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LOCAL CONSULTATIVE COUNCILS AND THE CHALLENGES OF DECENTRALIZATION IN IRAN

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The majority of nation-states have followed a process of decentralization to some degree. While decentralization has several advantages, it also suffers from some weaknesses. Countries with highly complex political systems due to religious or ethnic reasons and due to an imbalance between central and provincial governments face a number of challenges when it comes to decentralization. To be precise, the powers granted to local administrative units and public policy constraints, leads to a greater level of power being concentrated in the hands of the central government. Therefore, decentralization weakens and does not contribute to resolving governance crises at the local level. Decentralization and its extent in Iran has been influenced by the following facts:

- the Iranian political system is based on the theory of Velayat-e Faqih;
- the supreme leader of the 1979 revolution monopolizes religious and political power;
- Islamic law is the basis of governance and administration of the state;
- Twelver Shiite doctrine is the Islamic Republic's state religion;
- and finally the pluralistic nature of Iranian society.

Local councils also known as provincial councils, are decentralized entities, a source of decision-making and management of local affairs in Iran. Under the Islamic Revolution also known as the 1979 revolution, Iran has so far witnessed five local elections in 1999, 2003, 2006, 2013 and 2017. These elections witnessed conservative and reformist factions as well as their respective wings engage in intense electoral competition. Although provincial councils have paved the way for further decentralization since the first elections, they also brought complications for the Iranian government. The questions of this study are: What is the nature of Iranian decentralization and what are its determinants? What are the challenges facing local councils in light of the religious nature of the Iranian political system?

Accordingly, this study assumes that Iran's local councils only reveal one side of the complex nature of relations between the institutions of the Iranian political system. To keep local councils largely under the control of the central government weakens decentralization.

Thus, this study will address the following issues: the environment and frameworks within which local councils operate in Iran; the development of local councils; the move towards decentralization; the structure and composition of local councils; local decision-making mechanisms and the problems and challenges facing decentralization.

I- The Environment and Frameworks of Local Councils in Iran

Local councils in Iran carry out their tasks and functions within several frameworks, most importantly:

1- An Ideological and Political Framework

The political system created after the 1979 revolution provokes controversy among comparative political systems, due to the contradictions and complexities it presents. This has had an impact on Iran's administrative division and the formation of local councils.⁽¹⁾ The most important features of this system, especially those that affect decentralization and local councils, can be identified as follows:

A- The Islamic Shiite Identity of the Republic: This means the establishment of a sectarian state, and the entrenchment of religion as a key determinant in Iranian politics and society. This is reflected in the role played by Shiite jurists in Iranian decision-making, starting with the Guardian Jurist known as the supreme leader, who is chosen by the Assembly of Experts and has the right to dismiss him. The Assembly of Experts has representatives within elected and appointed institutions, including local bodies.⁽²⁾

B- The Ideological Nature of the State: Islamic law must generally be the basis of all articles of the Constitution, laws and decisions. The jurists of the Guardian Council ensure this. Therefore, all institutions are Islamized.

C- The Status of the Vali al-Faqih; at the Top of the Political System: He is the supreme leader of the 1979 revolution and is considered sacred. In the absence of Imam Mahdi, both the guardianship and the Imamate are under the control of the Vali-e Faqih, and the political structure of the Islamic Republic of Iran with all its institutions and decision-making structures are under his control. The office of the supreme leader coordinates his activities

and his appearance in front of the people, even in the provinces.

D- Two Divergent Forms of Political Administration: The first is represented by specific institutions that reflect the theocratic nature of the state. The second is elected (or semi-democratic) institutions, which are formed through elections, such as the Parliament and the presidency. In addition, city and village councils also are integrated within this structure.

E- Parallel and Intersecting Institutions Within the Power Structure: There is the Guardian Council which ratifies laws and legislation. It authorizes eligibility for presidential and parliamentary elections. There is also the Expediency Discernment Council which has the right to veto the decisions of the Shura Council (the Parliament).

