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**ASSESSMENT  
OF THE LEGISLATIVE SECTOR  
IN EGYPT**

**April 1993**

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## ASSESSMENT OF THE LEGISLATIVE SECTOR

### INTRODUCTION:

This report deals with the legislative sector in Egypt. Egypt has a long tradition of consultative and legislative councils which goes as far back as 1866 when the first one was established. Under British occupation a legislative council existed; members were recruited by a combination of election and appointment. After independence in 1923 Egypt's Parliament was bicameral; an elected House of representatives and a Senate (3/4 by election and the rest by appointment).

In the post-1952 revolution, Egypt lived for three years with no Parliament. The constitutions of 1956, 1958 and 1964, established an elected unicameral system. Since 1962, it was decided that 50% at least of the House members should be peasants and workers. In 1971, a new constitution was approved in a referendum. According to the new constitution, the Parliament name was changed from Magles Al-Umma to Magles Al-Sha'ab. In 1980, a constitutional amendment was approved to establish a second House: Magles Al-Shura.

The legislative sector is defined in this report as both the People's Assembly and the Shura Council. Its objective is threefold; first, to provide a profile of both Councils, second, to identify major problems and obstacles for improving their activities and, third, to suggest areas of reform. The report will focus on technical and institutional aspects of the legislative sector. The analysis of the sector's political environment or the factors that influence its activities emanating from this environment is beyond our scope here. Thus, the discussion will deal with:

- (1) Functions and structures which include the constitutional and legal framework, the internal structure, and personnel.
- (2) Activities.
- (3) Areas of reform and recommendations.

Given the different constitutional positions of each House, we will treat each separately, with more emphasis on the People's Assembly.

## THE PEOPLE'S ASSEMBLY

The government of Egypt is organized according to the permanent constitution announced on September 11, 1971 and amended in 1980. The constitution ( articles 76 - 108 ) identifies the People's Assembly as the legislative authority in the country and specifies its functions, role, and relation to the Cabinet.

### 1. FUNCTIONS AND STRUCTURES

#### 1/1) CONSTITUTIONAL AND LEGAL FRAMEWORK.

##### A) COMPOSITION, METHOD OF ELECTION AND BASIC DATA:

According to the constitution (art. 76), the People's Assembly consists of a number no less than 350 elected members, half of them at least should be peasants and workers. Since 1971, the number of MPs has changed. The system of election has also changed over the same period from direct election centered around individual constituencies, to party-lists with a system of representation that favored large parties (a party that wins majority votes in a province, takes all its seats), to a combination of party lists and individual representation, and finally to individual constituency-based representation as at present.

In addition to elected members, the constitution authorizes the President to appoint ten MPs. An analysis of appointed MPs demonstrates that the President frequently used this license to enhance the representation of Copts. In some cases, he appointed individuals with particular expertise such as Dr. Refaat Al-Mahgoub (Professor of Economics) who later was elected as a speaker in 1987 and Dr. Fawzia Abdel Sattar (Professor of Law) who became the chairperson of the legislative committee in 1990.

The present Assembly consists of 454 MPs, 444 are elected according to individual constituency system ( 2 MPs for 222 constituencies ) and 10 MPs appointed by the President. The Assembly is dominated by the National Democratic Party; 412 (90,75%). The Tagamu Party has 6 (1.3%) seats and the Independents 36 seats (7.9%). There are 10 women, 3 of them by appointment.

With the exception of Police, Army, and Judiciary, a MP can combine his / her parliamentary position with being a public servant. Some MPs hold administrative posts in ministries, public corporations, and universities (Art. 89 - the

constitution). This issue became a subject of a public debate in early 1993 when the Parliament denied one of its members (Dr. Mustafa Al-Sa'id) a Cabinet nomination for a post in an Arab Regional Organization.

MPs have legal immunity; an application to remove the immunity of a member has to be submitted by the Minister of Justice to the Speaker of the House. During sessions, the House discusses the request and may approve or not. As for between sessions, the matter is left to the Speaker's judgement.

The House has a five-year tenure starting from the date of its first meeting and is located in Cairo. Upon the request of the President or the majority of its members, and under exceptional circumstances, it may meet in a different city. The term of a parliamentary session is at least 7 months. A session may not be terminated before approving the budget. The President convenes the House, he has the right, in emergency situations or upon the request of the majority of MPs, to call for an extraordinary meeting.

A MP receives a monthly salary of 75 Egyptian pounds, 50 pounds per a House meeting, and 40 pounds per a committee meetings. In 1993, salaries were raised to 500 pounds monthly, remunerations for meetings attendance became 70 and 50 respectively .

The House has its own budget. It appears as a general line in the state budget. It is administered by the Committee for Administrative and Financial Affairs of the House.

Minutes of the House meetings are recorded. The minutes are distributed first to MPs in a draft form. Minutes are submitted to the House for ratification. Once ratified, it is signed by the Speaker and the Secretary General. The minutes are published by the government printing house as an official document. Votes are also recorded and publicly available as part of the minutes.

There are different ways MPs keep in touch with the sentiments of their constituencies. Most of the MPs reside in their constituencies and are available to people. In discussions, MPs usually reflect the concerns of their districts. Some MPs have offices to receive complaints or grievances. As a rule, MPs are regularly in touch with governmental agencies to communicate petitions on behalf of their electors. To facilitate this function, the House established an office to communicate petitions from MPs to different governmental agencies. According to the report of this office covering the period March - December 1992, 58,085 petitions were processed. The bulk of these petitions were sent to Education, Agriculture, Electricity, and Al-Awqaf Ministries.

## **B) JURISDICTION AND FUNCTIONS**

The constitution vests legislative power in the People's Assembly. The Assembly approves public policy (presented to the House by the President or the Prime Minister), the plan for economic and social development and the budget, In particular, the Assembly is entrusted with:

- Nomination of the President whose name would be approved by the people in a referendum
- Legislation and approval of bills proposed by the Cabinet or the MPs.
- Amendment of the constitution. The right to request such amendment is given to the president or one third of the MPs.
- Approval of the budget. According to the constitution the draft budget should be presented to the House at least two months before the beginning of the new fiscal year. It shall not be effective unless it is approved by the House. The draft budget is put, chapter by chapter, to the vote. It is issued in the form of a law. The House cannot change the draft budget without the approval of the executive. If the new budget is not ready on time, the old one remains in effect.
- Once approved, the Cabinet cannot transfer money from one chapter to another without the House consent. Also, the consent of the House is required for any expenditures not mentioned in the budget or in excess of its estimates. Article 118 of the constitution stipulates that the state balance sheet shall be submitted to the House within a period not exceeding one year after the end of the fiscal year. It is put, chapter by chapter, to vote and issued as a Law.
- Supervision of the executive through established parliamentary techniques such as:
  - 1) Questions (Article 124 of the constitution and 84 of the statute). Each MP has the right to pose questions to the PM or any of his deputies or Ministers within their competence. Members of the Cabinet shall reply to the MPs' questions.
  - 2) Notice questions or inquires (Art. 249 - statute). Each member may, upon the consent of the Speaker, bring to the attention of any Minister a matter of public and urgent importance. The Minister may make a statement in the same session or at a later date. The

request for a notice question is made in writing but the presentation is oral.

