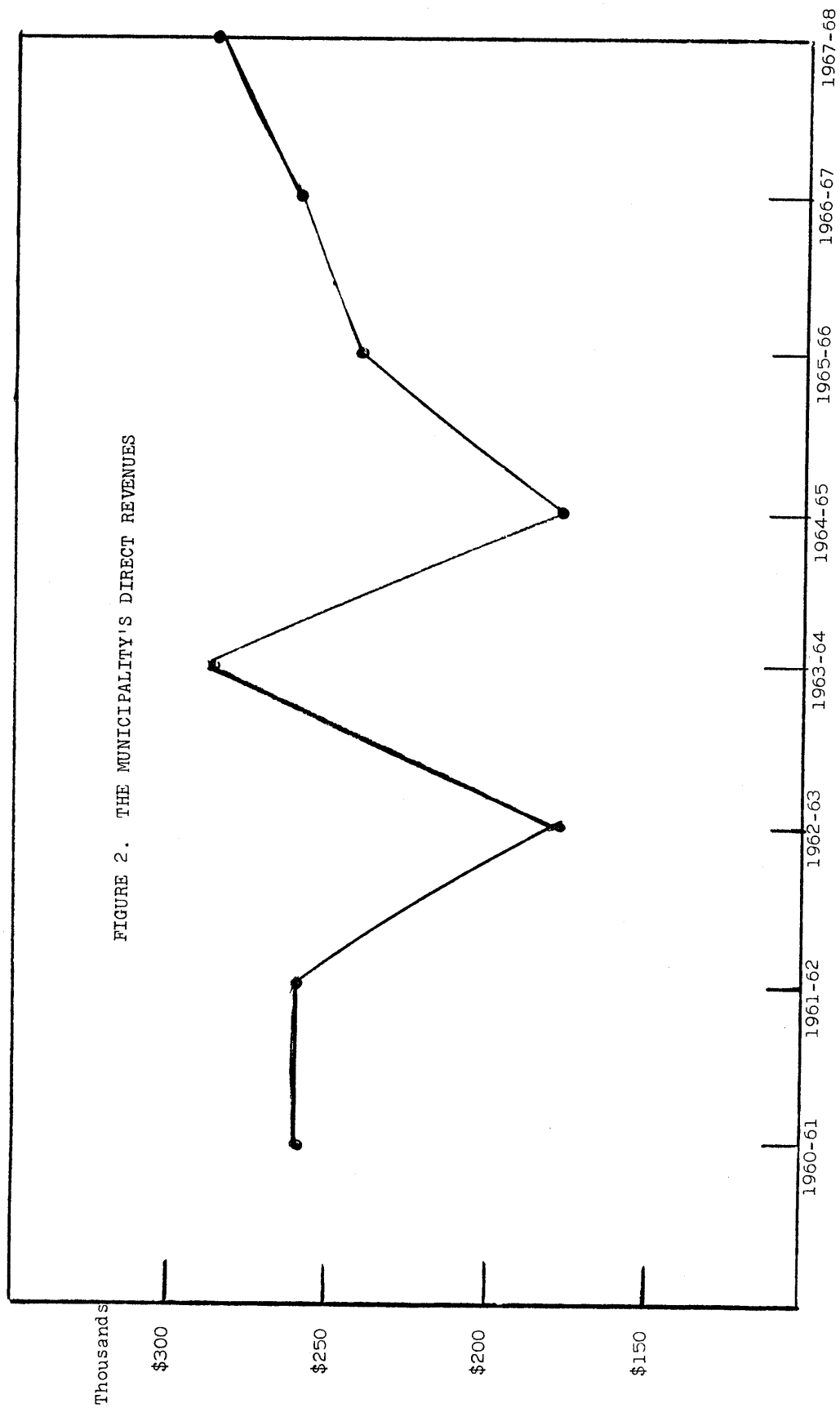
TABLE 2
THE MUNICIPALITY'S DIRECT REVENUES*

Year	Approximate Amounts in United States Dollars**
1960-61	\$260,000
1961-62	260,000
1962-63	177,000
1963-64	288,000
1964-65	177,000
1965-66	240,000
1966-67	260,000
1967-68	288,000

SOURCE: The Semiannual Publication, Vol. I, No. 2, Tables IV-2 and IV-3, pp. 151-52.

*"Direct revenues" refers to the income obtained from fees on inspections, licenses, permits, etc. These figures do not include government subsidies, or the real estate tax which was cancelled in 1963.

**These figures were originally given in Saudi Arabian Riyals. (A U.S. dollar equals 4.5 Saudi Riyals).



Source: Based on data from the Semiannual Publication, pp. 151-152.

of proposals and demands voiced by the lord-mayor on behalf of the city of Mecca serves as an indicator of that. In 1966, for example, in a public lecture, the lord-mayor cited, among other items, the need for a public library, a laboratory for the examination of food and beverages, and an incinerator for the destruction of garbage.¹⁷

The overall size of an agency's budget is usually relevant to the scope of activities it performs, and indicates the degree to which this agency is capable of performing its function.¹⁸

The following is the municipality's basic budget in a summary form.

¹⁷Abdalla Uraif, the Lord-Mayor of Mecca, gave a public lecture, published in the city's newspaper al-Nadwa (Mecca: February 17, 1966), in which the lord-mayor cited the following needs and demands: a stadium for the various sports, a public library, a museum, a cultural center, public squares, water fountains for drinking, laboratories for examining foods and beverages, public baths and rest rooms, commercial shopping centers, training and vocational centers, and incinerators for the disposal of garbage.

¹⁸Ursula K. Hicks, Development From Below (Oxford, 1961), pp. 233-276.

<u>Expenditures</u>	<u>Revenues</u>
Administrative cost	Services receipts
Salaries	One-third of the tax on gasoline
Projects	Central government's subsidy
	Rent on municipal facilities
	A tax of 9 percent on real estate

Municipal Problems

The municipality of Mecca faces two kinds of problems. One is environmental and includes housing and immigration. The other is internal and is manifested by the lack of education and training among municipal personnel.

Housing is an enormous problem. Crowded houses have been so closely juxtaposed that little space is left for any systematic or adequate passageways between them. This tightly knit arrangement leaves room only for winding footpaths. This produces an environment that is characterized by a lack of fresh air and adequate lighting.¹⁹

¹⁹Ibid., pp. 387-88.

This concentration of houses not only serves as a fire hazard, but also hinders fire engines from reaching the scene of a fire. The Shammiya Fire in 1958 offers a prominent example. This fire lasted for several days before it was eventually extinguished. In order to reach and effectively put out the fire, the engines had to violate the sacredness of the Holy Mosque, for the first time in history. A great deal of property was damaged and many people were killed or injured in that fire.

The city of Mecca has not possessed an extensive network of sewers. This only added to the complications facing the municipality. Only as late as 1969 a project for the construction of a sewage network in the city began. An amount of \$10 million dollars was appropriated for the construction of a forty-mile sewage network. This project is planned for completion by early 1970.²⁰

Immigration presents another problem for the city's local government. Some of this immigration is daily and temporary; some is permanent. Thousands of drifters enter Mecca's downtown area from its outskirts and the neighboring villages. These drifters work, do

²⁰The Kingdom of Saudi Arabia, The Ministry of Information, News From Saudi Arabia, VI (October 28, 1969), 7.

business, and visit the Holy Mosque. Many are of African origin who came as pilgrims and inhabited one of the city's sectors. These Africans live mostly in straw and tin-shacks. There are other foreign groups, for example, Indians and Pakistanis, that inhabit some part of the city; they keep, at least for some time, their own native habits and ways of life which may be incongruent with those of Mecca.

This multiraciality presents a demographic difficulty to the city and reduces the effectiveness of the municipality in handling its functions and activities. For example, communication between these and other groups and the city officials is restricted. Officials can communicate to the Africans, for example, only through their leaders or chiefs.

To be effective, an agency needs to be efficient. In a dispatch from a former British Secretary of State for the Colonies to an overseas governor, he stated, "I believe that the key to success lies in the development of an efficient and democratic system of local government. I wish to emphasize the words efficient, democratic, and local. . . . I use these words because they seem to me to contain the kernel of the whole matter: Local because

the system of government must be close to the common people and their problems; efficient because it must be capable of managing the local services in a way which will help to raise the standard of living; and democratic because it must not only find a place for the growing class or educated men, but at the same time command the respect and support of the mass of the people."²¹

The success or failure of the municipality of Mecca depends upon the performance of its employees. In the past decade, the number of the municipalities personnel increased, but the quality of these personnel remained low. For example, in the period between 1959 and 1968, the number of employees in the municipality grew from 180 to 292. Approximately one third of these employees were provided by foreign skilled workers, who occupy the upper three salary ranks. The native majority, on the other hand, is located in the lower nine salary ranks.²² (See Figure 3, p. 60.) Put simply, the foreign employees are better paid. The point of reference has been education. To illustrate, until 1966, out of 191 Saudi

²¹Hick, Development, p. 4.

²²The Semiannual Publication, p. 153.

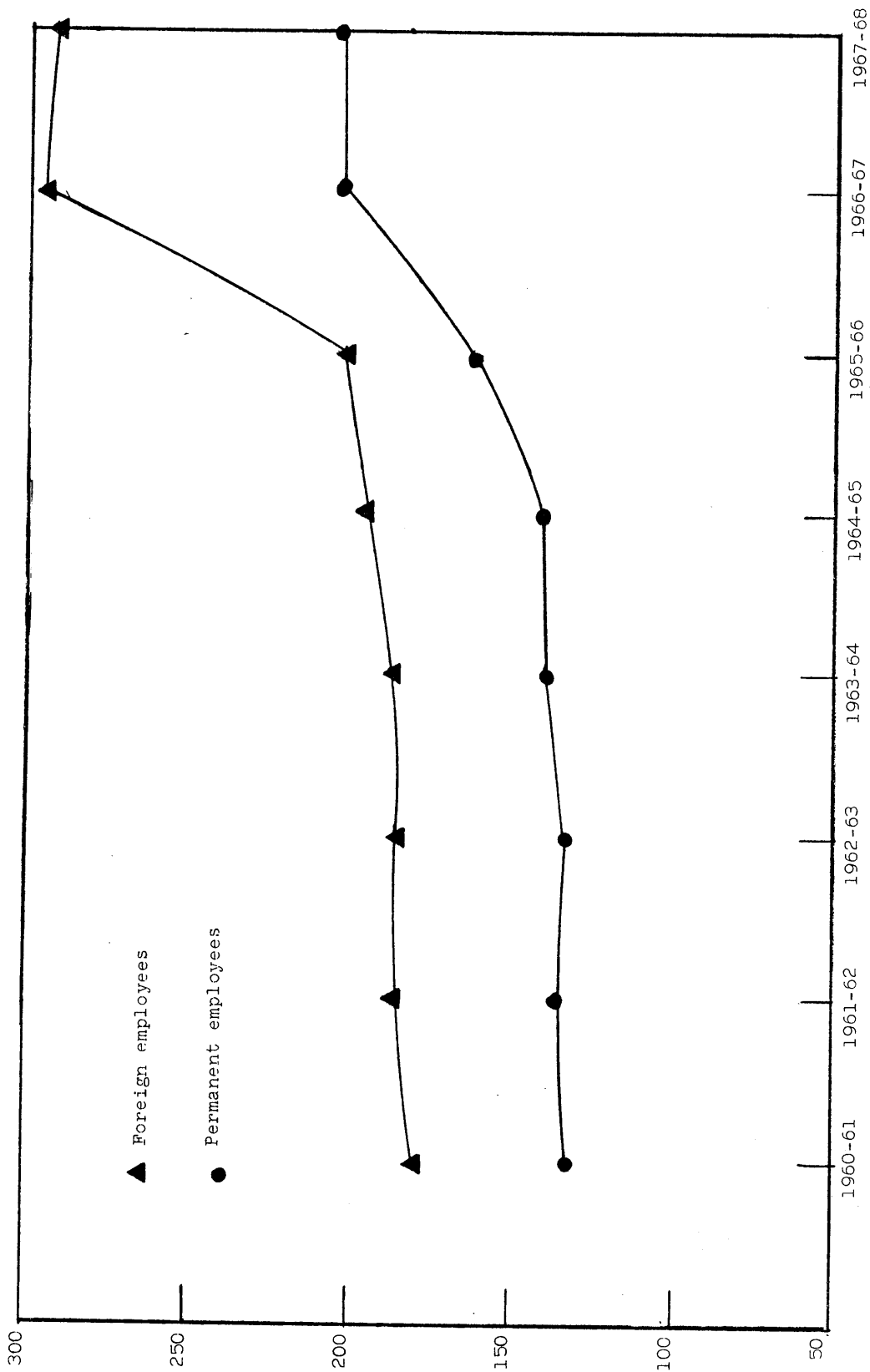


FIGURE 3. THE MUNICIPALITY'S PERSONNEL GROWTH

Source: Based on data from the Semiannual Publication, II, 1967-68, p. 153.

employees, 100 had sixth grade education, ten had junior-high education, two attended high school, and two attended the Riyadh Institute of Health. None had a college education; some had no education at all. At the same time, the municipality's records show vacant positions for a statistician, an advertisement expert, a secretary, and a translator.

The municipality had attempted to give some scholarships to some of its employees to attend short-term training sessions. The municipality itself lacks any facilities for training and reeducation. As late as 1969, there has not been any facility for municipal training, even at the national level. In 1969, a Municipal Training Center was founded. This center began with 90 students and was intended to offer courses in survey and design.²³

Having discussed some of the structures, the functions, and the problems of the municipality of Mecca, we turn in the next chapter to discuss another agency that exists in Mecca and has a direct relationship to the needs and daily life of the city. That agency is the Ministry of Pilgrimage and Mortmains.

²³News From Saudi Arabia, p. 7.

C H A P T E R I V

THE PILGRIMAGE

The pilgrimage is a basic Islamic tenet; the Koran so declares: ". . . the Pilgrimage to the House [the Kaaba] is incumbent upon men [and women] for the sake of Allah, upon every one who is able to undertake the journey to it. . . ." A paraphrase of this Koranic declaration entails the requirement of the performance of a journey to Mecca to every Muslim when he/she is physically and financially capable.¹

M. Fadhel Jamali refers to the pilgrimage as an international human (Muslim) conference held for worship and provides an opportunity to broaden one's political, social, and economic horizons, and promotes acquaintances and strengthening ties of brotherhood among Muslims.²

A general description of the acts of pilgrimage will be provided here and will take into consideration the important and complex relationship between these acts and

¹Koran III: 97; and M. Fadhel Jamali, Letters on Islam, p. 44.