F- The Authoritarian Nature of Political Culture: The current Iranian political system has been characterized by authoritarianism, suspicion and pragmatism. These characteristics have continued over different historical periods. Iranian political culture under the power of the supreme leader has impacted the balance between the three branches of government; the executive, legislative and judicial branches. Due to mutual accountability and control mechanisms existing between them, the separation of power between the three branches in Iran is different than in any other country.⁽³⁾

G- National Diversity and Limits of Minority Participation and Representation: The Iranian Constitution acknowledges that only Zoroastrian Iranians, Jews, and Christians are recognized as religious minorities. It also provides that Iranians regardless of their nationalities or tribal affiliations, without differentiation, have the same political, economic, social and cultural rights within the framework of Iran's Islamic political structure. The Constitution also promotes justice and equal development opportunities among all Iranian communities and regions. However, there is a wide gap and weak enforcement of these constitutional articles. Iranian identity is based on ethnic and sectarian discrimination and constitutional rights are not enforced. Despite the fact that some provinces are composed of ethnic majorities other than Persians, the executive positions in local administrations are most held by Persian nationalists.

The aforementioned ideological and political framework led to the emergence of structural crises in the political system particularly in regards to the ideology on which the Iranian political system is founded, and the nature of the relationship between its institutions, which operate in accordance with a religious vision of the universe, world and society. The state, represented by its official institutions, seeks to impose its ideology on all citizens and on all aspects of their lives. One of the manifestations of these crises is that the supreme leader of the Islamic revolution controls the affairs of society and the state. He exercises hegemony, and tyranny. In addition, He excludes individuals from representing their communities in Iran and strengthens the role of religion in politics. One feature of this monopolization of affairs is the hard-line conservative position of the Vali-e Faqih. He sets limits and restrictions on the reformist current in order to counter it within the structure of the existing Iranian political system. This system has undergone structural reforms in response to the conflict on both sides of the political equation - the conservative and reformist currents. International trends to promote civic engagement and governance are growing. Thus, governments have pursued policies of reorganization as well as administrative, social and human rights reforms.⁽⁴⁾

These structural changes have been demonstrated by the rise of the reformist movement and the presidency of Mohammad Khatami (1997-2005), who served two terms as president. Khatami's victory was followed by the reformist current winning the majority of

seats in major cities in the first local elections held in 1999. Nevertheless, the conservative movement succeeded in obtaining the majority of seats in the second local council elections during Khatami's presidency in 2003. After the end of Khatami's second term, Mahmoud Ahmadinejad's presidency saw an end to some transformations initiated by the reformists. During his two terms, Ahmadinejad communicated with locals from remote provinces, cities and villages. They were concerned with their local affairs as well as their economic and social problems. Ahmadinejad and his supporters directing their energy and activities towards remote cities and villages.⁽⁵⁾

2- A Constitutional and Legal Framework

Iranian local councils are constitutionally regulated by articles 6, 7 and 12 and Chapter VII of the Iranian Constitution, with local councils referred to in articles 100, 101, 102, 103, 105 and 106. The current administrative division of Iran is stipulated in the Constitution, based on a four-tiered system consisting of municipalities and their subordinate units: governorate, province, district and rural zone, respectively.

Members of local councils are directly elected by citizens. Local councils are considered as local decision-making and administrative bodies of the state. These local councils have their own budget and powers to impose and collect taxes, and are entrusted with providing social, economic, health, cultural, and educational services as well as other social services. The functions of the Supreme Council of the Provinces include developing plans and projects and submitting them to Parliament directly or through the government.

Local council decisions can not conflict with Islamic law. These local councils also adhere to preserving national unity, the territorial integrity of Iran, and the sovereignty of the central government. It is a religious affair to follow other Islamic schools of thought, such as the Hanafi, Shafi'i, Maliki, Hanbali and Zaidi schools of thought. If they constitute the majority in a region, the local Shura councils adopts that particular school's law, without alienating others.