- 3) Investigation (Interpellation). Article 125 of the statute stipulates that each member of the House may lodge interpellation to members of the Cabinet requesting them to give account for actions taken within fields of their competence. An interpellation implies an accusation of the Minister involved. Discussions of the interpellation are held at least 7 days after lodging it, unless the Cabinet agrees otherwise.
- 4) General debate (Art. 129 - Constitution). 20 MPs, at least, may put to debate a public issue with the objective of exploring the Cabinet policy towards it.
- 5) Indication of desires on public matters ( Art. 130 the constitution) MPs may indicate desires to members of the Cabinet. Neither the constitution nor the statute of the House specifies the meaning of "desires" (Raghba). In practice, it took the form of suggesting specific measures to be taken.
- 6) Fact-finding commissions (Art. 131 - the constitution). The House may establish an ad hoc commission or request one of its permanent committees to examine the activities of any governmental agency. The purpose of the commission is to establish facts about a certain issue and report its findings to the House. The commission may request information from government agencies, ask individuals to make presentations to its members, or make on-site inspections.

#### **C) RELATIONS WITH THE CABINET**

The Cabinet is responsible before the House (arts. 126 - 128 - statute), but the House does not have the authority to withdraw confidence from the Cabinet. The House can, however, after the conduct of an investigation whose findings would be unfavorable to the Cabinet, decide the responsibility of the PM, and submit a report to the President. The President may put the dispute between the Cabinet and the House to a referendum. If the majority supports the Cabinet, the House is considered dissolved. Otherwise, the Cabinet must submit its resignation. The President can call for a referendum to dissolve the Parliament. If approved, a new parliamentary election must be called within 60 days.

The House may withdraw confidence from Deputy PM, Ministers or their deputies. This is done after an interpellation and upon a

request submitted by 1/10 of MPs. If the majority of the House supports the request, the official concerned must render his (her) resignation to the PM.

**D) AUXILIARY ORGANIZATIONS**

According to the constitution there are two central supervisory organizations which are related to the People's Assembly: The Central Authority For Auditing ( arts. 327 - 331 - statute), and The Socialist Public Prosecutor (art. 340 - 342 -statute).

## THE CENTRAL AUTHORITY FOR AUDITING

According to law no. 31 of 1975. The Authority is independent of the executive. Its task is to monitor and supervise the financial conduct of the state bureaucracy and the public sector. Its president is nominated by the President and approved by the House. Once appointed, he cannot be removed without the House's approval.

The Authority performs three supervisory roles:

- Financial supervision; to make sure that all expenditures were completed within the framework of law.
- Economic supervision; to supervise the implementation of the plan and evaluate the performance of different governmental agencies.
- Legal supervision; to make sure that financial improprieties were punished according to law.

The Authority reports its findings to different levels such as the head of the Agency concerned, the Minister, the Prime Minister, and the Speaker. The annual financial report is presented to the Minister of Finance and the House. The Speaker refers the reports of the Authority to the Budget and Planning Committee or to any other committee. Usually when the representatives of the Authority identify a certain problem they request a clarification from the Ministry or the department concerned. It may ask for a legal investigation, and, if a case of corruption or embezzlement is identified, the Authority reports the case to the Public Prosecutor. The Authority also supervises the budgets of Political Parties, Trade Unions, Professional Associations, and all organized associations which are subject to the Ministry of Social Affairs. It also supervises the spending of Foreign Grants. On the other side the Speaker or 20 MPs may ask the Authority to investigate a particular department or project.

The reports of the Authority are usually discussed in the House after being studied and commented upon by one of the House 18 sectoral committees. Minutes of the House publish the reports of the Authority, the comments of the House sectoral committee on it and the discussions that took place on the subject. For instance, the minutes of the session of Sunday May 17, 1992 include three of the Authority's reports: One related to the funds of courts buildings, the second related to judicial agencies and the third related to public land reclamation companies (see text of these reports in the appendix).

The reports of the Authority usually include recommendations related to the improvement of governmental performance and to promote its

effectiveness. Over the last two decades these reports demanded the liquidation of public sector companies whose continued existence represented a net loss of public resources. It also raised the problem of debt, the necessity of better use of loans, and the need to reduce costs of foreign-financed projects. Another familiar theme is the importance of high quality of administrative leaders. The relationship between the Authority and the People's Assembly has other dimensions. For the first time in 1977 the then Chairman of the Authority Dr. Atif Sidky delivered a statement before the House, but such a tradition did not continue afterwards. A Liaison Officer between the Authority and the House was chosen to summarize and simplify the statistics and the findings of the Authority for MPs. Also a special committee was established in the house whose function is to receive the Authority's reports and follow how they are dealt with by responsible Ministers. There is no institutionalized mechanism in the House to follow up its recommendations to members of the executive. This function is fulfilled, however, through questions presented by individual MPs and during discussions of different public policies.

The general spirit of MPs is for a more assertive role of the Authority as one of the most effective supervisory organs. Now and then, some MPs demand the Authority to issue more reports and request broader distribution to sectoral committees in the House.

#### THE SOCIALIST PUBLIC PROSECUTOR

The genesis of this office was political par excellence. It was established by law no. 34, of 1971; the first Socialist Public Prosecutor was appointed on June 5th of the same year, with the rank of a Minister, to investigate and prosecute those arrested in the power struggle between President Sadat and his opponents.

Article 127 of the constitution identified the Socialist Public Prosecutor as being "responsible for taking measures to guarantee people's rights, the safety of society and its political system, preservation of socialist gains, and respect for socialist behavior, in addition to other jurisdictions identified by the law". The same article stipulates that his activities would be subject to the supervision of the Assembly.

The statute of the House identifies the Socialist Prosecutor as one of the supervisory organs of the House (arts. 338, 234, 236). According to these articles the House may ask the Socialist Prosecutor to deliver any information or reports about his activities, it may also ask him to deposit a copy of all documents and investigations related to a particular issue. The House may also refer a particular complaint or issue to the Prosecutor to investigate it and report back to the House. Finally the Socialist Prosecutor may take the initiative and inform the Speaker on important issues which relate to his jurisdictions.

Thanks to law 95 of 1980 dealing with "protection of values" or the ethics law, the Socialist Prosecutor acquired new powers. The law established the notion of "political irresponsibility" which may be investigated by the Prosecutor. According to the law, political irresponsibility is related to the advocacy of Atheism or disloyalty to the homeland. Other laws issued during the era of President Sadat such as Protection of National Unity, law on social peace and political parties added new jurisdictions to the Public Prosecutor. The Prosecutor is nominated by the President and approved by the Assembly. One tenth of MPs may request the removal of the Prosecutor, and a simple majority is needed to effect such a request. Article 15 of the Protection of Values law requests the prosecutor to submit an annual report of activities to the President and the Assembly which he does.

