



Roles and Responsibilities of Local Governments (Councils) in Iran: Analytical Underpinnings

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Abstract

This article explores the functions and structure of Iran local councils. Local councils are elected by public vote to 4-year terms in all cities and villages of Iran. According to principle 7 in Iran's Constitution law, these local councils together with the Parliament are "decision-making and administrative organs of the State". This section of the constitution was not implemented until 1999 when the first local council elections were held across the country. Councils have many different responsibilities including electing mayors, supervising the activities of municipalities; studying the social, cultural, educational, health, economic, and welfare requirements of their constituencies; planning and coordinating national participation in the implementation of social, economic, constructive, cultural, and educational and other welfare affair. In this article try to explain the structure and functions of Local councils in Iran.

Keywords: Structure, functions, local government, Iran.

Introduction

A government is generally understood as "the political system by which a nation or community is administered and regulated"¹. Anderson primarily stressed the concepts of nation and community as "imagined" by citing the experiences of some Southeast Asian countries' nationalist movements. He pointed out that since the Second World War, "successful revolution has defined itself in national terms" and in so doing, "has grounded itself firmly in a territorial and social space inherited from the pre-revolutionary past"². Although Iran represents a distinct political system in the Islamic World especially after its 1979 Revolution, its government in recent years has undergone structural reforms as a response to internal power struggle, and most importantly, to the international clamor for people's participation and human rights advocacy.

In the past, the basic duties of government were to establish and preserve public needs, order, and justice. With the growing population and development of societies, the people's expectations of their government also grew. For this reason the government started to intervene into most economic, social, and cultural affairs of society. This was to meet the ever increasing demands placed upon them, to plan and regulate their activities in order to stimulate the national economy. This development continued to the point where, in many countries, a huge and complex governmental bureaucracy evolved.

Thus, as the world politics became homogenized and polarized, the emergence of highly centralized systems of government in the 1950s in most developing countries paved the way to accommodate the delivery of public services to the periphery of power. Thus, there was a shift in the political structures in the

1970s when leaders recognized the impetus to transfer "power from the central government to local authorities"³. A study on centralized bureaucracies done by Dennis showed that even if the central government does deliver goods and services to the local levels, he observed that the management of local affairs is stereotyped. One of the reasons he cited was the tendency of the central planners to "to overlook variations in local conditions". Although he noted that the bureaucracy in general encourages people's participation in various ways, the issue on centralization of power continues to play a major role in the study of political structures and systems. Obviously, this desire to closely monitor how a system works is based on his idea that structures in all countries undergo changes which can be drastic, dramatic, rapid, or slow because within these structures are the social, administrative, and political forces, whose interactions result to reforms and reorganization. The results, according to him, are "administrative reforms and reorganization".

In the last decade, attention was directed towards representation in local institutions through which public affairs of the localities can be administered through local efforts. Some of the reasons identified for this "shift" were the realization that the pressure of aggregate national and local responsibilities placed upon the central government makes inefficiency inescapable, and that the central authority has demonstrated inability to pay appropriate attention to specific local issues as they do to national concerns. One of the most crucial debates in the developing countries was about the degree of control of central governments in development planning and administration⁴. During the 1980s, many scholars in Africa, Asia and Latin America became enthusiastic about the prospects of decentralization in less developed countries because they believed that with

decentralization and the transfer of power to the people, democracy will be developed. In fact, the World Bank study noted that out of 75 developing countries with populations greater than 5 million, all but 12 claim to have embarked on some form of transfer of political power to local units of government⁵. Consequently, decentralization had been the concern of many governments in the developing world. Some of them felt that with the transfer of power to the local level, their powers will be reduced. Nevertheless, many of these countries began to implement comprehensive decentralization programs that were intended to promote democracy and to develop political participation at the grassroots by empowering local governments⁶⁻⁸.

The position of local governments on the concepts of decentralisation and democracy that was first adopted in 1985 and later revised and readopted in 1993 is found in the IULA World Wide Declaration of Local Self-Government. Article 2 of the Declaration states that: i. "Local self-government denotes the right and the duty of local authorities to regulate and manage public affairs under their own responsibility and in the interest of the local population. ii. this right shall be exercised by individuals and representative bodies freely elected on periodic basis by equal, universal suffrage, and their chief executives shall be so elected or shall be appointed with the participation of the elected body"⁹.