Table (1) Local Councils Within the 1979 Constitution and its Latest Amendments in 1989⁽⁶⁾	
Number	Article
6	"In the Islamic Republic of Iran, the country's affairs must be administered by reliance on the public vote, and through elections. These will include the election of the president, the deputies of the Islamic Consultative Assembly (Majles), the members of the councils, and other such institutions, or through a referendum in such instances as are determined in other articles of this document."
7	"As the munificent Qur'an ordains: "They (conduct) their affairs according to these commands, by mutual consultation" (42: 38) and "And consult them in the affairs" (3: 159), the councils, the Islamic Consultative Assembly, the Guardian Council, the province of municipal and city councils and the district and village councils and so forth are the decision making and administrative organs of the country. The constitution and the laws arising from it shall determine the manner of formation of these councils and the limits of their authority."

12	The official religion of Iran is Islam and the Twelver Ja'fari school of [shi'i] religion. This principle shall remain eternally unchangeable. Other Islamic schools of thought, such as the Hanafi, Shafi'i, Maliki, Hanbali, and Zaydi, are deserving of total respect and their followers are free to perform their own religious practices, religious education, and personal matters. They may practice their religious education, personal status, (marriage, divorce, inheritance, and bequest), in accordance with their own jurisprudence. The dispute over these matters is recognized in the courts. In any area where followers of these schools of thought are in the majority, local regulations, within the domain of the council's jurisdictions, are set according to that school of thought so long as the rights of the followers of other schools of religion are maintained.
Chapter VII: The Councils	
100	<p>"Councils are formed in order to, through the collaboration of the people, promptly advance social, economic, developmental, public health, cultural, and educational programs as well as other welfare-related matters. The administrative affairs of each village, district, city, municipality, and province take place under the supervision of a council named the council of the village, district, city, municipality, and province. The members of the council are elected by the people of that locality.</p> <p>The law determines the qualifications of the electors and those elected to the councils. The law shall determine the range of powers and responsibilities of the councils, their supervising method, and their procedures, which must be based on the principles of national unity, territorial integrity, the system of the Islamic Republic, and must abide by the central government."</p>
101	The Supreme Council of the Provinces, consisting of the members of the councils of the provinces, is formed in order to prevent discrimination and to promote collaboration in preparing programs for the welfare and development of the provinces, and to supervise the harmonious application of these programs. The law shall determine the manner of formation and the responsibilities of this council.
102	"The Supreme Council of the Provinces has the right to prepare drafts and propose them to the Islamic Consultative Assembly directly or through the government, provided these are within the limits of its responsibilities. These drafts must be evaluated by the Assembly."
103	"The governors of the provinces, cities, and districts, as well as other officials of the country who are appointed by the government, must follow the decisions of the councils within the boundaries of the latter's authority."
105	"The decisions of the councils may not contradict the Islamic criteria and the laws of the country"

106	<p>“The councils cannot be annulled unless they deviate from their legal responsibilities. The law determines who can investigate this deviation and how the councils can 15 Article 99 (1979 Edition): The Guardian Council is responsible for supervising the elections of the president, the elections to the National Consultative Assembly, and referral to the public opinion and polls. 23 be annulled and how they may again be formed. If the council objects to its dissolution, it has the right to refer to an appropriate court, and the court is required to tend to this matter out of order.”</p>
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Article 100 of the Iranian Constitution and the law of the municipality refers to the limits, functions and powers of local councils, most importantly: electing mayors for two years, supervising local projects and services, and directing economic, health, educational, cultural, social and other services that meet the needs of the people in their local area. Local councils seek to develop and propose plans for local sectors and services to be presented to competent authorities that monitor the implementation of decisions and plans ratified by local councils. In addition, Local councils aim to organize participation in educational, cultural, and health sectors as well as in other economic and social sectors. Local councils aim to promote the establishment of recreational, sports and cultural centers in coordination with relevant local organizations and to fund social cooperatives for production and consumption purposes.⁽⁷⁾

In accordance with Article 106 of the Constitution and what the law regulates, local councils can be dissolved. This article is enforced when councils work against regulations and national interests, or have been involved in corrupt activities. The article can be implemented based on statements from the National Arbitration Commission to dissolve any city or village council if it so decided. The council has the right to appeal the decision to the courts, whose decision is final. In the absence of the council, the Ministry of Interior has authority in all local affairs.