In practice the role of the Social Prosecutor reflects a combination of judicial and political considerations. We can identify his activities as follows:

#### **IN THE SOCIO-ECONOMIC AFFAIRS**

- He receives complaints from citizens and investigates them. He may refer issues to "The Ethics Court" and may request sequestration or confiscation of assets belonging to those convicted by it. In this case his agency is responsible for administering these assets. According to the report of the Prosecutor of 1992, his office administers assets valued as 1 billion, 565 million, and 359 thousand Egyptian Pound.
- Some important corruption cases dealt with by the prosecutor include those of Rashad Othman, Tawfik Abdel Hay and Esmat Al-sadat. Other cases include that of black market in hard currency (Sami Ali Hassan's case) and Capital Investment Companies. In 1992, it was the Socialist Prosecutor that investigated the case of 10 MPs involved in the sale of drugs. One important political function performed by the Prosecutor is the clearance of candidates for membership on the Board of Directors of Social Clubs, Organizations and Syndicates. The Public Prosecutor also reviews the names of the founding members of a new Political Party and publishes them in the press.

In practice, the relationship between the House and the Public Prosecutor is not clear. According to Al-Ahram of March 25, 1992 the House exercised its supervisory role over the Public Prosecutor for the first time when the Legislative Committee discussed the role of that agency, its budget and expenditures. The Committee requested the Socialist Prosecutor to submit a report about the assets administered by his agency and the costs of that administration. Some members of the Committee referred to reports of the Central Authority for Auditing identifying

financial improprieties. The meeting was attended by the assistant of the Socialist Prosecutor who asserted that the law does not require his office to submit any financial statements to the House. According to him the Public Prosecutor is only required to present a statement of its activities.

## **1/2) INTERNAL STRUCTURE**

According to the internal statute approved by the House on October 16th, 1979, the House consists of seven organs:

### **A) THE SPEAKER:**

The House elects a Speaker and two deputies. The Speaker chairs sessions, represents the House and supervises its functioning.

### **B) THE HOUSE CABINET:**

It consists of the Speaker and his two deputies. One of the two deputies is usually either a Peasant or Worker. In some cases, they are selected to represent the regions of Lower and Upper Egypt. The Cabinet supervises the activities of the House and its committees. The meeting of the Cabinet may be attended by the Secretary General of the House. The Cabinet sets the Agenda of the sessions and may request one of the committees to discuss a particular issue.

### **C) THE GENERAL COMMITTEE:**

It Consists of the Speaker, the two Deputies, Chairpersons of the House Committees, and five MPs chosen by the Speaker in a way to insure representation of minority parties and independents in the House. The Secretary General of the House may attend its meeting by invitation from the Speaker. The General Committee assists the House Cabinet to perform its functions. The Committee may ask the Prime Minister or one of the Ministers for a meeting with its members.

### **D) THE ETHICS COMMITTEE:**

Consists of one Deputy Speaker, 3 Chairpersons of the House committees, five members of the General Committee including at least two representing opposition parties and independents, and five MPs chosen by random, one of them must be a woman. The Committee deals with moral, religious or social violations attributed to MPs. Under President Sadat, when two MPs (Sheikh Ashour and Kamal Al-Din Hussein) were charged with insulting the President, the committee recommended their expulsion from the House which the latter approved.

### **E) SECTORAL COMMITTEES:**

They include 18 committees which are: Plan and Budget, Economic, Legislative and Constitutional, Suggestions and Complaints, Arab Affairs, Foreign Relations, Industry, Agriculture and Irrigation, Social and Religious Affairs and Awqaf, Health, Youth, Education and Scientific Research, Culture, Information and Tourism, Transportation and Communication, Housing & Public

Utilities and Reconstruction, Manpower, National Security, and Local Government.

The membership of each committee may vary from one to another. The number of each committee is decided by the House Cabinet. At the beginning of each parliamentary session, MPs express their wishes about which committees they join (two priorities). Members from any one province should not exceed 25 percent of the total number of a certain committee. Priority in membership is given to senior members who served on the committee before, and then to those who have special expertise in the field of its activities. Each committee elects a Chairperson, two Deputies and a Secretary. A MP may join two committees unless he is a Chairperson of one. With few exceptions, chairpersons of the committees and their deputies belong to the majority party. Committee membership, naturally, includes opposition political parties represented in the House.

Each committee decides on major issues within its domain and reports them to the Speaker. It also studies bills, proposal of bills, or laws by decree which fall into its jurisdiction. The work of these committees is regularized in most cases. A committee may take the initiative in initiating a debate and invite a Minister to address its members. In many cases crucial discussions take place at the level of committees. These discussions are recorded but minutes of the meetings are not usually disseminated.

Other than the Legislative and Budget Committees which are usually influential, the importance of these committees varies depending on a number of considerations. One factor is issues at hand and its degree of public visibility. Another factor is the personality of its Chairman. For instance in the 1970's under the Chairmanship of Dr. Ahmed Abou Ismail the Committee of Plan and Budget became a powerful agent for economic reform. In the 1980's under the Chairmanship of Dr. Milad Hanna, the Housing Committee debated a number of innovative ideas.

The number and jurisdiction of committees has been a subject of debate. Given their number (18), areas of interest overlap and duplicate. It was suggested for instance that the Budget and Plan Committee and the Economic Committee be integrated into one. The same was suggested about the Arab Affairs Committee and Foreign Relations Committee. Two committees may claim jurisdictions over the same issue; for instance both Health and Industry Committees claim jurisdictions on the issue of environmental protection.

In general, meetings of committees are closed. When a Minister makes a statement in a committee the meeting is usually public. Minutes of the discussion are recorded and kept with its chairman and/or its administrative secretary.

Usually, an MP is on his own in fulfilling his parliamentary responsibilities. The House does not provide its members with briefing or background papers. An influential MP, however, particularly if he/she is a chairperson of one of the sectoral committees, can mobilize the resources of the staff committee to collect data or prepare reports.

**F) SPECIAL AND JOINT COMMITTEES:**

Upon the suggestion of the Speaker or the cabinet, the House may agree to establish a special committee to discuss a particular problem or issue. Or it may refer an issue to a Joint Committee of two or more existing Sectoral Committees. The functioning of these committees is subject to the same rules as sectoral ones. Special and Joint Committees cease to exist once the House decides upon their reports. Sometimes, the House establishes a special committee to examine reports submitted by its own sectoral committees. For instance, in December 14, 1992 the House decided to establish a special committee headed by Mr. El-Sayed M. Rashed, Speaker's deputy, to study the report of the Committee on Culture, Information and Tourism on touristic development and the report of the Committee on Defence and National Security on extremism and violence. This special committee included members from 8 sectoral committees. The committee held 10 meetings and called on leaders of political parties and a number of experts to discuss different issues with them. Eventually the committee submitted its report on Terrorism in April 1993.

**G) PARLIAMENTARY CHAPTER:**

The People's Assembly is Egypt's Chapter of the International Union of parliaments and similar international organizations such as the Arab Parliamentary Union or the African Parliamentary Union. In this capacity the House looks at the recommendations of the Union and communicates with other Legislative Councils in the world.