²Jamali, Letters, p. 45.

the performance of the administrative agencies that are in charge of these acts.

The Rituals

The pilgrimage takes place once a year during the twelfth month of the Islamic calendar (Dhul-Hijja). It takes as long as a week to complete the actual rituals. During this week, approximately one million people of numerous races and nationalities gather in a very limited area that includes the city of Mecca, the village of Mina, and the camping plain of Arafat--a grand rendezvous.³

According to conventional procedures, the pilgrims wear two seamless sheets that surround the lower and upper parts of their body. They must leave their heads uncovered, and should divest themselves of all regular clothes and ornaments. On the eighth day of the month, the pilgrims leave Mecca to spend the night in Mina, a village located about ten miles from Mecca. On the next morning, they leave Mina for Arafat passing by Muzdalifa. (Mina, Muzdalifa, and Arafat are the places where most of

³Louis Gardet, La cite musulmane: vie sociale et politique (Paris: J. Vrin, 1954), pp. 226-228.

the pilgrimage rituals occur.) The climax of the rituals occurs in Arafat. There, the religious acts begin at noon and end at sunset, at which time the pilgrims move back to Mina passing by Muzdalifa. In Muzdalifa, they spend the night and collect forty nine pebbles needed for the next three days' stoning of the site of Satan.⁴

Motor traffic in the pilgrimage area is usually congested; it is even more so in the Muzdalifa area due to the extreme narrowness of the road and the huge number of vehicles. Many pilgrims are unable to spend the night in Muzdalifa because of the extreme traffic and the lack of space available. Here, the pilgrims collect the needed pebbles from the road while the vehicles slowly move by. Some even spend the night on this short distance between Arafat and Mina. Others travel the distance on foot. These events require a great deal of organization and energy on the part of the government. Officials, including some prominent princes, participate in directing the traffic in the pilgrimage area. Several proposals, including the building of new roads, have been presented to alleviate the intensity of traffic.

⁴G. H. Bousquet and J. Schacht (eds.), Selected Works of C. Snouck Hurgronje (Leiden: E. J. Brill, 1957), pp. 171-213.

Once in Mina, the pilgrims begin their festivities by stoning the grand effigy of Satan. Throngs of people gather around these stonebrick-built monuments and each person strives to hit the site seven times using the pebbles he collected the night before. The pilgrims afterwards sacrifice a sheep, a cow, or a camel, depending on their financial ability, in memory of the Abrahamic tradition. They next leave for Mecca to perform the acts of circumambulation round the Kaaba and the procession between the two hills of Safa and Marwa. (Safa and Marwa are the scene of the desperate search for water by Hagar, the second wife of Abraham.) The pilgrims afterwards get a haircut symbolizing their release from prohibitions; pilgrims are prohibited, while performing the rituals, from wearing any cosmetics, cutting their fingernails, grooming their hair, or engaging in sexual intercourse. The pilgrims can now return to Mina, put on their normal clothes, and spend the remainder of the day and the following two days in celebrating the end of the sacred journey and the completion of the rituals.

Obviously, the pilgrimage creates a fantastic traffic difficulty throughout the entire pilgrimage area. This area extends to Medina, the second most important

place in Islam, located about 266 miles from Mecca. Many pilgrims feel that the pilgrimage is incomplete without a visit to the Prophet Muhammad's mosque in Medina. Private bus companies provide the means of transportation to and from that city with the supervision of the Underministry of Pilgrimage. This underministry oversees the general welfare and comfort of the pilgrims' journey; it sponsored, for example, the construction of road stations on the highway linking Medina with Jedda.

The Underministry of Pilgrimage

Before the establishment of the Ministry of Pilgrimage and Mortmains in 1961, the pilgrimage affairs were handled by the Ministry of Finance. Now the underministry is in charge of supervising the arrival, the stay, and the departure of the pilgrims. In so doing, the Underministry of Pilgrimage cooperates with pilgrims' guides who directly take care of the pilgrims throughout their stay. (These guides hereinafter shall be referred to as the Mutawwifs; they make annual trips abroad to encourage people to go on the pilgrimage.)

Structurally, the Underministry of Pilgrimage is composed of such administrative units as the office of the

Underminister, the Personnel Office, the Financial Office, and, added lately, the Office of Mutawwifship. The creation of the latter office in 1965 was in partial fulfillment of the royal decree which attempted to regulate the affairs of the Mutawwifs. One result of that decree was the cancellation of the traditional Mutawwif Guilds.⁵

The Underministry of Pilgrimage offers much to the Mutawwifs. For example, it delivers to each Mutawwif the pilgrims assigned to him. It handles also the pilgrims' transportation from Jedda to Mecca, holds reception committees for the pilgrims, and introduces them to their prospective Mutawwifs.⁶

For the most part, the services rendered by the Underministry of Pilgrimage are concentrated in the Mecca area. In Mina and Arafat, the Underministry constructs facilities and provides services for lost pilgrims, and maintains a broadcasting station that gives direction and

⁵The Kingdom of Saudi Arabia, the Office of the King, Royal Decree 12/M (1965).

⁶One such reception committee is located four miles from Mecca; it is intended to receive pilgrims arriving by automobiles coming through land routes. Another is located inside Mecca, in Jarwal, to receive pilgrims coming by sea and air at Jedda, Mutawwifs, or Mutawwif representatives, are usually included in those committees.

general information regarding roads, shrine locations, and general health facilities. It also maintains large water containers for the pilgrims' drinking consumption, and rest rooms with shower and toilet facilities.

The Underministry of Pilgrimage also maintains three administrative branches located in different but strategic places to give aid and comfort to, and receive grievances from, the pilgrims.⁷

In order to facilitate the movement of the pilgrims who come by land routes, the Underministry of Pilgrimage established a series of road stations that provide rest stops for the pilgrims along the journey to Mecca. For the pilgrims who arrive by sea, e.g., those who come through the Yanbu seaport, a special pilgrims' city was constructed. The Yanbu seaport was built to alleviate the pressure on the Jedda seaport because of its closeness to Mecca. That Yanbu project cost approximately \$1.1 million dollars in 1965; that amount doubled the Underministry's expenditures for that year. In 1966, the Underministry of

⁷Three administrative branches are located in Arafat: the Main Branch, the branch near the Mount of Mercy (Jabal ar-Rahma), and the branch near the Namira Mosque. In Mina there are two such branches: the one is located near the Grand Stoning Site, the other is located near the Old Slaughterhouse.

Pilgrimage allotted the amount of \$1.3 million dollars for the construction of some road stations. (See page 70.) Furthermore, the Underministry of Pilgrimage hires about 200 employees for the duration of the pilgrimage; these employees include secretaries, typists, translators, and assistant guides. Some 250 boy scouts help the Underministry by giving information to inquiring pilgrims in the port areas.⁸

The Underministry of the Pilgrimage grew in financial capability in the period between 1961 and 1968. That growth, with some fluctuation, was steady. (See Table 3, page 70.)

The Economic Role of The Pilgrimage

The Meccan economy primarily depends on the pilgrimage. There are, for example, some 2,250 Mutawwifs who normally employ about 25,000 apprentices (Assistants). The Mutawwifs represent the major families of the city and are grouped into four groups: the first and most numerous

⁸An interview with the head of the Finance Department in the Underministry of the Pilgrimage, at Mecca, (June, 1969).

TABLE 3

THE MINISTRY OF PILGRIMAGE AND MORTMAINS
 IN THE PERIOD BETWEEN 1961-62 TO 1968-69:
 BUDGETARY GROWTH

		U. S. <u>Dollars</u>
1961/62		444,000
1962/63		444,000
1963/64		888,000
1964/65		1,332,000
*1965/66		2,664,000
**1966/67		2,664,000
***1967/68		2,444,000
1968/69		2,664,000

SOURCE: The Department of Finance of the Underministry of Pilgrimage. An interview with the financial officer of this Underministry in the summer of 1969.

EXPLANATION: *In this year the decision was made to build the Yanbu' Pilgrims City.

**The previous budget level was maintained in this year due to the allocation for the road stations project.

***The budget level was lower, presumably because of the smaller total national budget.

group of these Mutawwifs render services to the Arabic-speaking pilgrims; the second group hosts pilgrims from the Indian subcontinent; the third group serves pilgrims from Southeast Asia; the fourth group serves pilgrims from other parts of the Islamic world.⁹

Although their main business is largely seasonal, within a period of three months, the Mutawwifs form the affluent stratum of the Meccan society. In addition to the numerous real estate they own, the Mutawwifs rent many other houses during the pilgrimage season. The rent paid for these houses during the season usually equals or surpasses the total rent paid by the occupants for the whole year. The pilgrims usually pay their rent through the Mutawwifs, who lease the facilities on a collective basis and can make profit by the transaction.

Part of the rituals is the slaughter of cattle, cows, or sheep for free distribution among the poor of the area. The Mutawwifs and their apprentices may dispose of the meat using their own judgment; some may sell the meat,

⁹Abdalla Uraif, the Lord-Mayor of Mecca, gave a public lecture in which he provided these figures. The lecture was published in al-Nadwa Newspaper, February 17, 1966.

some give it to relatives and to those with whom they wish to gain influence.

Another economic advantage bestowed on the people of Mecca comes through the hiring of persons to perform the acts of the pilgrimage by proxy. Muslims who wish to fulfill the basic religious requirement of the pilgrimage but are unable to do so can fulfill that requirement by asking someone to do it for them. The person who intended the visit normally contacts a Mutawwif to assign someone to perform the duty. This "someone" can be a close relative, a good friend, or a loyal apprentice. The amount of money given usually exceeds the cost of the pilgrimage's journey and services, with a profit going to the person undertaking this pilgrimage-by-proxy.

Mecca's market and industry is also pilgrimage-centered. Many products, locally manufactured or imported, are stored in great quantities to be put on sale during the pilgrimage season. Several light industries arose to meet some of the needs of the city's visitors. Recently, for example, a factory was built to manufacture plastic barrels and prayer beads. These barrels are used by pilgrims to carry home some of the sacred water of the well of Zamzam; the beads are bought as souvenirs for friends

and relatives. That same factory produces water hoses (pipes) that are used to deliver water from distant public water faucets into houses that lack a water supply. This individual water delivery lessens the pressure on the city's water supply for the ever-increasing demand for piped water. There are several other factories and workshops concerned with and dependent upon the pilgrimage; they include some workshops for the production of tin barrels, metallic suitcases, and water coolers. A very important industrial development in the 1960s was the reactivation of the factory for the production of the Kaaba drapery. This factory was reactivated upon the worsening of political relations between the kingdom of Saudi Arabia and the United Arab Republic (Egypt); the latter previously provided the Kaaba drapery free every season. Many skilled and semiskilled workers are employed in this factory (people with skills in textile, art drawing, and penmanship).

The Mutawwif Guilds

Until the declaration of the 1965 royal decree, there had been some associations of Mutawwifs of pilgrims from every nationality group in the Islamic world. The Mutawwifs of the Arabic-speaking pilgrims, for example,

had their own association, or guild. Other Mutawwifs of pilgrims from other regions had their guilds too. These guilds, headed by guild-masters, met during the pilgrimage season to elect officers, initiate new members, and discuss matters of concern to them.

The guild-master, appointed by the central government, decided the allotment of undesignated pilgrims to their prospective Mutawwifs, administered and articulated the guild's internal matters, arbitrated individual disputes, maintained associational order, and punished violators of the guild's rules and regulations. The guild-master also signed up new Mutawwifs.

The new candidates for guild membership had to meet the qualification standards, namely competence, demonstrated capacity, and an honorable conduct. Upon meeting these prerequisites, a new member invited all the members of the guild for an initiation ceremony. In the ceremony, the newly instated member declared his allegiance to the guild, his loyalty to the guild-master, and his cooperation and amity to all members.¹⁰

¹⁰C. Snouck Hurgronje, Mekka in the Latter Part of the Nineteenth Century, trans. J. H. Monohan (Leyden, 1931), pp. 28-29; H. A. R. Gibb and Harold Bowen, Islamic Society and the West, (London, 1950), I, 276.

Problems

Like the Municipality of Mecca, the Underministry of the Pilgrimage faces internal problems (administrative) as well as external problems (environmental and clientele). But, unlike the Municipality, the most acute problems that face the Underministry of the Pilgrimage come from the Mutawwifs and the pilgrims, its clientele.

The Mutawwifship, a traditional institution in the city of Mecca, as well as of the pilgrimage itself, has been a major problem facing the Underministry of the Pilgrimage. Competition, feuds, frictions, and disputes are characteristic elements of that problem.

Apprentices strive to learn the profession of Mutawwifship; some do so well that they apply for and obtain the position of the Mutawwifship themselves. This increases the already large number of Mutawwifs in the city of Mecca. Competition, coupled with feuds and frictions, often became tense between the old establishment and the new Mutawwifs. Other disputes arise over issues such as: who should have the prerogative of receiving and accommodating the pilgrims of a particular region in the Islamic world; should a region be a monopoly of an individual

Mutawwif, or should that region be divided between several Mutawwifs, new and old.

In the early days, prominent Mutawwifs claimed and retained exclusive rights to receive and host pilgrims from fantastically extensive regions, especially in Africa, where colonial powers controlled vast portions of the continent. These vast regions, with the rise of nationalism in the late 1950s and the early 1960s, produced several new and independent states (for example, Ghana, Guinea, Mali, etc.). Several potential Mutawwifs applied and received the Mutawwifship for these regions, thus cutting in on the old monopoly.

Another problem presented by the Mutawwifs arises when the head of a family dies. In that case, three possible questions arise: who of the family members takes command of the Mutawwifship; which relatives partake in the inheritance; and how are the dues and revenues to be distributed among the survivors of the deceased?

