

Good Governance as a Mechanism to Combat Administrative Corruption in Algeria: Municipality as a Model

Dr. Aicha Benachour*

Email: benachouraicha45@gmail.com

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ABSTRACT

This study examines the mechanisms for strengthening the role of municipalities in Algeria and combating corruption within certain local administrations through the implementation of good governance principles. Local authorities, particularly municipal councils, constitute a fundamental level of public governance and administration. They serve as an intermediary between citizens and the central administration, particularly in the provision of public services and the implementation of public policies. In this context, the study aims to analyze the functions and responsibilities of local authorities in promoting local development and delivering public services, in accordance with the powers and prerogatives conferred upon them by the legislation in force.

Keywords: Algerian municipality; administrative corruption; good governance; municipal councils; legal provisions.

RÉSUMÉ:

Cette étude examine les mécanismes permettant de renforcer la participation des communes en Algérie et de lutter contre la corruption au sein de certaines administrations locales, à travers la mise en œuvre des principes de la bonne gouvernance. Les collectivités locales, et notamment les conseils communaux, constituent un échelon fondamental de la gouvernance et de l'administration publiques. Elles assurent une fonction d'interface entre les citoyens et l'administration centrale, en particulier dans la prestation des services publics et la mise en œuvre des politiques publiques. Dans cette perspective, l'étude vise à analyser les missions et les responsabilités des collectivités territoriales en matière de développement local et de prestation des services publics, conformément aux compétences et aux prérogatives qui leur sont conférées par la législation en vigueur.

Mots-clés : commune algérienne ; corruption administrative ; bonne gouvernance ; conseils communaux ; dispositions légales.

INTRODUCTION:

Addressing the problem of administrative corruption in Algeria requires an alternative strategy for reforming local administration in order to support development and mitigate the different forms of corruption. This strategy should not deal with the matter of corruption of administrative bodies in Algeria merely as a response, treating it only as an issue to be fought and punished but rather approach it proactively by addressing the underlying causes and factors that lead to delays, inefficiency, and corruption within administrative bodies. The aim is to rationalize the conduct of administrative leadership and rebuild citizens' trust in these bodies. This strategy, aimed at

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supporting good governance and combating administrative corruption, is founded on the availability of competent local administrative leaders suited to senior leadership positions.

From this standpoint, the following research problem is raised:

What are the preventive mechanisms to combat administrative corruption in Algerian municipalities?

To answer this problem, the following hypotheses were formulated:

- Anti-administrative corruption in Algeria resets on how extensively good governance mechanisms have been applied.
- Good governance contributes to activating the role of the municipality in preventing administrative corruption.

FIRST TOPIC: THE EPISTEMOLOGICAL FRAMEWORK OF GOOD LOCAL GOVERNANCE AND ADMINISTRATIVE CORRUPTION

This topic addresses the most prominent fundamental concepts under study.

FIRST REQUIREMENT: THE CONCEPT OF GOOD LOCAL GOVERNANCE

The concept of good governance and local governance has received numerous definitions due its importance across multiple fields.

SECTION ONE: DEFINITION OF GOOD GOVERNANCE AND LOCAL GOVERNANCE

First: Definition of Good Governance

Good governance is a term whose history dates back to the use of terms in Latin and Ancient Greece that were used to describe the control of boats or ships. Over time, the concept evolved to encompass situations related to constitutional and legal means of managing state affairs and administering certain professional institutions. The concept was later revived when international financial institutions including the World Bank, which first used the term in 1992 in its annual report entitled *Governance and Development*, which was adopted.