The Iranian political system is a hybrid and unique system that is built on the doctrine that led to the 1979 revolution and the founding of the Islamic Republic of Iran. This doctrine affected the structure of the Constitution. Therefore, it influenced the form of government, the relationship between its institutions and the functions it undertakes. This doctrine identifies the regulatory frameworks that guide, justify and legalize the activities of political institutions and political behavior.⁽⁸⁾

A ‘government of tyranny’, ‘religious tyranny,’ and ‘Shiite clerical rule’ are some terms which can be used to describe the Iranian political system and its elected and appointed political institutions which were established after the 1979 revolution, when compared with the systems and governments of contemporary states, However, Iran is more of a theocratic oligarchy. Iran’s political system can also be best defined as a “mullocracy,” where clerics have absolute political power.⁽⁹⁾ This influences the centrality of the Iranian political system and the work of local councils within this system.

II- The Development of Local Councils and the Trend Towards Decentralization

Historically, the concept of municipal councils first emerged in Iranian political discourse at the time of the 1906 Constitution. It was adapted in accordance with the reformist changes witnessed in Iran at the beginning of the last century. The Municipal Law of 1907 sets out the conditions for the establishment of local councils that have the power to oversee matters concerning the interests of the people at the local level. Iran’s municipal councils were established as a base for local administration. This is consistent with the fact

that the establishment of local councils is the best way to pass down power and resources from the central government to local governments.⁽¹⁰⁾

Notably, Ayatollah Khomeini, the jurist, and the Shiite religious leader who founded the Islamic Republic firmly opposed the 1962 bill for provincial and city councils approved by the Shah. This bill defined nomination regulations, removed Islam as a condition for voters and candidates, replaced an oath on the Holy Quran with any heavenly book according to the religion of the winning candidate, and granted Iranian women the right to nominate and vote for the selection of provincial, city and village councils. Khomeini considered this bill contrary to the the 1906 Constitution. Foremost among the conditions which were denounced by Khomeini: the removal of taking an oath on the Holy Quran by elected members and the nomination of Iranian women for local elections. In an attempt to prevent and hinder the implementation of the 1962 bill, Khomeini used the Minber of the Great Mosque in Qom to advocate his position. Although Iranian women gained their right to participate in the elections in 1963, Khomeini's position was reflected in the early reforms carried out by the Islamic Republic in relation to women and minority participation in local council elections.⁽¹¹⁾

The adoption of the 1966 Municipalities Act instead of the First Municipal Act of 1907 greatly extended the powers of city councils. The Municipalities Act granted local councils the right to determine urban tax rates, scrutinize municipal revenues and expenditures, appoint and dismiss mayors, and oversee urban development projects. The 1966 Municipalities Act and its subsequent amendments are reflected in the current Iranian law. It stipulates that municipal decision-making must be the responsibility of an elected local body, association or council. In the absence of such a body, the Ministry of Interior is the local decision-maker. Until 1999, when elected local councils were established, mayors were, in fact, employees of the Ministry of the Interior. Their functions were primarily administrative in the sense of implementing urban management and providing public services in accordance with programs decided by the central government ministries, especially the Ministry of Interior, and the Ministry of Housing and Urban Development. Mayors were ultimately accountable to the deputy minister of interior and the minister of housing and urban development. Over the decades, successive mayors have developed close relations with these ministries, since they are agents of the central government.⁽¹²⁾

The duties of local councils in Iran have undergone many changes and developments after the revolution and the establishment of the Islamic Republic in 1979. Given the new Iranian political thinking, there was a desire to establish a new state system on the basis of religious ideology and a greater central authority in the management of all affairs of society.⁽¹³⁾ This probably explains to a large extent the postponement of local elections for two full decades after the revolution, although the Constitution explicitly stipulates the formation of local councils, and underlines their importance by referring to them as "consultative councils." However, the Iranian government later on took specific steps towards strengthening local authority and decentralization, which is evident at several political, financial and administrative levels.⁽¹⁴⁾

At the political level, the first local elections were held in 1999 throughout Iran following the arrival of the reformists in government. The government of the former President Mohammad Khatami initially paved the way for the transfer of some central power to local councils. This increased political awareness as it promoted the right of Iranians to participate in elections and was considered a step within President Khatami's reform program.