### **1/3) ORGANIZATION AND PERSONNEL**

The House is organized according to its internal statute. The statute was set by the House and can be amended or changed by it. According to Art. 416 of the statute, a proposal for amendment can be suggested by the House Cabinet or 50 MPs at least.

#### **A) THE GENERAL SECRETARIAT**

The administrative staff of the House is headed by a Secretary General, Mr. Sami Mahran; an old veteran in parliamentary affairs. The General Secretary has one deputy and three assistants to help him in the conduct of the affairs of the House. Under his jurisdiction there exist four central offices and four permanent secretariats .

**THE CENTRAL OFFICES** consists of:

##### **1- THE TECHNICAL OFFICE:**

Which receives requests from MPs ( Questions, inquiries, etc...) and suggests the Agenda for the House sessions. It receives different committee reports and presents them to the Secretary General. It has a financial and administrative department to supervise activities of the House; it also has a department of organization and training. This office is more a Cabinet of the Secretary General and his arm in conducting the business of the House.

##### **2 - DEPARTMENT OF LEGAL AFFAIRS:**

It deals with court cases related to the House itself . It also investigates violations by the House personnel.

##### **3- THE DEPARTMENT OF PARLIAMENTARY CONFERENCES:**

Which administers communications with foreign parliaments. It also administers the travel of MPs to participate in International Parliamentary Conferences.

##### **4- CENTER FOR PARLIAMENTARY STUDIES:**

It prepares studies on parliamentary activities in Egypt and abroad. It also supervises the House Museum.

**THE PERMANENT SECRETARIATS** are also four as follows:

##### **1- SECRETARIAT FOR THE HOUSE SESSIONS:**

It suggests items for the Agenda to the technical office of the

Secretary General, records the minutes and prepares them for publication.

**2- SECRETARIAT FOR COMMITTEES:**

It is the second largest administrative unit in the House comprising 276 persons or 29% of the total employees of the House. For each sectoral committee a number of members of this committee are assigned. The function of this committee is to provide technical and administrative support to various committees. It may prepare studies which deal with the issues within the jurisdiction of the committee. It prepares for the committee meetings, records its minutes, and supervises the publication of its report.

**3- SECRETARIAT FOR RESEARCH, INFORMATION AND RELATIONS:**

Manages the financial and administrative work of the house and its committees.

It consists of a number of departments which are translation, International Relations and Protocol, Public Relations, Information and Research. The Secretariat has the jurisdiction of preparing research and provision of information, as well as translation services.

**4- SECRETARIAT FOR FINANCIAL AND ADMINISTRATIVE AFFAIRS:**

Manages the financial and administrative work of the House and its committees.

From the above it seems that a certain measure of overlapping exist. The same function seems to appear as a responsibility of more than one department or unit. For instance, the Center for Parliamentary Studies overlaps with the Secretariat for Research. The same can be said in the functions of Secretariats for Committees and that for research.

**B) PERSONNEL**

Similar to Army, Police, or University Professors the employees of the House are not subject to general law of civil service. They have a special law regulating their positions. They have a special salary structure, but adhere to the general administrative hierarchy existing in other Ministries. According to law, they are selected by open competition.

According to official House statistics there are 951 employees in the General Secretariat of House, out of which 589 (61.9%) have university education and 362 (38.1%) with less than university education. They are distributed between the main

administrative organs as follows:

- 328 (34.4%) Financial and Administrative Affairs.
- 276 (29%) Committee works.
- 151 (15.8%) Research, Information and Relations.
- 166 (12.2%) in Central Offices under the jurisdiction of the Secretary General.
- 65 (7.8%) Secretariat of sessions.

These employees are in addition to the Secretary General, his deputy, his three assistants, and a number of minor jobs.

As to the academic background of the staff, the graduates of commerce faculties and schools represent the largest group (301 person representing 31.7% of the staff), out of this group there are 123 University graduates who are mainly in the Secretariat for financial and Administrative affairs and Secretariat for Committees.

The second largest group is lawyers (156 representing 16.4% of the staff and 26.5 % of university graduates). They work at the Secretariat for Committees 90, Central Office 26, 13 in each of Research and Administrative affairs. The third group is the graduates of the Arts Faculty ( 92 representing 9.6% of the staff and 15.6% of University graduates). They work primarily in Research, Information and Public Relations (42) and Secretariat for Committees (27). Then comes the graduates of the Institute of Cooperative Studies ( 77 representing 8% of the staff and 13% of University graduates ), they concentrate in Secretariat for Financial and Administrative Affairs (72) and Secretariat for Committees (26). The last large group is the graduates of the Faculty of Economics and Political Science (43 representing 4.5% of the staff or 7.3% of university graduates); they concentrate in Central Offices (16), Research (15) and Secretariat for Committees (12). The following table shows distribution of the major groups:

**DISTRIBUTION OF PERSONNEL BY EDUCATION  
( MAJOR GROUPS )**

<b>TRAINING</b>	<b>TOTAL NO.</b>	<b>% OF THE STAFF</b>	<b>SECRETARIES AND OFFICES</b>
<b>(1) COMMERCE</b>	<b>301</b>	<b>31.7</b>	<b>FINANCIAL AND ADMINISTRATIVE - COMMITTEES</b>
<b>(2) LAWYERS</b>	<b>156</b>	<b>16.4</b>	<b>COMMITTEES - CENTRAL OFFICE</b>
<b>(3) ARTS</b>	<b>92</b>	<b>9.6</b>	<b>RESEARCH, INFORMATION AND PUBLIC RELATIONS - COMMITTEES</b>
<b>(4) INSTITUTE OF COOPERATIVE STUDIES</b>	<b>77</b>	<b>8</b>	<b>FINANCIAL AND ADMINISTRATIVE - COMMITTEES</b>
<b>(5) ECONOMICS AND POLITICAL SCIENCE</b>	<b>43</b>	<b>4.5</b>	<b>CENTRAL OFFICE - RESEARCH - COMMITTEES</b>

In addition there are smaller groups representing almost all walks of life; 17 social service, 14 languages, 12 medical doctors, 4 engineers, 2 archaeologists and one pharmacist, all work in the Secretariat for Financial and Administrative Affairs. There are 11 agriculture graduates working in Research, Information and Relations and Secretariat for Committees.

As to those who have less than University Education, there are 47 with Preparatory Education Diploma, 27 Industrial High School Diploma, 19 Secretarial High School Diploma, 16 Primary School Diploma and 5 Azharite High School Diploma. Most of these work in Secretariat for Financial and Administrative Affairs. There are finally 10 employees with no qualifications.

From the previous account a number of findings emerge. There is first the impressive size of the operation; 63.4% of all personnel concentrate in two secretariats: the one for Administrative and Financial Affairs and that for Committees, whether the conduct of business of these two Secretariat require that size needs to be explored. The composition of the Secretariat for Research, Information and Public Relations is also problematic. Out of a total of 113, 42% are graduates of the arts Faculties, followed by a distant second of graduates of Economics and Political Science 15, Lawyers 13, Languages and Commerce 11 each, 10 Institute of Cooperative Studies, 1 Agriculture and 1 Humanities.