The royal decree of 1965 attempted to regulate the Mutawwifs' affairs, and to settle some of the cited issues. That decree banned any new Mutawwifship, and gave the right and freedom to the pilgrims to decide their Mutawwifs. It also set a maximum of 200 pilgrims for each

Mutawwif per season with all benefits (dues and fees), and an additional 200 pilgrims per Mutawwif per season with 50 percent of the benefits. The decree also called for the establishment of an emergency fund for the less successful Mutawwifs (to be funded presumably from the withheld dues, the other 50 percent).¹¹

The mere number of pilgrims poses a fantastic problem to the local government agencies in the city of Mecca. About a million pilgrims come to the city each year. Although they stay in the city only for a short time, their enormous numbers make it difficult for the city's administrative capacity to satisfactorily meet their needs. Temporarily the city of Mecca increases by a million people; as a consequence, housing facilities become extremely crowded and rent becomes very high. Many pilgrims, some from Jordan, camp in tents at the outskirts of the city; others, like many Yemeni pilgrims, live in the open along passageways in the vicinity especially of Mount Omar.¹²

¹¹Royal Decree, 12/M (1965).

¹²The Saudi Arabian Statistical Yearbook of 1967, Table 3-30, p. 113. In it, the following figures of pilgrims' arrival to Mecca from 1935 to 1969. As for the figures of pilgrims' arrivals from 1930 and 1932, they

In conjunction with crowded conditions, overpopulation, and lack of adequate housing, water becomes scarce. Even in normal times, the city of Mecca receives less than an adequate supply of water. Only 10 percent of Mecca's households received piped water with a maximum individual average consumption of 20 gallons per day; this may be contrasted to individual consumption in the United States of more than 100 gallons. The acuteness of the water problem in Mecca is aggravated by the addition of people numbering five times the city's normal population.¹³

were cited in E. Bremond, Yemen et Saoudia, op. cit., p. 118.

1930.....200,000	1962.....216,400
1932..... 40,000	1963.....197,100
1935..... 49,500	1964.....266,500
1949.....107,600	1965.....283,300
1952.....149,800	1966.....294,100
1954.....232,900	1967.....316,200
1961.....285,900	1969.....406,200

a. A possible explanation for the 1932 decline might have been the effect of the world-wide economic depression.

b. 1954 was the first time that the number of pilgrims passed the quarter of a million mark.

c. The probable explanation for the decrease in 1962 and 1963 could be related to the start of the Yemeni civil war; both Yemeni and Egyptian pilgrims were very few in those years.

d. The figure of 1969 was cited in News from Saudi Arabia, March 3, 1970, p. 7.

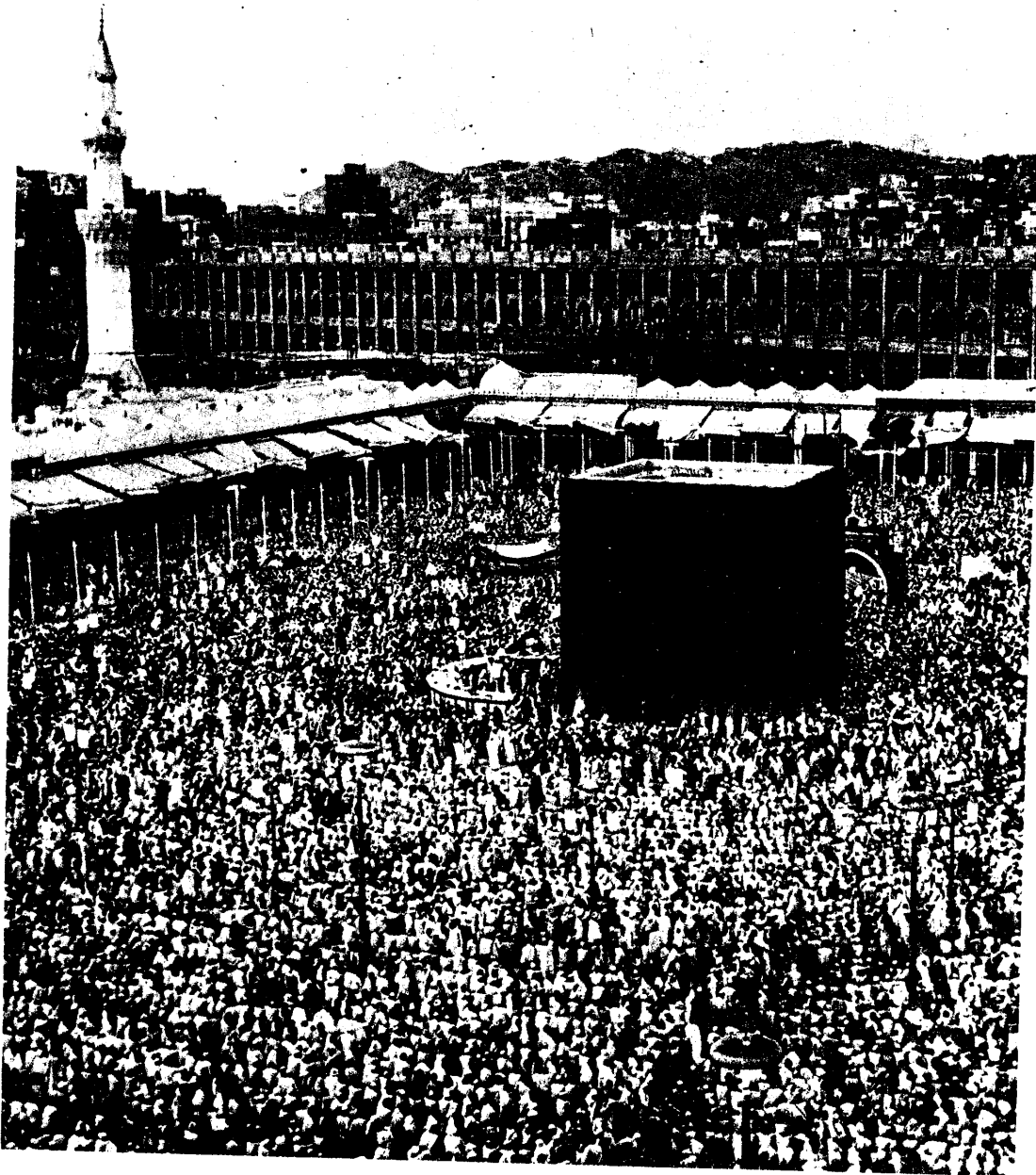
¹³Yearbook, p. 9; Abdalla Uraif, "Modern Mecca," al-Nadwa Newspaper, op. cit.

Traffic is yet another problem that affects the whole pilgrimage area and confronts government agencies including the Underministry of the Pilgrimage. Thousands of buses, trucks, and small cars move about and pass through the city with little or no systematic efforts at traffic direction and control. This situation, coupled with the lack of adequate parking facilities for these numerous vehicles, complicates the problem by increasing the probability of car accidents, and decreasing the people's ability to move about the city.

These problems necessitate considerable organization by the various levels of government, central and municipal, and require coordination and cooperation between the government agencies and the Mutawwifs.

In order to meet some of the needs and difficulties, a top-level governmental group was formed; this group, called the Supreme Pilgrimage Board, was composed of the Governor of Mecca, as chairman, and the heads of the agencies involved with pilgrimage. The purpose of this board was to alleviate and reduce the intensity of the problems that face the government in every season.¹⁴

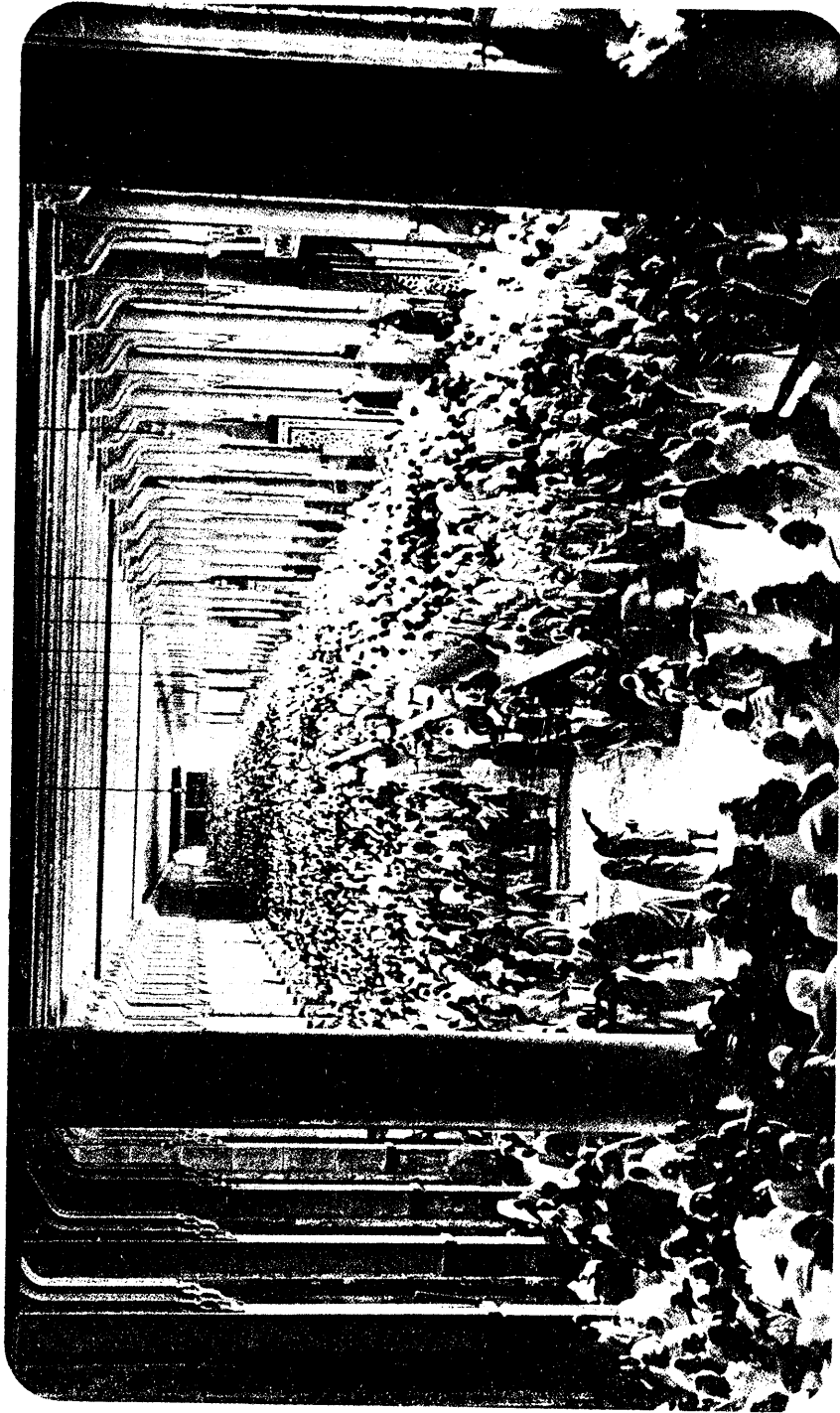
¹⁴News From Saudi Arabia, May 17, 1969, p. 7.



The Holy Mosque at Mecca. At the center lies the Kaaba, "the house of Allah." Some pilgrims are circling the Kaaba, while some are sitting before or after a major prayer, probably the one performed in the afternoon.

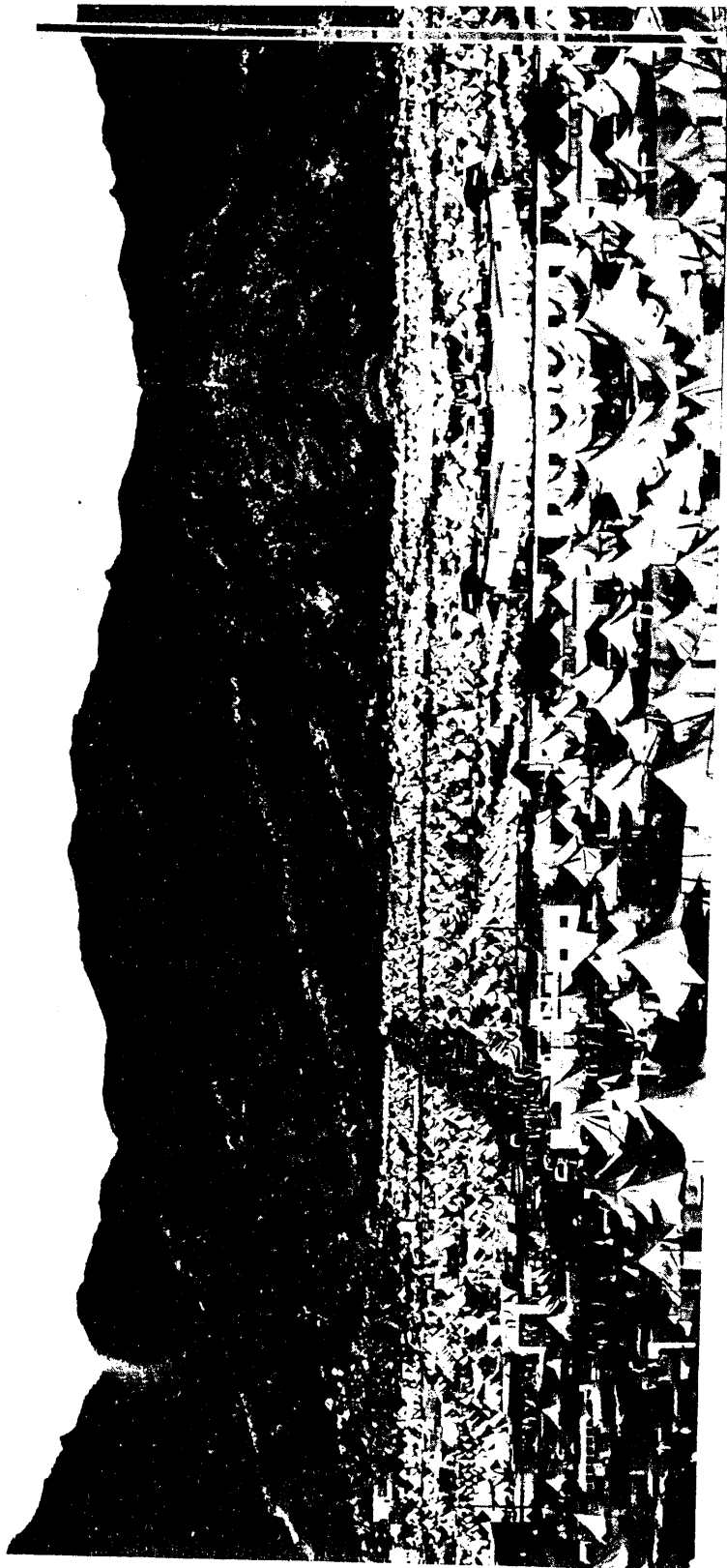
Source: Sauda Arabia in Pictures and Figures, April 11, 1967, p. 7.