At the financial level, the Iranian government passed the municipal law on financial self-sufficiency in 1988, which aimed to phase out all transfers and central assistance to

municipalities. This was due to the desire of the central state to reduce its burdens at a time when military expenditures increased after the outbreak of the Iran-Iraq War in the 1980s. The law was seen as a means to encourage cities to ensure their own local economic development. Under this program, many smaller urban areas struggled to achieve their development plans. In 2003, the Tax Integration Act was one of the most important reforms of the tax system to influence municipalities. It aimed to refocus the collection of tax responsibilities and thus increase the size of municipal revenues. However, this act had two negative outcomes: first, it increased ambiguity in the relationship between national and local taxes; second, it restricted the power of local councils to determine taxes.

At the administrative level, the National Development Plan (2000-2004) called for central government ministries to be administratively decentralized and for services to be provided at urban and rural levels. Although the powers of local councils are based on their role in local management and decision-making, they only act as “shadows” of the central government. When elected councils were established in 1999, the Ministry of Interior supervised local governments instead of placing the supervision of local councils and mayors under one office within the Ministry of Interior. Eventually, a new office, the Office of the Councils and Social Affairs Bureau, was established. It was granted oversight responsibility for local councils. This new arrangement led to tensions between the Office of the Councils and Social Affairs and the Office of the Deputy Minister of Development. Mayors are administratively subordinated to the Ministry of Development because they are local directors who oversee municipal services. Iranian law clearly states that mayors are accountable to the local council with respect to all their duties.

Although there is a real possibility of making decentralization efficient through providing administrative, financial and economic support in order to enable administrative units to effectively serve citizens by managing local facilities and services, as well as ensuring the unprecedented representation of Iranian women, Iran's model of decentralization is fragile operating within a very complicated political system.

III- The Structure and Mechanisms for Forming Local Councils

The local council is an elected council of citizens at the local level. The representative body of the local council falls within the scope and remit of the local administrative unit. It is therefore an important local institution given its principal functions, which include electing the mayor, approving local budgets, and supervising and monitoring the performance of the municipality. Furthermore, the municipality can be defined as a semi-independent institution for local decision-making.⁽¹⁵⁾

Local councils are made up of about 207,000 elected members at all local levels in Iran's provinces, cities and villages. These councils are linked to political developments and the rise of political activists. According to the law regulating city and village council elections, their primary and stand-in members are elected directly by each local constituency for a four year term. After being elected, the members choose a mayor of the governorate for two years through indirect elections. The members of each local council depends on the size of the population of the district unit. For example, villages may have only two members, while larger cities may have 31 or more members, in addition to stand-in members. Voters who have the right to register in these elections must be at least 18 years old.⁽¹⁶⁾

Candidates must meet certain criteria in order to be eligible to run in local elections, namely: believe in Islam and support Velayat-e Faqih which represents the political system in Iran. The candidate must have a good reputation, with no criminal record. He must be at least 25 years old, and have gained at least a high school diploma, or its equivalent, to register for candidacy in villages and cities that do not have a population of at least 20,000.

He must have a university qualification or equivalent to register as a candidate in cities with a total of more than 20,000 people. He must be a resident of the city in which he is running.⁽¹⁷⁾

Within the framework of the electoral law of local elections, the Parliamentary Local Affairs Committee supervises the candidate lists and excludes those who do not meet the conditions. After registering candidates, an extensive examination begins before they are allowed to run in local elections. This is executed by the state executive council, which is composed of government officials, and the parliamentary monitoring committee, which supervises the vetting.⁽¹⁸⁾

Candidates who have been excluded can contest the decision by appealing to the parliamentary monitoring committee. The logistical department in charge of local council elections and supervisory committees for polling and announcing election results operate under the supervision of the Ministry of Interior. Unlike other elections, local elections are not held under the supervision of the Guardian Council.