Prior to the widespread adoption of the concept of good governance, Southern countries concerned with its implementation, as well as the international organizations involved, employed a variety of terms to express its content. Among Southern countries, concepts such as state reform, democratic transition, electoral system reform, and respect for human rights and the rule of law were used. The United Nations Educational, Scientific and Cultural Organization used the term "democratic management," while the United Nations Development Programme used the term "sound management."¹

The Political Encyclopaedia defines it as "a non-radical modification or development in the form of governance or social relations without affecting their foundations; unlike revolution, it is merely an improvement in the existing political and social system without undermining its foundations. It is akin to erecting the pillars that support a structure to prevent its collapse, and reform is usually employed to prevent revolution from occurring or to delay it."²

SECTION TWO: DEFINITION OF GOOD LOCAL GOVERNANCE

Good Local Governance is defined as the use of political authority and the exercise of control over the local community in order to attain economic and social development.

The declaration issued by the Congress of the International Union for the Management of Cities, held in Sofia, Bulgaria, in December 1996, outlines the elements of Good Local Governance as follows:

- The transfer of responsibility for appropriate public activities to the various local levels under law.
- Financial decentralization and adequate resources to carry out those activities at the local level.
- Genuine citizen participation in local decision-making.
- Creating the conditions conducive to the privatization of the local economy³.

Good local administrative governance is characterized by the following:

- **Participation:** Providing appropriate means and mechanisms for local citizens, both as individuals and groups, to contribute to decision-making processes either directly or through elected local councils that represent their interests and by facilitating the local identification of issues and problems. In the context of

competition for public positions, citizens are able to participate in elections and select representatives at various levels of governance. Participation can also mean greater public trust and acceptance of policy decisions, which translates into an increase in local expertise.

- **Accountability:** Decision-makers in local bodies are held accountable to citizens and other relevant stakeholders.
- **Legitimacy:** The acceptance by local citizens of the authority of those who hold power within the community and exercise it within accepted rules, processes, and procedures, grounded in the rule of law and justice, through the provision of equal opportunities for all.
- **Efficiency and Effectiveness:** This reflects the technical aspect of the local governance system and refers to the capacity of local bodies to convert resources into programs, plans, and projects that meet the needs of local citizens and reflect their priorities, while achieving better outcomes and optimizing the use of available resources.
- **Transparency:** Enabling the flow and simplification of accessing information for all parties within the local community, which creates the opportunity to assess the effectiveness of local bodies and enhances the capacity of local citizens to participate. Furthermore, the accountability of local bodies is contingent upon the amount of information available regarding laws, procedures, and outcomes.
- **Responsiveness:** Local bodies must strive to serve all relevant parties and respond to their demands, particularly the poor and marginalized. Responsiveness is associated with the degree of accountability, which in turn is grounded in the degree of transparency and the level of trust between local bodies and local citizens⁴.

SECOND REQUIREMENT: THE CONCEPT OF ADMINISTRATIVE CORRUPTION

Administrative corruption is a widespread phenomenon in most administrative bodies that lack adequate control.

SECTION ONE: DEFINITION OF ADMINISTRATIVE CORRUPTION

The World Bank defines corruption as: "the abuse of public office for private gain. Corruption occurs when a public official accepts a bribe from agents or intermediaries of private companies or businesses to benefit from policies or procedures in order to overcome competitors and generate profits outside the framework of the law. Corruption can also occur through the use of public office without resorting to bribery, such as through nepotism or the direct theft of public funds."

This definition points to two key elements:

- The payment of bribes and secret commissions to officials and employees in the public and private sectors to facilitate the conclusion of deals and the conduct of business for businesspeople and foreign firms.
- The embezzlement of public funds and securing senior positions for relatives and acquaintances in the public bureaucracy and in the public and private business sectors⁵.

According to the United Nations Development Programme, corruption is: "the abuse of public power, position, or authority for private gain, whether through bribery, extortion, influence peddling, nepotism, fraud, facilitation payments to expedite services, or embezzlement."⁶

The International Monetary Fund provides another definition, viewing corruption as: "an established relationship of long-reach influence aimed at deriving benefits from this behaviour for an individual or a related group at the expense of others."