The House staff has a special salary scale which is relatively better than the civil service one. In addition, under Dr. Fathi Sourur's leadership, a more elaborate system of incentives was introduced. A staff member can get 100% of his salary in the form of incentives each month.

Training is not one of the House strong points. No system of inside training exists. The House organized a training seminar for its employees in 1992. The area of training and manpower development needs further concern. Of particular importance in this regard is the role of Secretariat of Committees. The staff assigned for each committee can perform a crucial role in enhancing the committee performance.

## **2) ACTIVITIES OF THE ASSEMBLY.**

The objective of this part is to provide a profile of the People's Assembly activities. These activities can be summarized and presented as follows:

### **2/1) Discussion of presidential and governmental statements**

#### **A) DISCUSSION OF PRESIDENTIAL STATEMENTS**

According to articles 132 of the constitution and 104 of the statute, the President delivers a speech at the opening meeting of the parliamentary sessions in which he outlines the general policy of the state. For instance, his speech of Nov. 14, 1991 included a number of specific issues which he asked the House to deal with. The President may address the House on issues of national interests. On April 15, 1992 he addressed members of the General Committee, Foreign Relations, Arab Affairs, Defence and national Security Committees of the Assembly and Shura Council on the Libyan-Western Crisis and the role of Egypt in containing it.

#### **B) DISCUSSION OF GOVERNMENTAL STATEMENTS**

At the beginning of each Parliamentary session or when a new Cabinet is formed, the Prime Minister delivers a statement on the policy of his Cabinet ( art. 111 - statute ). The Assembly establishes a special committee to study the statement and prepare a report about it. That committee is presided by one of the Speaker's Deputies and includes representatives of different Political Parties and persuasions in the House. The discussion of the Cabinet statement represents a major opportunity for MPs to discuss different aspects of governmental activities and performance. MPs use this opportunity to bring to the attention of the Cabinet and the public at large all sorts of grievances and suggestions. For instance, the Cabinet statement of Dec. 12, 1991 was referred in the same day to a Committee. The Committee had six meetings in Jan. 1992 and presented its report to the house on Jan. 22, 1992. In the following 19 meetings, 254 MPs. spoke in response to the Cabinet statement (218 NDP, 5 Tagamu and 31 independents).

The discussion was heated; different MPs raised new issues and made concrete proposals. Based on the number of speakers on different issues, the most important issues dealt by MPs who spoke were: Salaries and Prices (49%), bureaucratic reform (47.4%), Unemployment (40.7%), Education (40.7%), Medical Care (36.7%), Housing and Infrastructure (36.7%), Agriculture and Irrigation (29.8%), Social welfare (27.6%) Youth (26.9%), Industry and Energy (25.7%).

One striking observation is the absence of foreign policy issues in the debate.

**C) APPROVAL OF THE PLAN AND THE BUDGET.**

The current Parliament approved the third five years plan (1992-93/1996-97 ) as well as the activities of its first year 1992-1993. The discussion of the plan and the budget were completed in six sessions in which 74 MPs participated (55 NDP, 5 Tagamu and 14 independents). The five Tagamu MPs rejected the budget proposal because it did not, according to them, pay adequate regard to social justice.

## **2/2) THE LEGISLATIVE FUNCTION**

### **A) BILLS**

For a bill to become a law, it has to go into three readings. The objective of the first reading which takes place in the House is to approve the bill in principle. If approved, the House refers it to the sectoral committee in charge of the subject matter of the bill. The second reading involves the committee's examination of the bill in details article by article. Members of the committee may modify, add and delete. Then the committee refers the modified bill back to the House. House may accept the committee's recommendation, or add new ones (Art. 110 - the constitution). When the bill is approved it is sent to the President for ratification. Once signed it becomes a law. If the President objects to a bill approved by the House, he returns it to the House within a month. If the bill is not returned it is considered a law and is issued. If the President objects, the House may approve it again with two-thirds majority. If so, it is considered a law without the President's approval. In practice, such a situation has never taken place.

In the last session ( August 1991 - July 1992 ), the House approved 41 bills, many of them related to economic reform and liberalization. Some of these bills were in response to the discussions in the House such as the law on the relation between landlords and tenants, and the law on capital markets. The bills were discussed thoroughly and in details. In a number of cases the House sent the bill back to the concerned Committee for further discussion. Out of 277 articles which constitute the body of these 41 bills, the House amended 49 articles, deleted 2 articles, introduced new 11 articles and suggested changes to 11 other articles.

The practice of the Sectoral Committees differed from one bill to another; the time needed for the study of a bill varied from 2 days to 292 days (8 bills in less than 5 days, 6 bills in 5-10 days, 15 bills in 20-30 days, 3 bills in 58-84 days, 5 bills in 100-186 days, and one bill in 292 days. This was related to student health insurance). 503 interventions were made in the course of discussing these bills (300 NDP, 182 independents and 21 Tagamu). Most bills, however, are processed within a month.

### **B) PROPOSALS FOR BILLS**

A second form of legislative initiative is to submit an idea for a bill. During this session MPs submitted 20 proposals for Bills which were approved by the House. The sponsors for these proposals included 16 NDP and 4 Independents. These proposals were discussed first in principle; discussants included 65 MPs (45 NDP, 16 Independents, and 4 Tagamu). When the same proposals

were debated article by article, 99 interventions were made (70 NDP, 28 independents, and 1 Tagamu). The time taken for the discussion of these proposals in Sectoral Committees varied from 14 to 234 days. Eventually all of them became laws.

**C) LAWS BY DECREES**

The constitution authorizes the President to issue laws by presidential decrees in certain cases to be approved by the House later. During this session, 4 laws by decrees were debated in the House and approved. The time taken by committees varied between 58 and 261 d ys. The House usually approves decree laws issued by the president.

**D) INTERNATIONAL TREATIES**

During this session 73 treaties were discussed and approved. In many cases, committees reports included a number of recommendations to be considered by the government in the future. Discussions involved 228 MPs (144 NDP, 98 independents, and 16 Tagamu). Responsible ministers were present during the discussions and made clarifications (74 interventions).

## **2/3) SUPERVISORY ACTIVITIES**

This involves a number of methods:

### **A) URGENT STATEMENTS**

It refers to the right of MPs to make a statement on an issue of immediate nature (e.g. the drowning of the Salim Express Ship) and requests executive intervention. During this session, MPs made 140 statements compared to 55 in the previous session. Participants included 94 NDP (68.6%), 37 independents (27%), and 6 Tagamu (4.4%) (this analysis covers 137 statements only, there is no information about the remaining three). Out of the total number 93 (67.8%) were referred to Sectoral Committees for further discussion. Others were referred directly to responsible Ministers. Committees made reports which were sent to the Cabinet with specific recommendations and the government responded positively to them. In one particular instance (Marhaba Village of Port Said), a fact finding commission was established to investigate the topic.