Results and Discussion

Decentralisation is part of democratic reforms. Transfer of power and resources to municipal levels will help governments empower communities to work together to define and resolve problems locally and economically. The Danish Ministry of Foreign Affairs and the Economic Development Institute of the World Bank co-sponsored a conference in May, 1996. The Conference concluded that the citizen participation dimension of this process is what contributes to making democracy a sustainable form of governance. The Conference also concluded that "to improve governance, political decision-making must be brought as close to the people as possible and decentralisation of government, therefore is closely interlinked with improving governance"¹⁰.

The time period required to achieve long-term impact upon social, economic and environmental issues typically exceeds the length of political terms of elected officials at all levels of government. It is necessary to find a way to institutionalise democracy to give practical meaning to sustainable local governance, because it takes time for people to experience for themselves that positive changes can occur in their lives and that they have the capacity to make these changes. Decentralized democracy, appropriately implemented at local level also gives the sustaining time needed for policy definition and implementation.

In Iran, the "Law of Municipality" that was enacted in 1906 established the municipality as the base of local administration.

It became the first post-Constitutional Revolution Law. According to the law, municipalities had independent legal personality, and they worked under the authority of City Councils. From then on, municipalities became a permanent functional administrative feature in city management in Iran. This contrasted with City Councils that have every now and then been either reestablished or dissolved. In the early 1900s the tasks and duties of the municipalities have been subjected to great transformations. These transformations may be assigned to political tendency towards centralism on the one hand, and government's huge financial potentiality on the other.

After the Revolution, the Iranian government found that establishing the councils was the best way to transfer of power and resources from the central to local government. But the problem in Iran as in other countries with historically strong central government is that the central government continues to play a key role in local level politics even after decentralization.

As stipulated in the Iran Constitutional Law, "In accordance with the command of the Qur'an ("Their affairs are by consultations among them" [42:38]) and ("Consult them in affairs [3:159]), consultative bodies such as the Islamic Consultative Assembly, the Provincial Councils, and the City, Region, District, and Village Councils - are the decision-making and administrative organs of the country. The nature of each of these councils, the manner of their formation, their jurisdiction, and scope of their duties and functions, is determined by the Constitution"¹¹.

The status (legal basis) of Local Government: According to the Constitution Law of the Islamic Republic of Iran (IRI), the country's affairs shall be managed by relying on public opinion. As the Constitution has set forth, people's involvement in government's affairs shall be materialized through the President, *Majlis* (Parliament), Assembly of Experts, and State Councils. State-run organizations, are therefore, called organizations to exercise national sovereignty rights. Principle 7 of the Constitution law of Iran state: According to the instructions of the Quran and whose affairs go by council amongst themselves and "take council with them in the affairs", councils, such as the *Majlis*, provincial council, city, local, district, village councils and the like, shall be the decision-making and administrative organs of the country. The instances, manner of establishment and the scope of functions and authorities of the said councils shall be set forth by this law and the laws arising there from¹².

Thus, principle 7 of the Constitution clearly stipulates that the State Islamic Councils are among the decision-making and administrative organs. Although they have their own functions in terms of organizational and administrative decisions, but from the stand point of the constitutional and sovereignty rights, these organs are at par with other governmental key organs. Moreover, the Constitution, apart from its strong foundation on Islam also respects the people's right to participate to ensure that local programs are being implemented. Article 100 of the

Constitution states that: With a view to expediting the speedy implementation of social, economic, development, health, cultural, and educational plans and other welfare affairs, the management of the affairs of each village, district, city, town or province shall be carried out with the cooperation of the people and with due consideration to the local needs, under the supervision of a Council known as Village, District, City, Town or Provincial Council whose members shall be elected by the people of the same locality. The qualifications of the electors and candidates, their functions and authorities, the manner of election and supervision by the said Councils and their hierarchy shall be laid down by law, with due consideration to the principles of national unity, territorial integrity, system of the Islamic Republic and allegiance to the Central Government¹³.