According to Daniel Berteaux, from a technical standpoint, corruption is: "the act based on making a promise or giving a grant to a public official or an institutional manager such that this individual fails in their duties toward the community they represent. The corruptor is the one who promises or provides the grant, while the corrupt is the one who betrays their duties thus revealing the link between the promise of a grant and the breach of duty."

Administrative corruption is also defined as: "deviant bureaucratic behaviour aimed at achieving personal gains through unlawful means and without justification."

More detailed definitions of corruption indicate that it involves: "the use of public office to legitimize private gains, including bribery and extortion both of which necessarily involve at least two parties as well as other types of prohibited acts that a public official can carry out alone, such as fraud and embezzlement."⁷

SECTION TWO: FORMS OF ADMINISTRATIVE CORRUPTION

Among the symptoms of this problem is that individuals select strategies that maximize their own gains without regard for the actions of other actors. This occurs when trust in others' compliance with agreed-upon behavioural norms erodes. Bribery, embezzlement, and extortion are among the forms of corruption that arise from the "collective act dilemma." Nevertheless, once they are endemic, the situation transforms into a social trap from which escape would be difficult in which corruption becomes accepted and normalized, to the point where individuals can no longer envision managing their daily affairs without engaging in some form of corrupt behaviour⁸.

SECOND TOPIC: STRATEGIES TO MITIGATING ADMINISTRATIVE CORRUPTION IN THE ALGERIAN MUNICIPALITY

Algerian local administration laws have defined the competencies of the municipality as follows:

FIRST REQUIREMENT: THE ROLE OF THE MUNICIPALITY

The municipality fulfils several roles, embodied in the following:

SECTION ONE: THE SOCIAL DOMAIN

The municipality is the primary hub of social activity and a nucleus of local change. It provides significant services to families and individuals in the social field. For this reason, the legislature, pursuant to Article 89 of the Municipal Law, granted the Municipal People's Council the right to initiate all measures that would deliver social services and welfare, including:

- Assisting those in need, caring for disadvantaged social groups, supporting the unemployed, and facilitating employment.
- Playing a central role in housing matters in which they represent a fundamental condition for family life. The municipality identifies citizens' needs and choices within the framework of planning and program implementation, coordinated with the relevant housing authorities. It also encourages initiatives aimed at promoting real estate development at the municipal level, and is authorized to participate in establishing real estate institutions and encouraging cooperative efforts in the real estate sector.
- The task of individual training, promotion of culture and education, literacy initiatives, and encouraging the establishment of cultural centers and facilities, the maintenance of mosques and Quranic schools, and the establishment of libraries and reading rooms⁹.

SECTION TWO: THE CULTURAL AND EDUCATIONAL DOMAIN

The municipality assumes a significant role in this domain, overseeing the establishment and maintenance of primary schools, and encouraging measures to promote school transport, education, and pre-school services (nurseries).

- Protecting architectural heritage, natural sites, antiquities, and museums, and anything of historical, aesthetic, or heritage value.
- Managing and administering facilities dedicated to cinema and the arts, and carrying out cultural tasks of public interest.
- Promoting tourist and recreational sites, protecting and restoring historical monuments, and preserving natural sites.

SECTION THREE: THE ARTISTIC DOMAIN

The municipality holds great importance in this domain, as arts and cinema are vital tools for enlightening public thought. Accordingly, municipalities have assumed responsibility for managing cultural affairs of public interest.

The government has entrusted the municipality with the task of managing all institutions and facilities related to national culture, and has granted it the right to benefit from their revenues. Thus, the municipality now oversees the management of cultural services such as theatres and stadiums. The government has finally decided to assign municipalities the management of cinema halls, which were previously under the authority of the National Cinema Centre¹⁰.

It is noted that social progress is contingent on growth and prosperity in the economic field. Nonetheless, not all municipalities possess sufficient resources. For this reason, the National Solidarity Fund was established to attain equilibrium between wealthier and poorer municipalities.