The Safa and Marwa. Here, the pilgrims perform a "run" (procession) between two hills; the one at the back-ground of the picture, and the other at its foreground. This procession is performed in memory of the desperate search for water by Hagar (the wife of Abraham) in this vicinity.



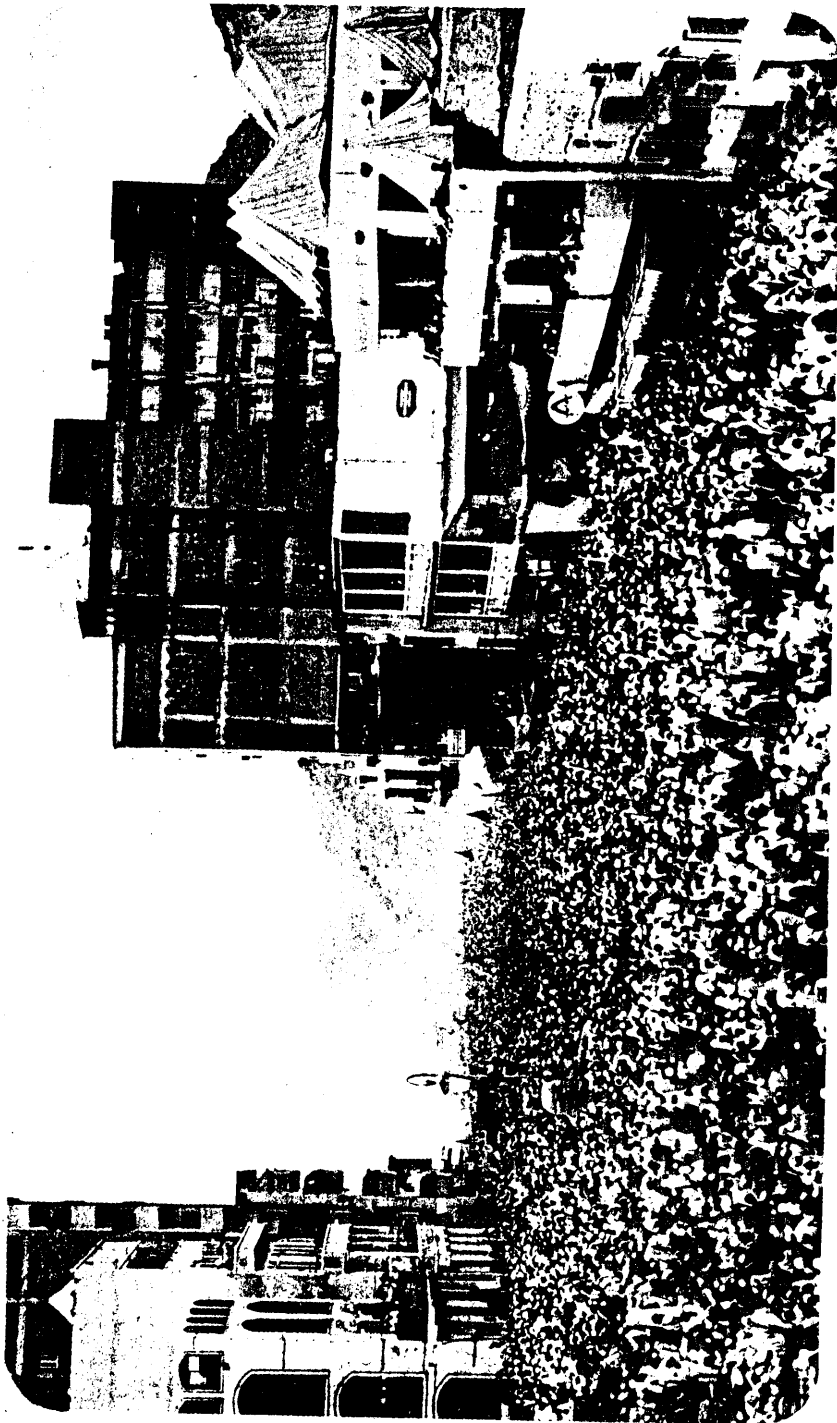
Source: Kafilat Azzait Magazine, XVII (Feb.-Mar, 1970), p. 6.

The Camping Plain of Arafat. The picture shows the degree of crowding of the pilgrimage; almost a million people camp in these tents every year.



Source: Saudi Arabia in Pictures and Figures, April 11, 1967, pp. 6-7.

A Site of Stoning the Effigy of Satan, in Mina.



Source: Kafilat Azzait Magazine, XVII (Feb. Mar., 1970), p. 8.

Mina. These are some of the camping tents and building facilities in which pilgrims live during the three-day period of festivities. At the center of the picture lies the Khaif Mosque.



Source: Kafilat Azzait Magazine, XVII (Feb.-Mar., 1970), 8.

C H A P T E R V

SOME FUNCTIONAL AGENCIES IN MECCA

Local government in the city of Mecca is diversified. Several agencies, each belonging to a separate national ministry, coexist in the city. A common agency for maintaining the city's utilities and providing its services is lacking. Some of these agencies such as the city's electric company, though privately owned, perform some of the city's municipal services.

This chapter deals with agencies and firms that perform Mecca's business, electricity, education, health, and public safety services.

The City's Business Community

Although the Ministry of Commerce maintains a branch in the city, Mecca's business activities are handled and coordinated mostly by the city's Chamber of Commerce. This association, composed of prominent merchants and entrepreneurs, looks after the welfare of its members; it provides them with information about world markets and publishes a magazine dealing with commercial matters.

Mecca markets have several specialized and neighborhood businesses spread over the city. Merchants of textiles and draperies, for example, group together in a certain section of the city while auto-parts dealers concentrate in another section. The introduction of motor cars into the area in 1926 was followed by the establishment of car repair garages and service stations. The introduction of machinery and electrical equipment replaced the old workshops which were operated by individual craftsmen and artisans.¹ Some of these workshops have been transformed into full-fledged factories. The central government encouraged this industrial-business development through the exemption of machinery and raw materials of custom taxes and the initiation of a fifteen year project involving the expansion and reconstruction of the Holy Mosque. This project vitalized the city's business and overall economic life.

Construction and real estate business are very important parts of the city's economy; about sixteen firms engage in these businesses. Construction flourished significantly in the period between the late 1950s and the

¹Morroee Berger (ed.), The New Metropolis in the Arab World (New Delhi: Congress for Cultural Freedom, 1963), pp. 64-66.

early 1960s, when the need for new houses increased as a result of the demolition of numerous houses to provide the space needed for the expansion of the Holy Mosque and the building of new streets. These new houses were built in new areas of the city and formed new sectors in it.

Other industries are light and small. One half of the city's 6,000 business firms supply daily consumption needs such as food, clothing, and utilities. About a thousand of these firms can be classified as bakeries, confectionaries, dairy products, ice-making plants, and soft drink bottlers. Sixteen firms are engaged in agriculture, twelve in transportation, and six in gas and electricity.²

To illustrate the smallness of the city's industry, we can refer to the amount of electricity consumed in the operation and maintenance of these industries. In order to operate the electric facilities and equipment of the city's electric company, in 1966, an amount of 1,594,000 kilowatts were consumed. This amount of energy surpassed the amount of electricity consumed by the city's total industrial firms, 1,174,000 kilowatts.³

²Abdalla Uraif, "Modern Mecca," Al-Nadwa Newspaper, op. cit.

³The Saudi Statistical Yearbook of 1967, Table VIII-4, p. 292.

The City's Electric Company

Starting with a capital of \$8 million U.S. dollars, the Saudi Electric Company provides Mecca with electricity. In 1966, with a budget of \$13 million U.S. dollars, the company produced forty million kilowatts of electricity.

Managed and controlled by a private firm, the electric company is independent of governmental authority and regulations, including those of the municipality. Communication of needs and demands are unchanneled, and the means of control and coordination between the company and the governmental agencies are absent. This lack of coordination necessarily results in unproductive consequences for both the company and the governmental agencies. For example, the electric company may proceed to install a power line that may run contrary to a plan by the city's water agency to construct a water pipe, and, in turn, may obstruct the construction of a sewage network by the city's municipality.

Most of the city's inhabitants are denied an adequate supply of electricity. Until 1966, for example, nearly 90 percent of the city's households lived without electricity. The high rate of electricity per kilowatt

and the high cost of installing power lines are direct causes for the limitation on individuals from subscribing to the company's electric output.⁴

As to Mecca's business community, little electric energy is used beyond the firms' minimum need. Facades of the market shops, for example, have little advertising or identifying neon lights. Electric appliances are used minimally; slaughterhouses, for example, generally lack electric cutters, grinders, and freezers.

Although a significant amount of the electricity produced is used to light the streets, more than half of the city's main streets and more than three-fourths of its secondary streets remained unlit in 1966.⁵ The absence of an overall coordinating agency for the supervision of the city's services and utilities is responsible for this. If the electricity plant, as well as other service agencies, were included under the auspices of the lord-mayor, the municipality could be held responsible simultaneously for building, cleaning, and lighting the city's streets. This combination of functions speeds action and eliminates

⁴Abdalla Uraif, "Modern Mecca," al-Nadwa Newspaper, op. cit.

⁵Ibid.

claims and counterclaims by one agency against the other concerning a particular function.

The Directorate of Education

A subsidiary of the Ministry of Education, this directorate is responsible for Mecca's school system. The Directorate of Education in Mecca oversees the operation of 64 daytime schools in the city; of these, there are 54 elementary, 7 intermediate, 1 intermediate-secondary (junior high), and 1 secondary (high). Several institutes for adults, business, and teachers exist in the city of Mecca. There are also two colleges and a college-level institution: the College of Islamic Law (Shari'a), the College of Education, and the Madrasat Ahl al-Hadith College. The number of students that attended schools in the Mecca area totaled 40,000 in 1966. Student enrollment in these college-level institutions has been small, and their growth has been slow. The College of Islamic Law, for example, began its operation with a handful of students; between 1957 and 1967, student enrollment in this college increased from about 90 to only 153. Similarly, student enrollment in the College of Education began with 133 in

1963; the number of students reached 156 in 1967 and 163 in 1969.⁶

Most of the city's educational institutions enroll male students. Education for girls was officially established only as late as 1959. Previously, female education was sponsored privately. In 1966, nonetheless, there were 21 state schools providing education for about 10,000 girls in the city of Mecca. About 2,000 additional girls were registered in private schools.⁷ Private schools for girls are subject to the supervision of the state represented by the Office of the Grand Mufti which oversees the appointment of teachers, the selection of textbooks, and the administration of final examinations. (The Office of the Grand Mufti is usually concerned with legal and judicial matters. The Royal Decree of 1959, concerning female education, delegated the responsibility of this type of education to this office.)

The Directorate of Health

Hierarchically, this directorate is a subagency of the Ministry of Health. Structurally, the Directorate

⁶Saudi Yearbook, Table II-16, p. 56.

⁷Ibid., p. 60.

of Health is composed of five units: the General Office, offices for personnel, accounting, engineering, and general sanitation.⁸ Functionally, the directorate, with about 125 employees, supervises the operation of the city's three general hospitals and the city's maternity hospital. These hospitals have a total capacity of 1,600 beds. This agency also maintains six health clinics; each is staffed with a physician, a nurse, and a pharmacist. Three similar clinics exist in the city and are operated by three foreign embassies, from India, Pakistan, and Indonesia; these foreign clinics provide medical care mainly for pilgrims from their countries. The Directorate of Health also operates about fourteen health centers throughout the city; each health center is located approximately in a separate sector of Mecca and is equipped to provide medical care only at the level of first-aid. Health clinics, by contrast, possess hospital-type facilities capable of performing operations.⁹

During the pilgrimage time, the entire Ministry of Health moves from the capital (Riyadh) into the Mecca area and assumes control of health matters. In the pilgrimage area, the Ministry of Health maintains several

⁸Mr. Awn, of the Department of Health, in an interview, June, 1969.

⁹Idem.

hospitals. In Arafat, the ministry operates two general hospitals with a total capacity of 400 beds and staffed with 45 physicians, 82 nurses, and 7 pharmacists. Both hospitals perform their functions in tents, and both move out of the Arafat area to Mina after twenty-four hours, and both join the Mina General Hospital. The Mina hospital is equipped with 300 beds, and is staffed with 22 physicians, 51 nurses, and 2 pharmacists. The combined facilities provide medical care for approximately a million pilgrims and combat any possible epidemic diseases in the area. In addition, the Ministry of Health maintains several mobile health stations; these stations are staffed each with a physician and a nurse and each is equipped with a drug compartment and X-ray equipment; they provide medical first aid and emergency minor operations for traveling pilgrims.¹⁰

Partly because of the medical care provided by the Ministry of Health, and partly due to recent mild weather, death rates during the pilgrimage season have decreased considerably. Prior to the 1960s, several thousand pilgrims (between 1,000 and 3,000) died each season.

¹⁰Idem.

Lately, these numbers have fallen to as little as 300.¹¹

In the city itself, Mecca seems to suffer from a number of diseases despite efforts to eradicate them. In a memorandum from the Ministry of Health, it was stressed that some serious quarantinable diseases should be reported immediately, within twenty-four hours, to the Underminister of Health. As to other communicable diseases, they were to be reported weekly to the Bureau of Preventive Medicine. Quarantinable diseases such as plague, cholera, smallpox, yellow fever, typhus fever, and relapsing fever are reportedly rare in Mecca. Communicable diseases such as anthrax (animal infections), erupsipelas (acute febrile disease), encephalitis (brain inflammation), scarlet fever, and rabies are considered nonexistent in the Mecca area. About a handful of cases of typhoid and paratyphoid and two to three incidents of tetanus occur in the city. On the other hand, there are some diseases, more typical of the area, such as diphtheria, measles, mumps, whooping cough, perpueral (gynecological) fever, chicken pox, amoebic dysentery, influenza, pulmonary (lung) tuberculosis,

¹¹Idem.

and a variety of venereal diseases; cases of leprosy are recorded at a rate of twenty per month.¹²

Traditionally, Meccans depended on herbs and home remedies for treating illness and fighting diseases. The city's health standards are less than ideal.