These elections are held simultaneously with the Iranian presidential elections on one day. This is due to the electoral law that was enacted in order to reduce election expenses. Therefore, the elections are held every four years. Presidential and local elections held on the same day probably attracts voters to the polls. The June 2013 elections were the first time that local elections coincided with the presidential elections.⁽¹⁹⁾

Local council elections have been held five times thus far under the Islamic Republic during the years of 1999, 2003, 2006, 2013, and 2017. The conservatives and reformists and their moderate and hard-liner wings compete for control of municipal councils in major cities. In smaller cities and villages the public usually votes for people from their clans, sects, and relatives without taking into account their political orientations. The following elections witnessed important interactions that can be explained as follows:

1- Local Council Elections of 1999

The 1999 elections were the first local council elections held under the Islamic Republican system and the 1979 Constitution and its amendments. Reformists were running under one coalition and one list. The elections revealed the factors accounting for the emergence of the reformist movement in Iran during the first “Khatami period,” and the political developments in the reformist trend. These elections witnessed the highest ever participation: 26 million voters participated in the poll. The reformists achieved a significant gain that strengthened their presence on the political scene in Iran.⁽²⁰⁾ Notably, the Tehran Provincial Council was dissolved in December 2002, a month before the end of its mandate.

2- Local Council Elections of 2003

The 2003 local council elections were a great victory for the conservatives and a major setback for the reformists due to Iranian anger over the slow pace of change by the reformists. The conservatives pledged to protect “the achievements of the Islamic Revolution and prevent individuals, groups, and parties from influencing the decision-making process.” Reformists participated in these elections on several fronts. The differences between the reformists appeared when they presented 18 reformists parties for three competing lists of candidates. They lost many municipal councils in the capital, Tehran, and other major cities. This was the first electoral defeat for the reformists since Khatami came to power. This was caused by the institutions of the political system being in favor of the conservatives, which led to the decline of the reformist movement in these elections.⁽²¹⁾

3- Local Council Elections of 2006

During this round of local council elections, three factions dominated the 2006 elections: the Conservative Alliance, the Reformist Alliance, and the list of the former President Ahmadinejad. The reformist candidates in these elections were more successful in Tehran compared to the previous elections in 2003. This was seen at that time as a defeat for the government of Ahmadinejad. These elections in rural areas and cities witnessed a relatively greater participation compared to the previous elections.⁽²²⁾

4- Local Council Elections of 2013

These elections witnessed women participate in large numbers. It is reported that in this fourth round of municipal council elections 185 women won in this province. In addition, Khash, a Sunni city, elected 131 women to municipal and village councils. In this round of local elections, Mashhad and Isfahan continued to be under the control of the conservatives, who had also run the Tehran municipality for 14 years.⁽²³⁾

5- Local Council Elections of 2017

The alliance of Reformists and Moderates achieved a remarkable victory in the 2017 municipal elections. A large number of women won in these elections. The lists of the moderate reformists coalition, "AMID," won in many cities, including the capital, Tehran. The second and third cities of the country as well as other municipalities came under the complete or nearly complete control of the reformists. The reformists returned under the former President Mohammad Khatami's guidance by presenting a single list in these municipal elections. Women also increased their presence in cities such as Tehran and Ardabil, which have appointed several women to prominent administrative positions in recent years. In Afzabad, women won the 15 seats of the Municipal Council. The fifth session of the Sistan and Baluchistan provincial elections in southeastern Iran, a predominantly Sunni region, also resulted in the victory of 415 female candidates. According to the Ministry of the Interior and the Monitoring Committee of Municipal Council Elections, these elections were held entirely electronically in 9,750 polling centers in 141 Iranian cities.⁽²⁴⁾

Holding local council elections at the local level played an important role in the rise of qualified political activists to run in either parliamentary or presidential elections, and to assume leadership positions in Iran, since these councils and their elections provide an opportunity for the youth and women to participate. Local Council members are developed to occupy important positions in the country. The former President Mahmoud Ahmadinejad reportedly started his political career as the mayor of Tehran.

Also, local council elections have permitted minorities to have a voice and participate at the political level. However, the issue remains of restrictions imposed by the Iranian "monarchy" system. Candidates are censored and excluded by the parliamentary monitoring committee that supervises the elections due to a "lack of commitment to Islamic principles" and weak belief in the "guardianship of the jurist." Restrictions no doubt impact registration and candidacy nominations in local council elections, especially for reformists and independent candidates.⁽²⁵⁾

IV- Decision-making Mechanisms and the Problems of Decentralization

Theoretically, local councils are the primary source of local decisions. The mayor, as the local chief executive, is responsible for implementing these decisions. The Iranian local administration and municipalities consist of the elected local council and the mayor. They should carry out local legislative and executive tasks under a legal and administrative framework.