### **B) QUESTIONS**

In contrast to item (A) which deals with issues of immediate and urgent concern, MPs may pose questions to members of the Cabinet about the activities of their Ministries. During this session 54 questions were presented (41 NDP, 11 independents, and 1 Tagamu). Commentators on questions included 97 MPs (70 NDP, 22 independents, and 5 Tagamu). Most questions were answered on the same day, the following day, or were included in an investigation on the same topic. Questions were directed as follows: Prime Minister (11), Minister of Energy (9), Economy (7), Housing, Culture and Local Government (6 each), Transportation (4), Interior (2), Awqaf, Health and Planning (1 each).

### **C) NOTICE QUESTIONS OR INQUIRIES**

During this session 77 requests were presented ( 47 NDP, 28 Independents, and 2 Tagamu). Requests were directed to different Ministers as follows: Housing (21), Economy (17), Energy (13), Culture (7), Transportation (6), Awqaf (5), Local government (4), Interior (3), and Health (1).

### **D) INVESTIGATIONS (INTERPELLATION)**

This is the strongest supervisory technique. During this session 12 investigations were presented (11 independents and one Tagamu). They covered subjects such as: Police Violations (2) and Capital Investment Companies (2). Investigations were directed to the Prime Minister and Ministers of Awqaf, Man Power, Health, Culture, Housing, Tourism, Economics, and

Transportation. In two cases the discussion ended by referring the topic to a Sectoral Committee. In another two cases the Cabinet confirmed its commitment to the substance of the investigation. In most cases discussions end with no obvious decision.

**E) REQUESTS FOR A GENERAL DEBATE**

During this session two requests were presented; both related to issues of population increase and the government limited success in handling it. Each was sponsored by 21 MPs. The House, therefore, discussed both in one session; 17 MPs participated (13 NDP, 3 Independents and one Tagamu). Eventually the House referred the discussions to the Cabinet to take appropriate actions.

**F) INDICATION OF DESIRES OF PUBLIC MATTERS (IKTIRAH BE-RAGHBA)**

It refers to proposals submitted by MPs suggesting specific executive measures. During this session 17 proposals were submitted (15 NDP, one Independent and one Tagamu). These are submitted to concerned Sectoral Committees to discuss, prepare a report and refer to the Cabinet for consideration. In this session one proposal was rejected because it dealt with a specific incident (missing victims of Salem Express Ship). According to parliamentary traditions proposals should address general issues.

**G) FACT FINDING COMMISSIONS**

During this session, and based on a proposal sponsored by 107 MPs, on February 10, 1992 the House established a Fact Finding commission to investigate the administrative and financial position of Marhaba Tourist Village of Port Said City. The decision was taken after the discussion of an urgent statement presented by a Tagamu Party MP referred to earlier.

**H) HEARING SESSIONS**

Sectoral Committees convened 35 Hearing Sessions; 5 of them were devoted to different political parties to present their views on relations between Tenants and Landowners.

**I) COMMITTEES MEETINGS**

Sectoral and Mixed Committees held 895 meetings, they discussed different urgent statements, proposals for action, bills, proposals for bills, international treaties, the 3rd five year plan and the budget. The Committees also discussed the reports of the General Authority for Auditing. They made 24 field visits as part of their investigations of particular issues.

### 3) A PROFILE OF PARLIAMENTARY ACTIVITIES 1971 - 1992

Researching the activities of the House encounters the problem of the absence of precise and accurate information. Official reports about the House activities usually report what was done; not what was shelved or set aside. Press coverage does not insure accuracy or continuity. Further, House reports do not always reflect dissenting or opposition views within it. For instance, in its report commenting on President Sadat's statement on Camp David the report mentioned that all political trends within the committee supported the President. In fact there was an opposition of six members. Also, the House report on the Agreement between Egyptian Government and the Kuwaiti fund for Economic Development did not take notice of those who voted against it (session of August 1990/July 1991). The regularity of committees meetings are not reported in a systematic manner. For example, the General Committee which is supposed to meet at least once a month met only 3 times in one session (Nov. 1985/June 1986).

As mentioned earlier, the House reports are of little help in identifying issues that were shelved. For instance, the investigation sponsored by MP Adel Eid to the Minister of Education on February 28, 1978 was postponed for six weeks. It remained unanswered till the Cabinet resigned and the Minister was not included in the new Cabinet. Thus, the investigation was dropped. Also, some MPs' requests may not be included in the House Agenda for procedural reasons and therefore are not reported in activities reports. For example, according to MP Ali Salama (Wafd) he submitted 12 questions (session June 1984/July 1985), only one question was included in the Agenda and therefore referred to in the House activities report. In the same session around 10 requests for general debate were made; none of them was discussed. In the same session also 17 requests for investigations were made; only 12 were discussed. 23 Proposals for Bills were suggested; only 5 were reported in the House activities report.

These instances demonstrate the limitations and problems of studying the activities of the House based on aggregate official data or fragmented press coverage. A thorough and in-depth analysis requires researching the minutes of Sectoral Committees and House meetings.

Notwithstanding these difficulties, and for purposes of this report, from reviewing official reports on House activities and press clippings data the following tables were collected:

### III. SUPERVISORY ACTIVITIES

	MINIMUM	SESSION	MAXIMUM	SESSION
(1) NUMBER OF QUESTIONS	74	OCT. 1973 / JULY 1974	407	NOV. 1980 / AUG. 1981
(2) NUMBER OF REQUESTS FOR INFORMATION	8	OCT. 1973 / JULY 1974	92	JUNE 1984 / JULY 1985
(3) NUMBER OF INVESTIGATIONS	1	JUNE 1984 / JULY 1985	14	APR. 1987 / JUNE 1988
(4) NUMBER OF REQUESTS FOR GENERAL DEBATE	1	OCT. 1972 / JULY 1973	15	NOV. 1985 / JUNE 1986
(5) NUMBER OF URGENT STATEMENTS	1	NOV. 1991 / JULY 1992	140	NOV. 1991 / JULY 1992
(6) NUMBER OF FIELD VISITS	1	JUNE 1984 / JULY 1985	24	NOV. 1991 / JULY 1992
(7) NUMBER OF FACT FINDING COMMISSIONS	1	JUNE 1984 / JULY 1985	4	NOV. 1980 / AUG. 1981
(8) NUMBER OF HEARING SESSIONS	1	NOV. 1988 / JULY 1989	7	NOV. 1991 / JULY 1992

## II. LEGISLATIVE ACTIVITIES

	MINIMUM	SESSION	MAXIMUM	SESSION
(1) NUMBER OF BILLS	36	NOV. 1971 / JUNE 1972	364	APR. 1987 / JUNE 1988
(2) NUMBER OF INTERNATIONAL TREATIES	40	NOV. 1971 / JUNE 1972	225	APR. 1987 / JUNE 1988
(3) NUMBER OF LAWS BY DECREE	11	OCT. 1972 / JULY 1973	62	NOV. 1971 / JULY 1972
(4) NUMBER OF PROPOSALS OF BILLS	15	JUNE 1984 / JULY 1985	185	OCT. 1975 / OCT. 1976
(5) NUMBER OF PROPOSALS FOR BILLS WHICH WERE PASSED AS LAWS	1	NOV. 1989 / JUNE 1990	20	NOV. 1991 / JULY 1992