Due to the lack of an adequate sewage network in the city, individuals build their own reservoirs for the accumulation of waste material. When full, these reservoirs' contents are emptied and reburied in some distant places. Before and during the process of emptying these reservoirs, odorous waters seep out, run through passageways, and inescapably pollute the air. In order to postpone emptying these reservoirs, individual home owners let their daily dirty waters resulting from laundry, dishwashing, and housecleaning into the street, instead of into the reservoirs. In addition to their bad smell, these waters provide a habitat for mosquitoes, and contribute to disease.

The city's health agency lacked records for death and birth rates until 1969. Since then, a total of 800 deaths were reported in a period of three months (that

¹²Idem.

figure included the death of 56 mothers in Mecca's maternity hospital). These figures seem to be very high; they must have been influenced by the pilgrimage season.

(These records began in April of 1969. March and April coincided with part of the Muslim month of the pilgrimage, Dhul Hijja, and the following month Muharram.)¹³

Public Safety. Information concerning police functions are scanty and restricted. There are some scattered data in the national statistical yearbook--the Saudi Statistical Yearbook of 1967, for example, where some vague and general figures are given on some police functions and crime occurrences.¹⁴

The Directorate of Public Safety, a subagency of the Ministry of the Interior, is independent of and unrelated to the city's Municipality. This absence of an overall coordinating body that includes both of these agencies, once again, results in difficulties in enforcing the laws and in expediting the operation of services by either one. The municipality of Mecca has its own officers

¹³Idem.

¹⁴Saudi Yearbook, pp. 101, 102 and 107.

who implement its rules and regulations, but these officers often encounter public resistance and lack the power and prestige the police officers possess.

Fires occur frequently in the city of Mecca. The rate of fire occurrences is about one in every forty-eight hours; many of these fires take place in homes. In 1966, for example, households accounted for 66 out of 177 (or about 37 percent) of the fires that took place in the city that year. Several environmental factors enhanced the possibility of fire. One fire hazard is presented by the numerous tin and straw shacks inhabited by the city's African minority. Another fire hazard is provided by the generally unguarded garbage dumps and the unsupervised firewood yards. Also, the city's extremely dry climate encourages the quick spread of fire.

The city's lack of an effective means of communication such as an efficient telephone system poses a great difficulty for the police department in maintaining peace and security in Mecca; this also checks on the ability of the fire units to combat fires. In a city of 250,000 there are only 3,560 telephones; these telephones are operated manually, and usually render insufficient service.¹⁵

¹⁵Uraif, "Modern Mecca," op. cit.

C H A P T E R V I

A QUEST FOR LOCAL GOVERNMENT

Having pointed out some of the difficulties the local agencies in Mecca face, we now offer some proposals and conclusions. The city's difficulties can be categorized into three dimensions: ecological, administrative, and human, which we shall take up in turn.

The Ecological Dimension

The city of Mecca needs to undergo a process of environmental conditioning and physical rehabilitation. Scarcity of water is an alarming problem which causes uncertainty and apprehension. An adequate supply of pure water must be provided to satisfy household needs, manufacturers' demands, and public use. Constant and persistent search for new sources of water is necessary in order to guarantee sufficient water supply for the city's daily consumption. Control of pollution of underground waters and wells must be established; such control would entail the planning and construction of adequate sewer lines, and the redirection of waterways adjacent to or near these sewers.

The constant flow of people into and throughout the city of Mecca necessitates an efficient system of transportation. Such a transportation system must be systematic, uniform, punctual, and well-maintained. The city's transportation can be undertaken by the municipality or by a commissioned private company. At the present time, for its transportation, the city of Mecca depends on some small buses and taxicabs. Buses are owned, operated, and maintained by private individuals; these buses are also too crowded and inconvenient. The city's population is faced with a choice between riding these crowded and inconvenient buses for about five cents, or riding a taxicab for fifty cents. The city of Mecca, centered around the Holy Mosque, may do better by building an underground system. Present streets are built around the Holy Mosque; they are narrow, winding, and dangerous. A sound and sufficient underground traffic should provide quick and safe movement of people and equipment throughout the city. An alternative proposal in the form of an overland mono-rail system or freeway roads, if proven more feasible or more economical, could provide the city of Mecca with as much help for its difficulties in physical mobility.

The ever-increasing flow of immigrants into the city of Mecca must be checked. The city's government

agencies can perform their duties efficiently only if they possess a reasonably adequate estimate of the number of their clientele--the population of Mecca. Unless an accurate census is done then, a great deal of unpredictability would reign over any planning process, and chaotic situations become inevitable while pursuing any hypothesized plans. The municipality of Mecca, for example, must at least know exactly how many people live within its jurisdiction, and where that jurisdiction reaches; the city has to have demarcated administrative limits. If new sectors were to be formed, then all necessary steps must be taken to assure their harmonious integration into the old city.¹

Plans for the city's industrial centers must be studied at an early date. Industrial or business firms can and must be regulated, supervised, and assisted to assure them stability and prosperity. The regulation of these firms entails the establishment of safety standards, the containment of diseases, the prevention of air and water pollution, and the demarcation of the industrial

¹Ernst B. Schulz, American City Government: Its Machinery and Process (New York: Stackpole & Heck, Inc., 1949), pp. 179-196.

zones. The city government can invigorate the city's industrial enterprises by providing them with easy and inexpensive means of transportation, by giving them access to water and electricity, and encouraging the growth of markets for their products within and outside the city.

To construct an efficient and viable network of transportation, water pipes, and sewage lines, the compilation of a master plan for the city of Mecca is mandatory. Such a plan could give a comprehensive assessment of the city's capabilities and potentialities. A master plan includes the formulation of long-range programming and planning, and helps to estimate the city's growth direction, growth size, and possible problems.

The Organizational Dimension

Here, we refer to a possible set of administrative reforms for the city of Mecca (as well as other Arabian cities). This includes coordination, delegation of some authorities in the sense of deconcentration or devolution of government, and training the personnel of the local agency.

The concept of coordination, as is used here, includes the annexation and consolidation of administrative

structures, the separation between staff and line functions, and avoidance of further structuralization. The city's numerous localized branches of the central government need to be grouped within an overall "metropolitan administrative unit."² The emphasis here is on grouping the city's local agencies under a unified command; this unified command can be assumed by the city's Municipal Council and led by the Lord-Mayor. Those functional agencies which provide the city with utilities and other services could thus function harmoniously, jointly, and closely. A proposed form for this would be the establishment of a supreme administrative council formed by the heads of all existing agencies and headed by the lord-mayor who should be responsible to the city's elected municipal council. Such a combined body would assimilate the different views and variant policies into unified plans and common resolutions and result in speedy actions and joint responsibility. The heads of the administrative agencies, as well as the Lord-Mayor, may be nominated by the central government and must be considered by the city's municipal council; the final

²Alderfer, Local Government, p. 231; Harry A. Hopf, "Administrative Coordination," in Fritz Morstein Marx (ed.), Public Management in the New Democracy (New York: Harper and Bros., 1940), pp. 83-88; also Schulz, op. cit., pp. 179-196.

confirmation of the appointment of these heads remains within the prerogatives of the central government. Authority and power, as a result, would be shared by the two governmental levels, the local and the central. This arrangement allows the central government to disengage itself from undertaking the cumbersome administrative details of the local community. At the same time, the central government can concentrate on a role of providing guidance to and checking the performance of the local authorities; it may interfere in necessary circumstances created by incidences of illegality or excessiveness in appropriation.³

Local government in the prescribed form should have the power to levy taxes, enforce its policies, produce its budget, and review and consent to the appointment of all top administrators in the city. The municipal council could, for example, issue ordinances, propose and approve the city's budget (within the national guidelines), and produce the necessary rules and regulations. Appointed by the central government and confirmed by the city's municipal council, the lord-mayor should be responsible for all governmental agencies that exist in the city, be

³Alderfer, Local Government, pp. 229-233.

responsible to the municipal council, and attend the council's meetings as a voting member.

Most of the difficulties confronting the city's administrative units stem from the lack of training facilities for their employees, the poor qualifications of these employees for their jobs, and the low pay they receive. These three elements form a cycle. The lack of training facilities keeps personnel inexperienced and unexposed to new and continuously changing ideas, procedures, and technology. Failing to grasp new skills and to acquire more know-how would hardly make the personnel eligible for promotions or pay raises. Low pay, in turn, hinders the recruitment process and increases the discontent of the present employees.

Training for the city's administrative employees can be provided in many ways. Training sessions may be given by some well-informed supervisors to acquaint personnel with changes and better methods while on the job. Similar training can also be given in the form of periodic scholarships for the employees to study abroad. Seminars may be given by visiting scholars to the members of the municipal council and the heads of the administrative units. The members of the municipal council, with the

proposed authority delegated to them, need to have cognizance of technological and specialized areas instead of calling upon an "expert" from abroad when forced into quick and complex action.⁴ Furthermore, the provision of training opportunities, coupled with pay raises and increased job satisfaction, provides an indirect deterrent to the practice of bribery.

Overstructuralism is another problem confronting local administrative units in Mecca. Too many operating administrative units are created to accommodate the demand for employment; jobs are created to suit individuals, not conversely. Administrative units in the city need to undergo rigorous functional reorientation, not expanding structuralization. A separation between "staff" and "line" functions must be established.

The Human Dimension

The following discussion is mostly a reanimation of processes congruent with the people's traditional history and derived from their Islamic faith. The purpose here is to suggest some means of political socialization

⁴Hicks, Government From Below, pp. 532-540.

for the local population. Political socialization increases the local population's individuality, responsibility, and the chances of utilizing their leadership potentiality. The more politicized and involved the local population, the less their dependency on the central government for the provision of all services. The point is to transform the relationship between the central government and the local population from a guardian-subject relationship to one of an agency-citizen type. Local people in Mecca, as in other Arabian cities, expect and depend on the central government to provide every service ranging from the construction of a sewage line to the collection of garbage; the people have been accustomed to this treatment; their complaints have been directed, often unfairly, against the central government for all possible deficiencies. The central government has chosen to assume total and unnecessary control over all matters, important and trivial. Activities of local nature such as building streets, lighting alleys, operating clinics, and maintaining sanitation and general cleanliness can be left to local and indigenous agencies.

The relationship between governmental agencies, central and local, and the people at large is the subject of the next portion of the discussion. This is viewed

in terms of a reciprocal interaction via participation and engagement.

The concept of participation, as is used here, entails the local population's attitudes toward and degree of attachment to the central government; participation describes the people's interaction with the government. The concept of engagement, on the other hand, deals with what the central government can and must do to improve the people's attitudes and commitment. The quest for a substantial degree of social harmony and a certain level of civic culture is immanent as far as the local communities in Saudi Arabia and the other parts of the Arab World are concerned.

Popular participation in the governance of their affairs necessarily implies the people's involvement in influencing the decision-making output by playing an active role in the selection of decision-makers and by constructing a systematic channel of communication through which they could affect the performance of those decision-makers. The local population should be allowed to select its city officials by means of a free and protected election system based on universal suffrage. This would reactivate and amend the old election code of the 1920s, the General Code

of Elections (1928 ?), and would call for the provision for adequate publicity for the conduct and timing of the elections, the accessibility of voters to all pieces of information concerning the issues, and provision of facilities for the exchange of views regarding these issues. The population as a whole should have all relevant facts pertaining to the issues so they may be able to make their own rational judgment. Individuals must have access to the city's newspapers in order to air their views, needs, and demands so that city officials are kept informed. The city government, in turn, must be in close contact with the people; this might be accomplished if a public relations bureau was established to receive petitions from the people on a permanent basis.

The other part of the discussion deals with what is termed here as the process of engagement by the government. This entails three steps: the reactivation of the traditional concept of consultation with the people, the stimulation of the popular involvement by means of incentives, and the cooperation with the people through flexibility.

The principle of consultation, the essence of genuine democracy, was repeatedly emphasized by the

traditions and history of the area, namely by Islam. The Koran declares, "Thus it is due to mercy from Allah that you [Muhammad] [should] deal with them [the people] gently; had you been rough or hard-hearted, they would certainly have dispersed from around you; pardon them therefore, ask forgiveness for them, and consult them in the affairs [of the state]" Also, "Their [the people's] affairs are decided by consultation among themselves."⁵ The first Islamic leader after the Prophet, Abu Bakr, declared in his inaugural speech in 632, "I was set up [elected] as your leader and I am not the best amongst you. If I go straight, support me. If I go wrong, set me straight." Abu Bakr was popularly elected by consultative [democratic] means.⁶

Consultation is to "engagement" as articulation of demands is to participation. The central government's process of engaging the local people includes the provision of incentives, flexibility and cooperation in enforcing the laws, and the imposition of reasonable but permanent tax. Incentives include material rewards and

⁵Koran III: 159; and VIIIL: 38. (Brackets added.)

⁶Muhammad Fadhel Jamali, Letters on Islam (London: Oxford University Press, 1965), pp. 67-69.

bonuses, and honorary recognition by giving titles for worthy actions. The government could provide, for example, honorary titles for individuals or groups of shopkeepers who maintain sanitary conditions and measurement standards, exemptions from renewing the annual license fees and charges for industrial firms that observe safety standards and facilities for eliminating pollution. The government could waive some of the minor regulative requirements against business firms and individuals for demonstrated superior performance in helping public cleanliness, general order, and in cases of extraordinary honesty.

In order to increase the concern of the local population for their own affairs, a real estate tax on rentals, similar to the one that had been collected until terminated in 1962, needs to be imposed. This tax of 9 percent, divided between the landlords and the tenants, should be an adequate source of income for the city government, and should be regarded as a fair price for the people's representation in and control of their local government. The central government, as part of its national responsibility and guidance, must provide the local authorities with the necessary additional financial assistance.

The adoption of these proposals and recommendations would be a starting point in the road to political development and administrative reform in the city of Mecca as well as other Muslim cities and municipalities and would improve the quality of relationship between the local population and the central government. Furthermore, the following remark by a prominent western writer would be refuted and disproved:

At no time has the Muslim municipality proved capable of developing institutions which, over a protracted period of time, would have resisted the shortsighted encroachment of an irresponsible government.⁷

⁷Gustav Von Grünebaum, Medieval Islam (Chicago: The University Press, 1946), p. 166.