SECTION FOUR: THE HEALTHCARE DOMAIN

The municipality is responsible for public health protection and maintaining public hygiene (Article 107) in the following domains:

1. Distribution of potable water.
2. Disposal of wastewater and solid urban waste.
3. Control of infectious disease vectors.
 - Food hygiene and sanitation of places and facilities receiving the public which led to the establishment of offices for municipal health and hygiene¹¹.
 - Monitoring the hygiene of consumer goods offered for sale¹².

SECTION FIVE: THE ECONOMIC DOMAIN

The municipality undertakes all initiatives and actions aimed at developing economic activity and promoting community growth, with the aim of full utilization of the workforce and improving the standard of living for residents, through:

- The right to initiate projects and seek economic activity in rural areas, in adherence to the objectives of the national plan.
- Managing public utilities at the municipal level (markets, management of event halls).
- Developing tourism by promoting regions and demonstrating Algeria's tourist facilities.
- Encouraging economic operators.

The municipality exercises supervisory authority over industrial establishments and agricultural collectives that were previously overseen by state administrations and bodies. This encourages initiative, given the difficulties previously associated with direct oversight.

In application of this, the municipality exercises public supervisory authority over:

- All agricultural enterprises.
- Totality of industrial establishments, except those whose activities extend beyond the municipal domain (with technical assistance from specialized state administrations).

The municipality exercises this supervisory authority for two reasons:

First: To ensure that self-managed units comply with the relevant laws and systems.

Second: The municipality is a decentralized body that supports the development of institutions and ensures their sound management¹³.

This supervisory authority takes several forms:

- Freely working to develop the units.
- Assisting each unit in the administrative and cultural domains such as organizing accounting across units within the municipality, workforce training, literacy programs, and the preparation of qualified personnel.
- The specialized committees of the Municipal Council studying all problems related to the unit within the municipality, then disseminating useful instructions and recommendations derived from those studies among the relevant production units.
- Controlling the units particularly through the unit directors, who are placed under the authority and executive body of the municipality while carrying out their duties.
- Granting loans to production units¹⁴.

SECTION SIX: ENVIRONMENTAL PROTECTION DOMAIN

The municipality is considered the primary local institution for implementing environmental protection measures. Municipal laws and their associated regulations explicitly enshrine the concept of environmental protection and the combating of pollution¹⁵.

- The municipality ensures the protection of the natural environment, particularly water reserves, from any industrial discharge or effluents.
- The municipality has the right to reject any project that adversely affects the environment.
- Combating informal construction and protecting agricultural areas within the urban development plan.
- Encouraging the establishment of environmental protection associations.
- Combating all forms of pollution within the scope of its jurisdiction (water, marine, and air pollution).
- Establishing, expanding, and maintaining green spaces; overseeing the protection of soil and water resources; and contributing to their optimal use, as stipulated by Article 108 of the Municipal Law¹⁶.
- Establishing parks and gardens, and maintaining roads.

SECTION SEVEN: SECURITY AND EMERGENCY SERVICES

The President of the Municipal People's Council is the official responsible, under the oversight and supervision of the central supervisory administrative authorities, for policing powers (administrative policing), and carries out the following duties:

- Maintaining public order through the municipal police or municipal guard.
- Providing emergency assistance in the event of a disaster within the municipal territory (civil protection function).
- Implementing the necessary preventive measures to address dangers and disasters.
- Managing, supervising, and even establishing fire brigades.
- Facilitating the movement of persons and goods within the municipality and its markets.
- Ensuring the safety of municipal residents and visitors within the administrative boundaries of the municipality.
- Defining jurisdictions and limiting the intervention of central bodies.
- Fixing the financing problem, which is considered a fundamental condition for the success of municipalities in fulfilling their roles¹⁷.

At the administrative level, the mayor is responsible for:

- Respecting the principle of separation of powers at the municipal level (mayor, secretary-general, governor) and between the administration and the elected councils.
- Improving the level of administrative staff and enhancing their skills and competencies¹⁸.