**PROFILE OF PEOPLE'S ASSEMBLY ACTIVITIES  
1971 - 1992  
I. BASIC INFORMATION**

	<b>MINIMUM</b>	<b>SESSION</b>	<b>MAXIMUM</b>	<b>SESSION</b>
<b>(1) NUMBER OF MEETINGS</b>	60	NOV. 1989 / JUN. 1990	166	APR. 1987 / JUNE 1988
<b>(2) NUMBER OF SPEAKERS</b>	210	OCT. 1972 / JULY 1973	375	NOV. 1988 / JULY 1989
<b>(3) NUMBER OF INTERVENTIONS</b>	900	NOV. 1986 / JULY 1987	2100	APR. 1987 / JULY 1988
<b>(4) PERCENTAGE OF OPPOSITION PARTICIPATIONS (SPEAKERS)</b>	30 %	NOV. 1978 / JULY 1979	36 %	JUNE 84 / JULY 1985
<b>(5) PERCENTAGE OF OPPOSITION INTERVENTIONS</b>	32 %	NOV. 1978 / JULY 1979	38 %	NOV. 1988 / JULY 1989

From these data a number of observations seem to emerge:

- 1) There are certain areas such as defence, Foreign Affairs, and Education which are the least debated in the House.
- 2) MPs' initiatives are usually linked to a limited number of active MPs.
- 3) Concerning international treaties and laws by decrees the House usually approves them without major changes. In certain cases the House reports a number of observations to be taken into account by the cabinet. In some cases treaties or laws by decrees are left in the House for long periods without being discussed and approved. Reasons for such a delay differ; the large load of bills and activities of the House, the lack of urgency concerning certain bills, or that laws by decrees are already in effect and that the House approval is a routine business.
- 4) In certain cases the House had to do business in a hurry. In one session (November 1985/June 1986) the budget was debated in 4 meetings and at the closing weeks of the same session the cabinet presented 12 Bills and 50 treaties for approval. In another session (April 1987/July 1988) 22 treaties were approved in one meeting. In another one (Nov. 1989/June 1990) 29 treaties were approved in less than one hour.
- 5) The use of supervisory instruments varies from one Parliamentary session to another. For instance, some entire parliamentary sessions include no urgent statements, also the number of fact-finding Commissions is obviously few.
- 6) Questioning is the most used supervisory instrument while investigations is the least. This may be attributed to a number of factors: There is the ease of posing questions. There are no difficult procedures to adhere to, nor does a MP need to collect data to do it. On the other side, investigations have certain procedures. First, it requires its sponsor who is solely responsible for the investigation to collect ample information about the subject. Second, an investigation must be centered on specific events and issues. Third, since investigations are perceived as representing severe criticism to the Cabinet, the majority party MPs do not present investigations. Indeed in February 1993 a number of NDP MPs were wondering whether they should pose investigations to the Cabinet or not. They were encouraged in part by the performance of an independent MP's investigation directed to the Minister of Housing and the sympathy the MP got from the House at large.
- 7) The House has moral power which should not be underestimated. Even when a debate or a discussion does not lead to a legal

action, it is taken as an indicator of public opinion at large. For instance, the removal of Former Minister of Interior Zaki Badr in 1990 can not be divorced from the discussion that took place in the House against him.

- 8) There is a problem of MPs absenteeism during the House meetings. A discrepancy is usually noticed between number of MPs signatures in the roster of attendance and those actually present in the meeting. On February 15, 1993, the Speaker postponed the beginning of the meeting to get the majority needed to start. MPs were called from the different halls and side meetings. The same episode was repeated in the evening of the same day. Two days later, the Speaker threatened to call the meeting off.

## THE SHOURA COUNCIL

### 1) CONSTITUTIONAL AND LEGAL FRAMEWORK

Article 196 of the constitution establishes a Shura (Consultation) Council whose membership consists of two thirds by election (50 % at least workers and peasants) and a third appointed by the President. The constitution left the number of the Council to be determined by law; it should not be however less than 132 members.

Members of the cabinet are not responsible before the Council (art. 201) the President has the right to dissolve it "if necessary". In such a case the President has to call for a new election within 60 days of the dissolution and the Council has to convene within the following 10 days of the elections. Law 120 of 1980 concerning Al-Shura Council determines its tenure as 6 years. Half of all elected and appointed members is renewed every 3 years.

In particular, article 195 specifies a number of areas where the council should be consulted. These include: Constitutional amendment, plan for economic and social development, treaties of alliance and peace or those which relate to the sovereignty of the country, bills referred to the Council by the President, and any issues referred to the Council by the President. According to the constitution, the Council discusses these issues and reports its findings to the President and the People's Assembly. The President has the right to address the Council separately or in a joint meeting with the People's Assembly. In such a case the Speaker of the People's Assembly presides the meeting (art. 202 of the constitution). The Prime Minister and other members of the Cabinet may also address the Council or one of its committees (art. 203).

Technically, and as its name demonstrates, the Council is not a counterpart to the People's Assembly. It is more of a forum of debate and articulation of interests and grievances.

The President used his right of appointing a third of the Council members to represent different political trends and intellectual persuasions which is reflected in the seriousness and maturity of the Council discussions.

## 2) STRUCTURE AND PERSONNEL

In 1993 the Shura Council consists of 210 members. The Council has a Speaker and two deputies who are elected for 3 years. It has a similar structure to the People's Assembly. There is a Council Cabinet which includes the speaker and his Deputies. There is also the General Committee which consists of the Council Cabinet, a representative of each of the political parties in the Council elected by that party and 3 members chosen by the Council Cabinet.

The Council is divided into 6 major sectoral Committees as follows: Legislative and Constitutional Committee, Financial and Economic Committee, Arab, External Affairs and National Security Committee, Agriculture and Irrigation committee, Production and Manpower, and Services Committee.

As to the personnel of the Council, and according to official statistics, there are 340 employees; out of which 225 or (66%) with University Education and 115 or (34%) with less than University Education.

As to University graduates the largest group are graduates of Arts Faculties (18%), Institute for Cooperative Studies and Commerce (17% each), Law (14%), Agriculture (7%), in addition to other graduates including different walks of life. Senior posts are basically occupied by Lawyers including the Secretary General, his Deputy and his two Assistants.

As to non-university graduates the bulk (73 out of 115) belongs to Commercial High Schools and Colleges.

### 3) ACTIVITIES

The main function of the Council has been debating public issues and issuing reports about them. Usually one of the sectoral Committees establishes a small group to prepare a draft report. The group may seek the help of an expert or a University Professor in preparing the report. The draft is discussed first at the Committee level, then at the Council level. When approved it is printed and disseminated to a broad sector of policy and opinion leaders. In particular, reports are sent to the President, Speaker of the House and the Prime Minister.