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A P P E N D I C E S

LAWS GOVERNING THE ADMINISTRATION OF MUNICIPALITIES
AND PREFECTURES

Translated and Edited by
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From the Official Documents
Published by the Government Press
of the Kingdom of Saudi Arabia

*Explanatory words supplied by the author appear in parentheses.

A P P E N D I X A

GENERAL LAWS FOR THE MUNICIPALITIES, 1938

INTRODUCTION

Article 1

This law shall be called the General Law on the Lord-Mayoralty (of Mecca) and the Municipalities in Saudi Arabia.

Article 2

The following terms used here mean as follows:

Head: Refers to the Lord-Mayor (of Mecca) and the heads of the (other) Municipalities.

Municipality: Includes the Lord-Mayoralty and the rest of Municipalities.

Article 3

The Municipalities supervise the administration of cities according to the general health standards, maintain their beautification and the improvement of general outlook. The Municipalities also have the duty of assuring the cities' interest and various services as stipulated by this law.

Article 4

This law explains the structure (composition) of the Municipalities and the Municipal Councils. It spells out the duties of each and shows the ways of work distribution and performance.

Article 5

This law delimits the perimeters of the Municipalities' jurisdiction according to inhabited areas. This includes all real estate in areas connected with (attached to) a given municipality.

Article 6

The Lord-Mayor's authority is drawn from the Office of Viceroy (now the Governor of Mecca). The other Municipalities are related to their administrative governors.

Article 7

The Lord-Mayoralty of Mecca is composed of:

- a. The Lord-Mayor
- b. The Municipal Council
- c. The Administrative Council
- d. The Municipality Committee
- e. An assistant (or more than one) to the Lord-Mayor
- f. The Municipality's Office and Departments

Article 8

The other Municipalities are to be composed of:

- a. The Head of the Municipality
- b. The Municipal Council
- c. The Administrative Council
- d. The Municipal Committee
- e. Assistant to the Head
- f. The Municipality's Office and Departments

C H A P T E R I

THE FUNCTIONS OF THE MUNICIPALITIES

Article 9

The functions and duties of the Municipalities are:

- a. The organization of the Municipality (city), of its cleanliness, and lighting.
- b. The supervision of the construction of the public and private buildings according to their respective rules.
- c. The expansion, organization, and pavement of roads; the construction of shades for the ones that need them, and the establishment of public squares (parks) for the convenience of the population.
- d. The construction of public and private sewer network in the city, and the construction of water lines in areas outside the jurisdiction of the Water Agency.
- e. The design of a map for the city showing official as well as private places and public roads, etc.
- f. The demolition of delapidating places and houses with deficient designs, and therefore harmful to the public, after properly notifying their owners.
- g. The building of incinerators outside the city limits for the disposal of waste, garbage, and refuse.
- h. The prohibition of intrusion by shopkeepers into the streets (with their merchandise).
- i. The prohibition of acquiring unowned lands.
- j. The surveying and numbering of real estate.
- k. The specifying of some areas for the sale of wood, charcoal, construction material, meats, and vegetables. (The sale of

these items should be limited to some particular areas.)
Some areas should be allotted for dealers of cars, carriages, beasts of burden, and for peddlers.

- l. The supervision of household cleanliness, with special emphasis on facilities used by pilgrims.
- m. The control over prices on consumer products and the elimination of monopoly (in these areas).
- n. The supervision of measurement standards and scales. Scales should be stamped annually.
- o. The supervision of the cleanliness of bakeries, mills, and the utensils used by professionals in the area of food and beverages.
- p. The prohibition of selling harmful (out of date) food.
- q. The organization of slaughterhouses and the supervision of their cleanliness. Slaughtering sick or weak animals is prohibited.
- r. The construction of facilities for employing the idle, for accommodating the blind, the deaf, and the orphan. Ways of improving their lot should be sought.
- s. The acquisition and maintenance of a fire engine. This should be ready for action as soon as possible.
- t. The spraying of streets with water, daily.
- u. The supervision of cemeteries and funeral homes and the maintenance of cleanliness of both.
- v. The care for animals and the regulation of the weights of burden (for beasts of burden). Fines should be set for violation and excesses.

C H A P T E R I I

THE LORD-MAYOR AND THE HEADS OF MUNICIPALITIES

Article 10

The Lord-Mayor and the Heads of Municipalities are appointed by the King for renewable 3-year terms.

Article 11

The Lord-Mayor and the Heads of Municipalities must meet the requirements set by Article III of the General Law of the Ordered.

Article 12

The Lord-Mayor has the final authority as far as the Lord-Mayoralty is concerned. He is responsible for the administration of the Municipality. He oversees its personnel and their various duties, he issues all orders, resolutions, and special instruction regarding the operation of the agency, according to the law, and he is the liaison between the Lord-Mayoralty and the other official agencies and interest groups.

Article 13

The Heads of the Municipalities have the final authority in matters concerning their Municipalities. They are responsible for the administration of their Municipalities, the coordination of the various activities, and the supervision of personnel. The Heads may issue orders, resolutions, and special memoranda concerning their agencies within the law, and they serve as a liaison between the Municipalities and the official agencies and interest groups.

CHAPTER III

THE DUTIES OF THE LORD-MAYOR
AND THE HEADS OF MUNICIPALITIESArticle 14

The duties of the Lord-Mayor and the Heads of Municipalities are: They should :

- a. Execute superior orders and implement rules and regulations relayed to them concerning their Municipalities.
- b. Sign all papers and documents after their completion and answer memoranda received from various agencies. They should review petitions received by them and forward them to the proper places. They should meet the petitioners when necessary, and survey the reasons for grievances and find ways of correcting them.
- c. Preside at the meetings of the Administrative Council, and open the first meeting of the Municipal Council for the usual formalities (election of the president of the Municipal Council and the election of his deputy). The head should report the results to the higher authorities for approval.
- d. Supervise the collection of revenues and fees and should double check the recording of these revenues in time without delaying any of them.
- e. Order expenditures within the budgetary allocations according to proper means and methods.
- f. Prepare an annual budget in the Administrative Council and present it to the Municipal Council four months prior to the beginning of the new year.
- g. Present an annual general report to the Municipal Council specifying all items of activities performed by the Municipality.

- h. Reply to inquiries made by the Municipal Council concerning the matters of the Municipality.
- i. Sign all administrative resolutions and execute what is within his jurisdiction and forward what is not to the proper authorities.
- j. Sign expenditure documents which must have the signatures of the treasurer and a minimum of two members.

Article 15

In case the Lord-Mayor (Head) disagrees with resolutions passed by the Administrative Council, he may return them with his recommendations (remarks). If the Administrative Council insisted (resisted the Head's remarks) the matter should be brought up to higher authorities to look into the matter and give the final decision.

Article 16

The Lord-Mayor (and the Heads) is primarily responsible for the workings of the Municipalities within their specified duties in this law. He is also responsible for the activities of all personnel of all ranks, and has the right to give bonuses, and recommend employees (for promotions).

Article 17

The Lord-Mayor has the right to spend a maximum of 200 Saudi piastres (\$8) from the budgetary allocations in emergency cases.

Article 18

The Lord-Mayor has the authority to spend amounts outside the budgetary allocations as follows (in emergency cases):

- a. 200 Saudi piastres (\$8) by the Head.
- b. 200 to 2,000 piastres with a resolution from the Administrative Council. In both cases, a voucher must be sought.

- c. Any amount beyond these sums cannot be expended without the attainment of an approval.

Article 19

It is not permitted for the Head to spend any amount of money in areas outside the Municipality's concern. As for buying items for government agencies, the amount for the purchase must be obtained in advance.

Article 20

All projects, commitments, or contracts planned by the Municipality must attain the approval of the Municipal Council. The Council must give the necessary decisions within a week.

C H A P T E R I V

THE MUNICIPAL COUNCIL

Article 21

Each town is to elect a Municipal Council. The membership of councils in the towns will be as follows:

- a. Mecca: 14 members.
- b. Medina: 8 members.
- c. Jeddah: 8 members.
- d. Every other town is to have 4 members.

Article 22

The election of the members of the Municipal Council shall be according to the General Election Code.

Article 23

The Municipal Council operates its meetings according to the Law of Committees and Councils.

Article 24

If the Royal assent was issued (if the King agreed to) for the election to the membership in the Municipal Councils, the Municipalities will be notified. The Municipalities, in turn, notify all members.

Article 25

A member of the Municipal Council must have the requirements stated in the General Election Code.

Article 26

The term of office is (renewable) three years.

Article 27

The Council elects a president and a vice-president by secret ballot.

Article 28

The Council meets once every week. Otherwise, the Head may call the meeting, or one third of the members can petition for a meeting to the Head. This petition should be approved immediately.

Article 29

As to its functions, the Municipal Council:

- a. Looks into all matters concerning the Municipality and finds the necessary means to improve operations.
- b. Reviews the general budget after being submitted by the Administrative Council. It can amend any provision. A representative from the Municipality (its executive branch) should attend.
- c. Studies the rules and regulations and proposals submitted by the Municipality.
- d. Reviews fees and may decide on an increase or a reduction.
- e. Looks into the items of business relayed by the Municipality.
- f. Looks into the contracts between the Municipality and the foreign personnel.
- g. Looks into the projects, the commitments, and the contracts enacted by the Municipality.

The Council must give a conclusive decision in a maximum period of a week.

Article 30

The Municipal Council may appoint a private secretary and the needed personnel within the limits of the budget.

Article 31

The Council may elect committees composed of its members according to necessity and need.

Article 32

The committees' resolutions become authenticated after their review and approval by the Council.

Article 33

A member may be considered resigned if he fails to attend three consecutive meetings, without reasonable excuse (explanation).

Article 34

The acceptance of a councilman's resignation is subject to the approval of the office of the Viceroy (now Governor of Mecca).

Article 35

In case of a vacancy of a council seat, the nominee whose tally of votes was next highest (in the election for that seat) assumes the seat.

Article 36

The Municipal Council is responsible for drawing the Lord-Mayor's attention to the unimplemented resolutions. The council may ask the Municipality to implement them. If the Municipality fails to do that, the Municipal Council is required to report directly to the (central) government. The council is also responsible for drawing the Municipality's attention to any deficiency or misconduct that occurs in the administrative operations. It is responsible to point out any mistake taking place in the performance of the executive operations.

Article 37

Correspondence involving the executive operations of the Municipalities must go through the Municipalities.

Article 38

Membership in the Municipal Council is honorary.

C H A P T E R V

THE (HEAD'S) ASSISTANTS

Article 39

The functions of the Heads' Assistants are as follows:

- a. They assist the Head in preparing and coordinating the administrative affairs of agency. In case of the absence of the Head, the assistant fills his place and he is responsible for all matters to the Head.
- b. They look into all administrative matters and are responsible for the preservation of operations of the agency in a way that constantly guarantees its interests.
- c. They supervise the agency's personnel for the execution of the needed activities. He reports to their Heads of any negligence, deficiency, or violation.
- d. They attend the meetings of the Administrative Council as members.

C H A P T E R V I

THE ADMINISTRATIVE COUNCIL

Article 40

The Administrative Council consists of:

- a. The Lord-Mayor (or the Head)
- b. The Assistant[s]
- c. The Municipality Committee
- d. The Head Scribe (Secretary)
- e. The Comptroller
- f. The Treasurer

Article 41

The Council is headed by the Lord-Mayor (or the Head).

Article 42

The functions of the Administrative Council are:

- a. The assurance of maintaining the interest of the Municipality.
- b. The writing of resolutions of rules and regulations concerning the Municipalities, especially:
 - (1) A law concerning building and construction.
 - (2) A law concerning roads.
 - (3) A law concerning real estate numbering and enumeration.
 - (4) A law concerning legal tenders and bidding.
 - (5) A law concerning Municipalities' fees.
 - (6) A law concerning cleanliness and lighting.
 - (7) A law concerning the internal organization of the Municipality..

- c. The issuance of rules and regulations regarding collecting and recording fees.
- d. The preparation of the annual general budget four months prior to the beginning of the new year.
- e. The review of investigational documents that are relayed to it by the Lord-Mayor (or the Head) concerning violation of the employment act.
- f. Presentation of the necessary proposals for the reorganization of the Municipality.
- g. It looks into all matters referred to it by the Lord-Mayor.

C H A P T E R V I I

THE MUNICIPALITY COMMITTEE

Article 43

Each Municipality should have a Municipality Committee.

Article 44

This committee is to be elected according to the Election Code.

Article 45

The functions of this committee include all the functions specified for the Municipalities. Specifically, it:

- a. Looks into the internal administrative matters and takes appropriate action regarding those matters.
- b. Reviews the resolutions regarding construction before issuing permits.
- c. Takes part in the meetings of the Administrative Council.
- d. Reviews the conditions of personnel, their operation, and gives opinions regarding them.
- e. Reviews bidding. It validates the biddings after completing the procedures and gives its recommendations.
- f. Oversees the implementation of rules and regulations concerning craftsmen and industrialists.
- g. Oversees the financial departments and supervises bails according to the Financial Code.
- h. Oversees the operation of daily and nondaily tax-revenues and takes urgent decisions in case of deficiencies.

- i. Oversees the cashier and reviews the receipts on a monthly basis and correlates them with the comptroller's established account.
- j. Oversees the monthly schedules presented by the Comptroller to the Head including the agency's revenues and expenditures.
- k. Oversees the office of Engineer.
- l. The design of a monthly schedule of all buildings constructed within a month.
- m. The preparation of the necessary purchase and sale contracts for the Municipality and the official agencies.
- n. The establishment of the necessary punishments for violators or rules and regulations concerning the Municipalities.
- o. Produces preliminary study of the issues related to it.
- p. Looks into the disputes that occur among individuals in areas of construction. It inspects the areas of dispute in cooperation with the Municipality's Engineer and experts and makes the necessary decisions according to the proper rules and regulations.

Article 46

The Committee members must attend daily during the official time.

Article 47

The Lord-Mayor (or the Head) presides over the Committee.

C H A P T E R V I I I

THE MUNICIPALITY'S PHYSICIAN

Article 48

The Lord-Mayor (or the Head) nominates the Municipality's Physician. The Municipality Committee gives its approval and the higher authorities give the final confirmation.

Article 49

The Physician must obtain a license from the Health Department (now the Ministry of Health).