SECOND REQUIREMENT: GOOD GOVERNANCE MECHANISMS FOR ANTI-CORRUPTION IN THE ALGERIAN MUNICIPALITY

The good governance mechanisms for eradicating administrative corruption can be briefly concluded in the following points:

- Establishing early warning mechanisms that rest on research centres and human rights observatories, which entail examining the legal framework, judicial procedures, and annual budget laws to detect any loopholes that corruption might exploit.
- Building a comprehensive knowledge base of diverse information on corruption and its various manifestations.
- Engaging in serious dialogue and adopting appropriate policies — with the involvement of civil society institutions on issues affecting the community, such as the problem of corruption.
- Ensuring greater transparency and accountability, not only at the level of civil society institutions, but also in the public sector and private initiatives.
- Contributing and participating positively in supporting the development of an appropriate legal framework that enables the enactment of deterrent laws for all who engage in administrative corruption¹⁹.
- The capacity to absorb development and its challenges, to resolve contradictions that arise between different parties during the process of change, to dissolve alliances that resist reform, and to break down or co-opt elements that oppose change tasks for which leadership is uniquely qualified, unlike other parties.

- The capacity to define goals and clearly identify policies and procedures through thorough analytical and comparative study, ensuring that these goals are achievable without draining local capabilities and resources on fruitless endeavours. Clear goals help direct the public, energies, and available resources.
- The capacity for initiative, innovation, and responding to organizational, technological, or human changes as well as the ability to manage crises.
- The capacity to make objective decisions by applying scientific knowledge to decision-making, avoiding arbitrariness, and working within human, organizational, and material capacity constraints.
- The capacity to implement with efficiency and effectiveness; the skill to formulate policies and define goals within available capacities; the ability to transform policies into fieldprocess; and the capacity to mobilize energies toward the desired objectives²⁰.

CONCLUSION:

In conclusion, Algeria is in need of an alternative strategy for developing local administration with the municipality at its forefront and for building its capacities so that it can complement and interact with its broader systemic context, represented by comprehensive, balanced, and sustainable development. This cannot be achieved except through continuous and renewed administrative reforms that keep pace with major social transformations and shifts. Thus, reforming the administrative apparatus of the municipality must constitute one of the strategic objectives within the overall development strategy.

Given the importance of municipal development at the local level, it is essential that leadership continuously work to embody administrative reform, which Professor Dr. Ammar Bouhouche considers a comprehensive process encompassing all aspects of the administrative process, its procedures, and the behavioural dimensions associated with it including organizational, procedural, and legal aspects; improving recruitment procedures; applying merit and competency criteria; and ensuring equal opportunity, in order to move away from all forms of nepotism and to develop job descriptions, plans, and their analysis.

Accordingly, the study concludes with the following findings:

1. The municipality is the public service that citizens cannot do without.
2. Corruption is the cancer that gnaws at the nerve of the administration, thereby impeding the delivery of services to citizens.
3. Weak administrative digitization and bureaucratic complexities at the local level significantly hinder the efficiency of municipal public services.
4. The absence of effective local governance mechanisms directly weakens citizen participation and trust in municipal management.

RECOMMENDATIONS:

1. Accelerate the digitalization of municipal services and administrative procedures to minimize human intervention and enhance transparency.
2. Strictly apply criteria of competency and merit in selecting local administrative personnel while eliminating nepotism and favoritism.
3. Establish rigorous internal and external monitoring mechanisms to detect, prevent, and penalize corrupt practices within municipal administrations.
4. Foster active citizen involvement in local decision-making processes and development planning to ensure accountability and responsiveness.

Horizons and Prospects of the Study:

Looking forward, future research should explore the practical impacts of emerging digital governance tools on reducing local bureaucracy and enhancing municipal performance across different provinces. Furthermore, upcoming studies could investigate the intersection between decentralized financial management and sustainable local development, assessing how structural reforms can empower municipalities to become self-reliant economic hubs.

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