However, Iranian reality shows that there is a discrepancy between the two. The process

of taking and passing local draft decisions is very restrictive. Most local council actions are limited to supervision, monitoring and consultation in some areas. For example, they set local taxes and charges for the use of services. According to the working process of local councils, their leadership is not identified, so they can be easily bypassed by the Ministry of Interior. Their consultative role can extend to areas of infrastructure planning and the provision of public services. However, local governments have no formal role in policy-making, nor do they have the right to play an advisory or coordinating role for all services provided within the scope of their local units. Therefore, there is a high degree of ambiguity regarding the remit of local councils and mayors, which further impedes the work at the local administration level.

Notably, the operational framework of local administration has undergone changes since the establishment of the Islamic Republic particularly with the establishment of elected local councils in 1999. This is in addition to the activation of planning and development councils in governorates, in conjunction with the independence of the provincial development budget; and the establishment of an Office of Municipal Affairs within the Ministry of Interior, which has the authority to supervise and coordinate all municipal affairs.³¹ Therefore, the institutions and organizations that contribute to decision-making at the local administration level in Iran are the Ministry of Interior, and the Ministry of Housing and Urban Development. Municipalities consist of two wings: the local "Consultative Council" and the mayor.⁽²⁶⁾

In 2003, a new body was created - The Supreme Council of Local Councils - which is stipulated in the Constitution under articles 101 and 102. In addition, the Office of the Supreme Council is within the Ministry of Interior. The degree of its independence from the central government is not well defined.⁽²⁷⁾

According to the mechanisms of local decision-making in Iran, the Ministry of Interior connects local councils with the central government. The members of Parliament can pressure and influence local decision-making. Therefore, it can be concluded that local government functions and powers are limited. They are also not allowed to have an influential role in policy or decision-making, infrastructure planning, and public service delivery at the local level.⁽²⁸⁾

To understand the decision-making structure at the local level, it is important to distinguish between two main issues; first, the scope of decision-making at the local government level (areas and activities in which local councils have decision-making power), and second, the degree of oversight and control (which represents the areas that regulatory bodies supervise and practice their veto).⁽²⁹⁾ There are inconsistencies between theory and practice with regard to these two issues.

Iranian law and its contradictions have impeded the establishment of local administrations and a balanced decentralization of power. One of the most important results of these contradictions, is that theoretically local councils have the power to make decisions. However, according to Iranian practice and experience, these councils have no role or authority in developing infrastructure or providing public services at the local level. Meanwhile, the functions of the mayor's office, which has executive powers granted by the local council, are limited to development and city planning projects. It implements urban master plans designed by the central Ministry of Housing and Urban Development. This means that the mayor's office actually has no coordinating role. Thus, all local executive work is managed directly from central government ministries.⁽³⁰⁾

With regard to supervision and control, central government ministries monitor local administration decisions vertically and horizontally as well as local councils, which influence decision-making at different local levels. The actors that influence local administration can be identified as follows.⁽³¹⁾

1- At the National Level

The most important national actors that affect infrastructure planning and the provision of public services at the local level, and their main functions, are as follows:

A- The Ministry of Interior: It has broad powers to oversee and influence all aspects of local councils, including their administrative functions, as well as their human, financial and policy decisions, through financial allocations at the local administration level. The municipalities department, which was established in 2002, coordinates municipal activities at the national level. The Ministry of Interior directly exerts control and influence over local infrastructure planning and the provision of public services locally. The five-year municipal development plans must have legal approval.

B- The Revolutionary Guards: The Iranian Revolutionary Guard Corps (IRGC) interferes at the local level in Iran, through the use of many local administrators affiliated with it. The local Basij units, under the supervision of the leaders of the IRGC, play a prominent role in training and mobilizing the Iranian population at the local level. The IRGC has contributed to the establishment of several public projects at local levels through its companies and multiple economic branches, most prominently Khatam al-Anbiya and the al-Mustadafin Foundation.⁽³²⁾

C- The Ministry of Housing and Urban Development: National and local urban development plans are designed by national and regional offices. There is no formal contact between the ministry and local councils, or even with mayors.