Article 50

The functions of the Physician are:

- a. The implementation of the established health regulations (instructions).
- b. The supervision of the sanitary condition of the city and its markets.
- c. The supervision of the Slaughterhouse. He should withhold issuing permission for slaughtering weak or sick animals.
- d. The free examination of the professionals and the agency's personnel and the public at large. He may set a schedule of visiting hours for that purpose.
- e. The preparation of the necessary reports regarding his activities, on a weekly basis, and must report that to the Head.
- f. The fulfillment of his specified functions in the law. He must report any violations of the health regulations.
- g. The careful examination of food and beverages sold in the market. He should destroy all products harmful to the public health.

Article 51

The Physician should not leave his office except for attending to his lawful duties.

C H A P T E R I X

THE MUNICIPALITY OFFICE

Article 52

The Head-Scribe (Secretary) directs the Municipality Office. He is responsible for all the papers and documents. His functions include:

- a. The preservation of the paperwork of the executive operations, with the help of his personnel.
- b. The checking of the items of business, with his remarks.
- c. The arrangement of the written items of business. He should check and sign them on the right hand side before presenting them in the final form for the signature of the Head. He should send each item to its proper place.
- d. The supervision of the record of attendance of his personnel and should report to the Head of any absences.
- e. He sees to it that the personnel treat the interest groups well.
- f. He takes part in the meetings of the Administrative Council. He may voice his opinions regarding the subjects under discussion.
- g. He supervises the items of business of emergency type and should act on it properly
- h. He supervises the paperwork of the Administrative Council and that of the Municipality Committee.
- i. He oversees the operation of the office of Comptroller and all the other sections connected with him.
- j. The preparation of a record for the personnel conditions according to the General Personnel Code.

Article 53

All employees of the Office of the Municipality are responsible for their activities to the Head Secretary, who (in turn) is responsible to the Lord-Mayor (or the Head).for all activities referred to him.

C H A P T E R X

THE COMPTROLLER

Article 54

The Comptroller is responsible for the control (exactness) of all revenues of the Municipality. He organizes its records and:

- a. He arranges the accounts records according to the procedural financial standards.
- b. He audits the receipts of revenues on time and constantly reports to the Head about any delays.
- c. He verifies and signs checks of expenditures within the established budget after completing all procedural requirements.
- d. He signs the daily records of both the accountants and the treasurer. He should seal these records daily and obtain the signature of the Head.
- e. At the beginning of each year, he should prepare a report to the Head containing a list of the (municipality's) needs in order to be put out for public biddings.
- f. He takes inventory of the content of the safe twice a month and compares the actual content against the accounting records. He should report his findings to the Head.
- g. He supervises the accounts of all fees and then checks the number of blanks that exist with the employees.
- h. He should see to it that bonds are secured from those who are authorized to collect fees and taxes, and those committed to areas of interest to the Municipality.
- i. He should prepare a monthly report in duplicate of revenues and expenditures, accompanied by his comments.
- j. He should prepare a special record of all properties and real estate that the Municipality owns.

- k. He arranges all paperwork, records, and notebooks in an orderly fashion.
- l. He distributes the accounting operations among the responsible personnel.
- m. He specifies the responsibility of each employee, each in his section, according to the provisions of the law.
- n. He takes part in the meetings of the Administrative Council and has the right to voice his opinion regarding the subjects of discussion.
- o. He maintains a temporary record of revenues and expenditures authorized officially in urgent situations.
- p. He should refrain from signing any authorization for expenditure outside the limits of the budget except in cases of a royal order and cases mentioned in Article 18.
- q. He prepares a record for all employees, their salaries, the date of their appointments, and the date of their starting of work. He should obtain the signatures and stamps of the personnel according to the rules.
- r. In case of errors made in the records and checks, it is not permitted that the employees mutilate, change, or strike out anything. The Comptroller should mark with a red pencil the number or the phrase and should record the correct form on the sheet's edge along with his signature.

Article 55

The Comptroller's office is attached to the Head and the Comptroller is responsible to him for all required operations.

Article 56

When needed, an assistant to the Comptroller may be appointed. This assistant shall be responsible to the Comptroller and may fill his seat when absent.

C H A P T E R X I

THE TREASURER

Article 57

The treasurer is responsible for the funds received by him according to the financial procedures.

- a. He receives the revenues and issues expenditures according to checks made by the office of the Comptroller.
- b. He keeps all funds received by him inside iron safes in a room inside the agency. He must keep its key in his custody.
- c. Upon leaving his office, the treasurer should wax-stamp the door and assign a night guard who guards it and presents it back intact to the treasurer the following morning.
- d. He records the revenues and expenditures in the daily register according to receipts in the procedural manner.
- e. He makes sure he obtains the signature of the receiver of an expenditure receipt.
- f. Performs the functions of Treasurer stated in the Financial Code.

C H A P T E R X I I

THE OFFICE OF THE ENGINEER

Article 58

The Municipality delegates the function of supervising construction, reconstruction, and road repairs to a qualified (civil) engineer. The functions of the Engineer include:

- a. The implementation of the law regarding building and construction; he may give his opinion regarding them.
- b. The inspection of the sites of prospective buildings applied for to the Municipality, and his decisions and opinion regarding area limitation.
- c. The design of a map for the city.
- d. The presentation of the necessary reports of what is necessary for the improvement of the streets' conditions.
- e. The inspection of the delapidating and dangerous places; he must notify the Municipality about such places.
- f. The inspection of unlicensed construction and buildings; he must notify the Municipality about them.
- g. The preparation of reports about constructions, public and private sewers, and waterways.
- h. The suspension of any construction done contrary to the law.
- i. The supervision of the Municipality-owned lands; he must prevent individuals from trespassing on them.
- j. The performance of all activities assigned to him; he is responsible for them to the Head.

Article 59

The Engineer is forbidden from issuing permits for any activity without a prior permit from the Municipality.

Article 60

The Engineer is responsible about the accuracy of the areas of lands granted permits for construction.

Article 61

When the interest of the Municipality arises it is in order for the Engineer to have an assistant. This assistant has the following functions:

- a. He inspects building construction throughout the city and compares them to the list of permits issued.
- b. Searches for delapidating and harmful places.
- c. He prepares reports about all these to the Engineer.

C H A P T E R X I I I

THE STOREHOUSE KEEPER

Article 62

He is responsible to the Head and has the following duties:

- a. He receives everything delivered to him which belongs to the Municipality, preserves it, and records it in a special register prepared for him by the Comptroller.
- b. He takes stock monthly of everything that exists in the storehouse, compares that against the Comptroller's schedules, and reports to the appropriate authorities.

Article 63

The storehouse keeper is not allowed to deliver any of the storehouse items without the written authorization of the Head, or the Assistant (in case of the former's absence).

Article 64

In case (if) some items were lost or decomposed, and if the Municipality Committee agrees that the reasons were reasonable, a meeting is called to drop those items from the original list.

Article 65

The storehouse keeper is responsible to the Head for everything that was delivered to him, and is required to have the necessary bond.

C H A P T E R X I V

THE INSPECTION DEPARTMENT

Article 66

A number of inspectors are to be appointed for the Municipality, the number depending on the circumstances. Each inspector is responsible to the Head. Each has the following duties:

- a. The implementation of rules and regulations given to him, with utmost integrity and accuracy.
- b. Relays what reaches him as rules and regulations and distributes them among the inspectors and constables and sees to it that they are fulfilled.
- c. Prepares a weekly report about the city's condition: its cleanliness, its lighting, and its market.
- d. Checks all violations of the orders and instructions of the Municipality.
- e. Provides speedy help for incidents of fire by contacting fire experts and by sending fire engines; fire engines must be ready constantly for the necessary help. In case of negligence, negligents are to be prosecuted.

Article 67

The Head Inspector may get the help of the needed inspectors and constables for the performance of his duties.

C H A P T E R X V

THE MUNICIPAL GENERAL ASSEMBLY

Article 68

The Municipal and Administrative Councils may meet jointly, in extraordinary situations. This joint meeting is called (the Municipal General Assembly), to look into general matters.

Article 69

The meeting is to be chaired by the Lord-Mayor (Head). In his absence, the president of the Municipal Council heads the meeting.

Article 70

The assembly resolutions (in Mecca) go to the higher authorities, and throughout the Kingdom to the Administrative Governors to be ratified before their implementation.

Article 71

The circumstances that call for a meeting of the Municipal General Assembly are:

- a. A royal order in the capital (Mecca) or an order from the Administrative Governors all over the Kingdom to look into matters the government proposes for the Assembly to consider.
- b. The existence of different points of view in matters concerning the Municipality between the Municipal Council and the Administrative Council, or between the Head and the Administrative Councils on procedural matters.
- c. A request by the Head or the President of the Municipal Council to discuss matters of importance to the city.

Article 72

A written invitation for the meeting is to be issued by the Head or, when the Head is absent, by the President of the Municipal Council. The letters of invitation shall show the agenda or the subject matter of the meeting.

Article 73

The deliberation in this Assembly shall follow procedures conformant with the Law of Administrative Committees and Councils.

C H A P T E R X V I

GENERAL PROVISIONS

Article 74

The responsibility of every employee is limited to his own line of authority according to the General Personnel Code.

Article 75

The Municipalities may set fines on individuals for the violation of rules and regulations; the Municipality Committee issues such fines.

Article 76

The Lord-Mayor (or the Head) may issue administrative instructions (memoranda) for the facilitating of the implementation of this and all other laws concerned with the Municipalities.

Article 77

Every employee should keep the secrets of the agency from spreading within or outside the agency.

Article 78

The Municipalities are part of Financial Inspection Section of the Ministry of Finance (now, they are part of the Ministry of the Interior).

Article 79

Every employee, in all ranks, is responsible to his respective line of authority. Any violation shall be punished according to the General Personnel Code.

Article 80

All employees should facilitate the flow of items of business and the items of general interest connected with interest groups. Delays should not exceed three days per item.

Article 81

The Heads and employees of Municipalities should not engage in extra-duty activities and activities that reduce their attendance to their responsibility to the government.

Article 82

This law amends (cancels) previous laws or memoranda contrary to its provisions.

Article 83

The Heads should implement this law after its ratification by the Highest Authority (the King).

A P P E N D I X B

THE PREFECTORAL ACT, 1963

C H A P T E R I

THE LOCAL ADMINISTRATIVE DIVISIONS

Article 1

The Kingdom of Saudi Arabia (shall) consist administratively of Prefectures. In drawing the lines of these Prefectures, geography, population, environmental circumstances, security needs, and communication routes shall be the basis for consideration. For these, a resolution by the Council of Ministers based upon the recommendation of the Minister of the Interior, is necessary.

A Prefecture is part of the Ministry of the Interior.

Each Prefecture is subdivided into Regions. Each Region includes a city, a number of cities, or a city with a number of neighboring or auxiliary villages. This will be subject to a proposal by the Minister of the Interior and the approval of the Council of Ministers.

Each Region shall be subdivided into Districts. A Region may include a city or a number of neighboring and unified villages.

Article 2

Prefectures are to have their own individuality while exercising their local functions. They are represented in Prefectural Councils according to the conditions and situation put by this law.

C H A P T E R I I

THE PREFECTS
(The Administrative Governors)

Section 1. The Appointment of the Prefects

Article 3

A Prefect is appointed for each Prefecture. He shall be the administrative head for the Prefecture and the representative of the (central) government. He is nominated by the Minister of the Interior and upon the recommendation by the Minister of the Interior, he will be appointed by a royal order. Every Prefect shall take an oath of loyalty to the religion (faith), and then for the country and the monarch and to the true and faithful fulfillment of their job.

Article 4

A Deputy Prefect shall be appointed in every Prefecture to assist the Prefect in performing his job and to replace him in case of absence. The Deputy Prefect is responsible to the Prefect. The Deputy Prefect supervises the pre-ordained duties of the Prefect within the Prefecture. Upon a recommendation by the Minister of the Interior, the Deputy Prefect is appointed by a resolution from the Council of Ministers.

Article 5

Every Region shall have a Sub-Prefect. He is connected with the Prefect (and has the sole authority over the region during the Prefect's absence).

Sub-Prefects, upon a proposal by the Minister of the Interior, shall be appointed by a resolution from the Council of Ministers.

Article 6

A Head shall be appointed for every District. He is connected with the Prefect (and has the sole authority over the District on his behalf).

The salaries of Heads shall be specified. The appointment of the Heads, according to their relative degree of importance of the Districts, by a resolution from the Minister of the Interior, or, according to the procedures, upon the recommendation of the Prefect (of the area).

Article 7

Unless otherwise stated in this law or any other law, Prefects shall be subject to the law of public employees (the General Personnel Code).

Section 2. The Functions and Duties of Prefects

Article 8

Prefects shall assume the administration of Prefectures according to the provisions stated in this law and all other operating laws, the regulations, resolutions, orders, instructions issued from the higher authorities congruent with the public policy of the Kingdom. Specifically, they shall have the following duties:

- a. The implementation (execution) of the judicial rulings when they acquire their final form according to the judicial regulation.
- b. The maintenance of law and order in the Prefecture and the procurement of the necessary preventive procedures, according to the laws.
- c. The cooperation with the Prefectural Council and their Ministerial representatives for the maintenance of public health, and the advancement of the level of health services, the improvement (spread) of education, the case for agricultural irrigation, communication, labor, commerce, industry, and municipal affairs, and other services and public utilities in the Prefecture.

- d. The guarantee of the rights and liberties of the individuals. No action shall be taken to check on these rights and liberties, (except) within the judicial and legal limits.
- e. The supervision of the administration of the regions and the districts and the check on the activities of the Sub-Prefects and the Heads to assure their proper administration.
- f. The taking of survey trips to look into the affairs of the Prefecture and to prepare periodical reports about the conduct of affairs within their functions, to the Minister of the Interior.
- g. The assistance to the agencies concerned with the collection of revenues levied from individuals, corporations, etc.
- h. The security of the government's treasury and real estate, according to their respective laws, and the prevention of any assault (jeopardy to) against them.
- i. The contact of the different ministries (directly) to discuss their appropriate affairs and functions in case of a deadlock while discussing them with the resident representatives of these ministries. The Minister of the Interior should be notified in that case.
- j. The exercise of the specified functions (in this law) the Prefect, as a head of the Prefectural council and the Prefecture's representative.
- k. The supervision of the municipal activities in the Prefecture. The Prefect may ask the Sub-Prefects and the Heads to supervise and check those activities in his behalf.
- l. The supervision of the activities of the Prefecture's employees. He directs the employees' executive functions which affect directly the interests of the Prefecture. In so acting, the ministerial representatives are to be treated as part of their (respective) ministries.