During the period 1981 - 1992 the Council issued 87 reports covering almost all issues of national interest. For example, the Committee of Arab, External Affairs and National Security issued reports on Egypt's relations with the Arab World, Islamic World, Non-Aligned movement and Africa. It also has reports on integration between Egypt and Sudan and Egypt's relations to the Nile Basin States. The Committee of Financial and Economic Affairs issued reports on Inflation, Public Sector, Prices, Subsidies and Taxes. The Committee on Production and Manpower has reports on Agriculture Policy, Cotton, Industrialization policy, Tourism, Energy and Policies of education and Manpower Development. The Services Committee has studies on Local Government, Cultural Policy, Universities, Environment, Water, Popular Participation and Women. In addition, some reports were prepared by Joint Committees such as those on Youth, Maritime Transportation, Cooperatives, Housing and Better Utilization of Land Use in Egypt.

A breakdown of the total number of reports by issue area shows the following : Services (16), Finance (15), Arab and Foreign affairs (13), manpower (10), Agriculture (9), Industry (4), constitutional (3), in addition to Special (12), and Joint (5) Committees.

If we make the breakdown by years, the largest number of reports (12) was issued in 1991. The least number of reports (3) was in 1989. In most years the Council published six reports a year.

The legislative role of the Council, though limited, exists. In some cases, the Council did not approve certain bills and therefore, they were not presented to the People's Assembly. In other cases it introduced modifications to bills and the People's Assembly approved these changes.

As a forum for discussion and debate the Council acts as a clearing House for different ideas and policy options. It also prepares the public opinion for forthcoming legislations. For instance, the idea of unifying the rate of exchange between the Egyptian Pound and other currencies was debated and recommended by the Council before it became an official policy.

The reports and recommendations of the Council are taken seriously. For example, the Supreme Council of Universities adopted a number of recommendations of the Council report on Universities. The same is true of the Supreme Council of Culture and the Council report on Culture.

Of course, the activities of the Council vary from one session to another. For instance, during the 7th session (1986 - 1987), the Council discussed 5 bills, 2 presidential statements, a number of statements by the Prime Minister and 32 reports. The Council also established a special committee to discuss Scientific Research and Development in Egypt.

In an attempt to promote the jurisdiction of the Council a number of its members refer to the fact that the President has the right to refer bills by decrees directly to the Council before presenting them to the Assembly.

## FINDINGS AND RECOMMENDATIONS:

As mentioned in the introduction this report focusses on the technical - institutional aspects of the legislative sector. Thus it deals with its constitutional framework, its jurisdiction and functions, and its internal structure. We also looked at the actual dynamics and activities of the house. From the perspective of enhancing the house effectiveness, three areas seems to emerge:

### **I) MEMBERS OF THE PARLIAMENT**

At the level of individual MPs the following points can be made:

- 1) It is obvious that a significant number of MPs are not entirely aware of parliamentary rules and procedures. In a number of instances the Speaker of the House corrects an MP on matters of procedures. It will be useful and beneficial if the House organized orientation programs for new MPs and for those willing to join them. This is more important when we take into consideration the modest level of education of many members of the House.
- 2) Problem of information. For all practical reasons, an MP is left on his own to fulfill his parliamentary responsibilities. There is no regular service of background papers or access to a systematic source of information available to MP. Indeed, often MPs complain from the lack of information necessary for them to do their work. Each MPs has to rely on his connections and sources for that matter. This places the Cabinet in relatively strong position even as regards the NDP. In 1993, during a discussion on unemployment, the majority leader in the House, Kamal Al-Shazli, made the point that the figures presented by the Deputy PM for planning were different from those which the same person had presented to the Shura Council earlier. Empowering MPs with information and analyses becomes the more important if we consider the increasing load of bills and parliamentary activities.
- 3) MPs Absenteeship. A noticeable phenomenon is the absence of MPs from the House sessions. Even when they are present, some of them prefer to conduct committee business or make contacts with other MPs outside the meeting. The Speaker raised the issue in public in early 1993 and threatened to cancel the meeting. The Speaker's role in encountering this problem is crucial.
- 4) The public Servant members. The constitution allows an MPs to keep his post as a public servant. In the House of 1987-1990, some one third of its members were government's employees. This is not a situation that enhances the supervisory role of the House in relation to the executive and it may open the door for behind-the-scenes deals. For instance, when the independent MP Elwi Hafez criticized the Cabinet, the PM attributed the criticism

to personal reasons. According to the PM, Hafez asked for a promotion which the PM denied him. The House effectiveness is likely to increase if the number of government's employees continues to decrease.

- 5) Primacy of constituency-oriented interests. Despite all the talk on MPs as representative of the whole nation, in most parliaments a MP has the interests of his constituency in mind. In Egypt, it takes the form of helping to resolve their problems or fulfilling their demands with the executive. A familiar scene on the TV is the tens of MPs surrounding Ministers with petitions in their hands. Often the Speaker intervenes asking MPs to take their seats. For the MP to take care of individual grievances of citizens of his constituency is legitimate. What is needed is to institutionalize this process. The House established a department whose function is to communicate requests and petitions to different Ministers. Some Ministers appointed a liaison officer in charge of MPs' requests.
- 6) Presentation of interpellation by NDP members. Until 1993, MPs of the ruling party have refrained from presenting interpellation. This denied some 80% of the MPs the right to use the strongest supervisory instrument. As mentioned earlier, some NDP members were wondering about this.

## II) THE HOUSE STAFF AND INTERNAL STRUCTURE

- 1) There must be a way for trimming of the administrative staff of the House. Fewer and more capable individuals would enhance the House effectiveness.
- 2) The research function in the House leaves a lot to be desired. The strengthening of research and analysis activities will be highly rewarding.
- 3) The committee staff needs to be strengthened which will enable committees to improve the performance.
- 4) Training and upgrading capabilities are areas which require close scrutiny. Needed is a program to promote and upgrade levels of competence. Promotion and incentives can be linked to the completion of certain training sessions, computer or language training.
- 5) Finally, there is a need to modernize and support the library facilities. No research or analysis is possible in the absence of adequate library and professional librarians.

## III) INSTITUTIONAL

- 1) The existence and jurisdiction of the 18 sectoral committees are to be re-examined. Overlapping of competence or arbitrary

division of jurisdiction needs to be looked at. Also, the prominence of new subjects such as environment or human resources development require renaming some committees and the redefinition of their jurisdiction.

- 2) The House supervision of the Public Socialist Prosecutor can be more effective.
- 3) The House may increase its use of the "hearings" system. This has proven useful to get expert judgment as well as to allow different political parties and persuasions not represented in the House to air their views. Hearings are a parliamentary technique through which a number of objectives can be achieved; first, to acquire information about new issues which the House is supposed to legislate, second, to identify different perspectives and orientations on contradictory matters, and third, to investigate and evaluate the performance of executive organs on particular issues. Hearings may also be used to influence public opinion.
- 4) Given the importance of discussions that take place at the level of sectoral committees, it will be useful if their minutes are recorded and kept in a systematic manner.
- 5) Fact finding commissions have proven to be one of the most effective parliamentary activities. The House can employ further this instrumentality on issues such as political extremism or drugs....