D- The National Council of City Planning and Architecture: It is an inter-ministerial council which has the final say on all city development plans. By law, municipalities and mayors should implement these plans, although municipalities do not have the right to attend and vote in this council.

E- Administration and Planning Office: It is the National Planning Commission. It influences local development indirectly through allocating development budgets to ministries.

F- Organizational Administrative and Operational Affairs Department: It sets the employment structure and regulations controlling local governments.

2- At the Local Level

Local level decisions for planning (i.e. local infrastructure) and providing public services are executed from top to bottom. However, these decisions are managed in a vertical manner in governorates, and programs are not coordinated horizontally. These programs work in coordination with the Ministry of Interior. Although there are calls for decentralizing administrative jobs to the lowest levels including at the district, city and village level as well as transferring public service and infrastructure responsibilities to municipalities, there is still a wide gap between reality and what is hoped for. In the same context, the disastrous floods in Iran in 2019 exposed the problem of ineffective decentralization given the control by the central government and the institutions of the political system on local councils and municipalities.⁽³³⁾

Local councils, in light of ambiguity surrounding their operative powers, have committed repeated violations mostly relating to negligence in holding meetings and representative sessions. Also, internal conflicts between local council members have played a role in this negligence. In addition local council decisions to impose taxes on economic activity at the local level are usually rejected by the Ministry of Interior as they are deemed to be against national development goals. The internal conflict between members has also resulted many times in the failure to approve the municipal budget and to elect a mayor within the time stipulated.⁽³⁴⁾

Conclusion

Constitutionally, the affairs of each Iranian village, city, municipality or governorate are conducted under the supervision of an elected local council referred to as the "Shura Council" in Iran's Constitution. Its members are elected by the inhabitants of the region. The local council of provinces, cities, regions, villages and other administrative units are sources of decision-making at the local level. Its functions and powers are to supervise social, economic, urban, health, cultural, and educational services as well as other social programs in accordance with the administrative hierarchy at local levels. Local councils involve citizens in local areas and take into account local requirements in order to achieve a geography of justice in order to prevent regional discrimination by preparing programs for urban life in governorates and arranging oversight committees for implementing programs in a coordinated manner. The Supreme Council of Governorates is formed by representatives of provincial consultative councils, and it develops plans and projects within the limits of its functions submitting them directly through the government to the Islamic Shura Council (Parliament) for discussion. However, the nature, composition, competence, scope and function of all these local councils are determined by the Constitution which adheres to the structure of the current political system.

Thus, the shift towards decentralization has not yet reached a genuine political, administrative and economic level. Transfers by the central government are still an important source of revenues at the local level. However, they are very low and insufficient. In the context of the future of Iranian decentralization and the ways to reform it, it should be noted that the orientation towards decentralization must align with the conditions of the state itself. Nevertheless, countries that undergo decentralization differ from one another. This raises issues that must be considered in proportion to the Iranian context, such as what local decision-making powers should be given to local administrative units, their jurisdiction, and how much resources should be distributed to them, as well as how to develop resources allocated at the local level.

Therefore, it is important to find a clear formula to define the relationship between central and decentral institutions and to define roles for both which are legally agreed upon. It is important to take into account political, social, economic and cultural conditions and circumstances as these are factors that affect the shift towards decentralization and development of local administrations.

The problem of Iran remains that the central government continues to play a major role in politics at the local level, even after decentralization. As stipulated in the Iranian Constitution, given the political system that is based on the theory of the "guardianship of the jurist," local councils, like the political structure as a whole, suffer from an extreme centralization and the domination of institutions and bodies that are directly under the authority of the supreme leader who is not constrained by law or the Constitution. The supreme leader has an exceptional status being above institutions, the Constitution, and the law itself. In the past Iranian experience, the position of Imam Khomeini and other clerics on the list of local councils during the reign of the Shah in 1962 represented an early view that was later reflected in the philosophy, structure, composition and position of local councils in the current Iranian political system.

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