Article 9

The Sub-Prefect and the Head, each within the limits of his authority, performs the functions specified in the preceding article except for paragraphs (h), (e), (f), and (i).

The Sub-Prefect supervises the administration of the Districts and inspects the activities of the Heads to assure the proper operation of their functions. The Sub-Prefect and the Head are to submit periodical reports about the activities in their areas, to the administrative authority they are (immediately) connected with (the Prefect). Neither (officer) is allowed to bypass his immediate supervisory officer to higher authorities. Likewise, higher authorities should not communicate with the employees of the Prefectures except through the Prefect.

Article 10

Prefects, Sub-Prefects, and Heads are prohibited from doing any of the following activities:

- a. The interference in the judicial affairs or the attempt to influence judges.
- b. The purchase or lease of any real estate belonging to the government, the Prefectures, or the Municipalities (in any way, form, or fashion).
- c. The sale or rent of the real estate belonging to them (Prefects, the Sub-Prefect, or the Head) to the government, the Prefectures, or the Municipalities.
- d. The employment of any employee or officer for the performance of purposes or services to their (own) benefit. They are also prohibited from using any governmental funds or properties for those purposes.

Article 11

Every Prefect must reside in the administrative locale that he heads. No Sub-Prefect or Head may leave their administrative office location except with the approval of the appropriate authority.

C H A P T E R I I I

THE PREFECTURAL COUNCILS

Section 1. The Formation of the Prefectural Councils

Article 12

A Prefectural Council shall be established in every Prefecture with its center being in the Prefecture's headquarters.

Article 13

A Prefectural Council consists of:

- a. The Prefect as chairman; in case of his absence or inability to attend, the Deputy Prefect fills his place.
- b. Members are chosen from the Prefectural population. They are to be nominated by the Minister of the Interior, and approved by a Council of Ministers' resolution. The membership shall include representatives from the concerned ministries whose function is connected with the interests of the Prefecture. The total membership may not exceed 30 members.
- c. The term of the Prefectural Council is two years. This period can be extended by a resolution from the Council of Ministers.

Article 14

The qualifications for every selected member of the Prefectural Council are:

- a. A minimum age of 25 years on the day of his selection.
- b. The Saudi citizenship, by blood, by birth, or a minimum of 10 years of naturalization.

- c. The maintenance of a regular residence in the Prefecture.
- d. The existence of a bond connecting the member with his Prefecture. Such bond may be the ownership of a real estate or the practice of a commercial, industrial, agricultural, or professional job on which he depends as a source of living.
- e. The acquaintance with the legal provisions.
- f. Literacy (a fair level of).
- g. A record of good conduct and the absence of a dishonorable criminal conviction for which a prison or fine sentence was given.

The Council of Ministers may in extraordinary cases necessitated by the Public Interest, overlook the provisions in paragraphs (c), (d), and/or (f) if the Council were faced with a temporary and overwhelming need for doing so.

Article 15

The term of the Prefectural Council is two years. The Council of Ministers may increase that duration. A member may be re-elected at the end of his membership.

Article 16

Except for those members representing their ministries (which have connections with the Prefecture), members are prohibited from combining the Council membership and the assumption of any public office. A member may not combine membership in the Prefectural Council of his Prefecture and councils in other Prefectures, nor in a Municipal Council. Any member who assumes a membership in another Council or accepts a public office is considered relieved of his membership (in the first council).

Article 17

If a member failed to meet a qualification requirement while he is a member, or was found to have lacked it before assuming office, he shall be disqualified. His disqualification is to be announced by the Minister of the Interior and the Prefect should be notified.

Section 2. The Functions of the Prefectural Councils

Article 18

Generally, the Prefectural Councils' functions include everything of concern to the Prefectural population. Specifically, the functions of the Prefectural Council are:

(1) The Municipal Affairs

- a. The cooperation with the municipalities in the implementation of their functions pertaining to the Prefecture.
- b. The recommendation of any appropriate proposals for the improvement of the Prefectural condition concerning the municipal affairs. Each agency should take up those proposals within their capability and according to the general interest.
- c. The Prefectural Council may help the Municipal Councils in the performance of duties referred to them.
- d. The proposal of new municipal councils with the Prefecture, or the relocation of the existing councils.

(2) The Educational Affairs

- a. The supervision of implementing the program of the elimination of illiteracy in the Prefecture with the agreement with the Ministry of Education and the agencies involved.
- b. The proposal of the construction of buildings for social welfare and rehabilitation. These proposals may be submitted to the authorities concerned to fulfill what is possible within their capability.
- c. The proposal of the construction of vocational training.
- d. The proposal of the construction of technical (art) schools congruent with the environment (needs).

(3) In Agriculture

- a. The proposing of the constructing of model farms for the more successful products in the Prefecture; model stations for

raising cattle and poultry, and local agricultural-industrial showplaces.

- b. The proposing of specific instruction regarding the stations for selling the agricultural products and harvests in the markets.
- c. Encouraging of the construction of agricultural cooperatives for rurals, according to the established rules.
- d. Urging the population to establish agricultural industries for the agricultural products in cooperation with the authorities concerned.

(4) Public Utilities

The Council may, with the approval of the Council of Ministers, perform any activity of general benefit for the whole Prefecture, or part of it, in areas not specifically provided for by this law.

(5) Social and Cooperative Affairs

The Council may provide the social and philanthropic institutions within its area with its financial, technical, and administrative assistance. It may aid cooperatives and provide loans for them.

(6) Finance

- a. Proposing the creation of financial resources to help provide the services the Council performs for the Prefecture. A proposal by the Council, in the area, may not be effective except after completing necessary procedural steps.
- b. With the prior consent of the Council of Ministers, the Prefectural Council may contract the necessary loans.
- c. The preparation of a comprehensive budget for the Councils' revenues and expenditures. It is presented to the Ministry of the Interior no more than three months before the beginning of the fiscal year. (The Prefecture's fiscal year shall coincide with that of the central government.)

The rules guiding the preparation of the national budget must be followed in preparing the Prefectural budget. The Council must guarantee the following revenues in its budget:

1. The (financial) sources alluded to in this article.
2. The governmental subsidy the government assigns in its general budget for the Prefectural Councils.
3. Contributions and gifts the Council receives according to the provisions of this law.
4. The revenues from the Council's funds, real estate, activities, and the utilities it operates.

In expenditure, the Council must always follow (closely) the approved budgetary items and the established rules and regulations. No amendment or addition to the budget is valid except by means of the methods of preparing the original budgetary documents. The Council may re-allocate an appropriation fund from one area to another within the same section.

The Council's funds are public and undergo the established rules for preserving, expending, or investing public funds.

- d. The preparation of a final account (sheet) of the fiscal agency for the expiring year within three months after that year's expiration (end). The rules regarding the preparation of the national final account (sheet) shall be followed here.
- e. The preparation of monthly account sheets for the Prefecture according to the established procedures and rules (followed by ministries and governmental agencies).

Article 19

Each Council may, with the approval of the Minister of the Interior, partake with other councils in the initiation or the administration of any of the activities mentioned in the previous Article if it is beneficial to the Prefectures (and the cities and villages they comprise), and if the concerned councils put the conditions of such cooperation.

Article 20

The Ministries concerned must seek the opinion of the Prefectural Councils regarding these matters:

- a. The construction or removal of state schools in the Prefecture.
- b. The implementation of all agricultural projects designed for the Prefecture, or the relocation of these projects.
- c. The survey of open lands owned by the government in cities and villages that have no municipal councils. These surveys may be for the purposes of sale or investment.
- d. The agricultural or irrigable lands that are put up for sale by the government on the borderlines of the Prefectures.
- e. The construction of governmental buildings or buildings subjected to government use, their change, or removal.
- f. The granting of concessions for the operation of a Prefectural utility.
- g. The construction of hospitals, health clinics, their relocation or cancellation.
- h. The building of roads and railroads and the survey of the directions of those extending within the Prefecture, and the general roads passing by them.

Article 21

Other than the specified functions for the councils in this or other laws, a Prefect or a Minister may consult the Council for any issue he contemplates. The Council, in turn, may express, to any Minister or to the Council of Ministers, its wishes or proposals concerning the general interest (welfare) of the Prefecture and especially in areas of agriculture, industry, commerce, labor, irrigation, communication routes, public security, health, and education. All that goes through the Ministry of the Interior.

Article 22

The Council may, through the Ministry of the Interior, ask the governmental agencies and ministries for charts and information regarding its functions. The Council may request the dispatch of ministerial personnel or experts to aid it in a particular subject of its agenda, or to attend its meetings and partake in the discussion of

the issues of those meetings. Those dispatched experts and personnel may not vote.

Article 23

The Council should deliberate and complete the items for its agenda within a maximum period of three months. A Prefect or a Minister may request an urgent decision regarding a particular issue. The Council, in that case, should render a decision with a maximum of one month. The Council may, in case of dire need, request the extension of 50 percent of the time.

Article 24

Matters concerning the Municipal Councils, except for provisions of Articles 18 and 19, are outside the jurisdiction (area of concern) of the Prefectural Councils.

The Councils may not discuss any military matters, issues of internal (security) or the area of foreign affairs.

Article 25

The Councils' resolutions are null and void if they exceeded the limits of their functions. The Minister of the Interior shall declare that nullification. Resolutions produced by Council members (in the name of the Councils) in off-session periods or in meetings convened in places other than the established meeting places, are automatically void.

C H A P T E R I V

GENERAL PROVISIONS FOR THE PREFECTURAL COUNCILS

Section 1: The Council: Conduct

Article 26

The Prefectural Council must meet once each month in a regular session at the invitation of the Prefect. The Prefect may ask the Council to convene for an extraordinary (special) session if necessary. The Prefect must invite the Council to meet in an extraordinary session if a petition by 50 percent of the members was presented.

A session may include one or more meetings according to a single invitation. A session may not adjourn before the deliberation of all issues included in the agenda.

Article 27

The Council's deliberation can be constitutional with the existence of two-thirds of the members. The Council's resolutions can be reached by a simple majority of the members present. In case of a tie, the side that has the vote of the President carries.

Article 28

If a quorum could not be attained after an hour of the beginning of the meeting, the session shall recess for at least three days and at most seven days to ask the absent members to attend the following meeting.

The deliberations in the new meeting shall be valid regardless of the number of members present. The deliberations shall be limited to the postponed agenda.

Article 29

The Council of Ministers shall issue some general rules including the procedures pertaining to the internal order of the Prefectural Councils and the ways of conducting their activities, within the provisions of this law.

The Council may prepare a special set of (internal) rules, congruent with the mentioned general procedures. This special set of rules must be ratified by the Minister of the Interior.

Section 2. Committees

Article 30

At the first regular session, the Council shall specify the permanent committee necessary for the study and preparation of its activities. The Council also limits the number of members sitting in each committee, and must specify the functions of each.

The selection of members for each committee shall be by secret ballot and a relative majority. The Council may form special committees for specific purposes within its functions. Each committee chooses a chairman and a secretary. The ministerial appointees take part in the committees of their concern. A committee may seek the help of technical experts regarding the subjects under discussion. These (experts) do not vote.

Article 31

The Committees' reports shall be presented to the Council to act on them. The Council may not delegate any of its authorities to a given committee.

Section 3. The Members' Rights and Duties

Article 32

A member may introduce proposals or submit questions to the President of the Council (the Prefect) in written form with regard to

internal issues within the functions (specialties) of the Council. The President of the Council includes every proposal or question for the agenda of the following session. The reply to these questions takes place in one of the meetings (for which session these questions were put), (but) the President may postpone the replies to the following meeting. The repetition of the postponement may take place with the consent of the Council.

Article 33

A member may not attend a meeting of the Council or its committees if the (pending) deliberations touch on his personal interests, or affects him as a trustee, or guardian.

Article 34

A member may not undertake, directly or indirectly, an operation, a contract, a bidding, or importing (of goods) for the Council, and may not be a party to a sale or lease to the Council. His membership terminates for the violation of these rules by a decision from the Minister of the Interior. The Council needs to be notified about that termination.

Article 35

The Council of Ministers sets the allowances for the elected members to the Council, none for the ministerial representatives. (They receive their regular salaries.) Council members receive transportation expenses from their residences to the Council's headquarters for the attendance of its meetings or the meetings of its committees. Transportation expenses shall be reimbursed for trips taken on assigned missions.

Article 36

If a member decided to resign, he may submit a petition (request) to the Minister of the Interior through the office of the Prefect. His resignation goes into effect only after its acceptance (its approval) by the Council of Ministers.

Article 37

An elected member is considered resigned if he missed, without reasonable (acceptable) excuse, two consecutive regular sessions. The decision may not be declared until after listening to the member's explanation, or until the establishment of a proof of absences without acceptable reasons, and the process of resignation goes through the procedure spelled out in the previous Article. As for the non-elected members, the rules of the General Personnel Code may be applied.

Article 38

In circumstances of membership termination, other than the ones mentioned in this law, a member may not be relieved of his duties except by a resolution from the Council of Ministers at the request of the Minister of the Interior.

A member may be suspended from his functions by a memorandum from the Minister of the Interior while a decision is pending with the Council of Ministers.

Article 39

In case of vacancy of a seat of an elected member, for any reason, another person may be elected to fill the vacant seat for the remainder of term only. (It is presumed that the new member may run again for that seat.)

C H A P T E R I V

THE DISSOLUTION OF COUNCILS

Article 40

The Prefecture's members may be relieved from their duties with a resolution by the Council of Ministers at the recommendation of the Minister of the Interior. A new election must be set within three months from the date of dissolution. The total dissolution of all Prefectural Councils is not allowed except in necessary circumstances decided by the Council of Ministers.

During the period of dissolution, the Prefect functioning with the appointed members assumes the functions and duties assigned to the dissolved Council.

The decisions reached by the Prefect, during that period, should be presented to the first session of the new Council for review.

V I T A

Ibrahim Abbas Natto was born in Mecca, Saudi Arabia, on May 15, 1945, the son of Rahma Ahmad Nugali and Abbas Bakor Natto. After completing his work at the al-Falah High School, Mecca, Saudi Arabia, in 1963, he entered The University of Texas at Austin in 1964. He received the degree of Bachelor of Arts in 1968 with a major in Government. In June, 1968, he entered the Graduate School of The University of Texas.

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