This means that by enacting the law, the overall legislature is aimed at distributing of power among the peoples. Even though social, economic, developmental and cultural affairs in social systems do not directly deal with politics and go under a different category than political affairs, they have political applications, given that all are known to be sources of power in the process. By ceding this kind of social affairs and activities to councils, the Constitution has attempts to prevent any special group in society taking over all sources of power. One evidence of prorating power to the local levels is the establishment of the High Council (HC). Although the functions of this council shall be laid down by law, it captures the essence of a decentralized form of administering the country's affairs. As stated in Article 101:

“With a view to preventing discrimination in and obtaining cooperation for the drawing up of development and welfare plans, and exercising supervision over their coordinated execution, a High Council of the provinces shall be established consisting of representatives of the provincial Councils. The manner of establishing and functions of this council shall be laid down by law”¹⁴.

At the same time, within the powers of HCP, the *Majlis* remains the highest policy making body. As provided for by Article 102: The High Council of the Provinces shall be allowed, within the scope of its functions, to draw up bills and propose them to the *Majlis* either directly or through the Government. Such bills shall be discussed by the *Majlis*.

However, the Constitution also specified measures of HCP's composition. First, the members of this august body are within the jurisdiction of the Councils, as stated in Article 103: Governors-General (for province), governors (for city), deputy-governors and other civil authorities appointed by the Government shall be required to abide by the decisions of the councils made within the scope of their authorities.

Second, the Constitution, above all other considerations, and despite the powers of the Councils, believes on the supreme

importance of Islam through the *Quran*. After all, Iran is an Islamic Republic, Article 105 states: The decisions of such councils shall not be contrary to the provisions of Islam and the laws of the country.

Lastly, Iran's constitutional provisions on local government rest heavily on the Councils whose sphere of influence in administration and decision making cannot be oversimplified as mere "shadows" of the central government. For instance, only in extreme legal violations can a council (among many others) be dissolved, and it has the right to complain to a competent court. If the Council feels it has an axe to grind to whoever proposes its dissolution, the court upon examining the merits of the case, shall be required to investigate the matter. As stipulated in Article 106, Article 106 of I.C.L – “The Councils may not be dissolved except in case of deviation from their legal functions. The authority to determine such deviation, the manner of dissolution of the councils as well as their re-establishment shall be laid down by law. In case of objection to its dissolution, a Council shall be allowed to complain to a competent court, and the court shall be required to investigate the matter out of docket”.

The Structure of Local Government: The tiers of local government in Iran are: Village Council, town Council (lower councils) and District, City, Province and Higher Provincial Council (higher council).

Higher Provinces Council: The higher province council is the highest council in Iran local government. The members of this council will be elected among the members of Province Council.

The members of higher province council consist of: Province with 2000000 populations, 2 members, Province with more than 2000000 populations, 3 members and 4 members from Tehran province.

Province Council: Province council is as a higher council for city, town, district and village ratifications. The members of Province council consist of elected city councils member. In the first official session of city council, members of council will elect one of the members as a representative of city council in province council. Each city council should have only 1 representative in province council and minimum members of province council are 5 persons.

City Councils: The City councils member will be elected among the members of town and district councils. From each district and town councils, only 1 person is as a representative.

District Councils: Members of district councils will be elected among the village council's members. Each village will have only 1 person as a representative.

The Village Councils: Village in the context of Iran's experience is the basic administrative unit, and by implication, the term does not correspond to a "village" as used in other countries.

The village council is the lowest tier of the Iranian local government. There are 34776 village councils¹⁵.

The Village Councils serve a dual roles; first; as self governing local polities capable of responding to local pressures and undertaking a variety of local tasks; and second; as local offices for carrying out certain delegated duties of central administration^{16,17}.

All Village Councils, regardless of their size and population, have their powers and structure determined by the same statutes. The only differences between them are the number of the council members.

Town Council: The Town council is another important unit of local government in Iran. Currently, there are 919 Town Councils. The number of Town council members is proportional to the population, from five to 15 members. Municipalities and Town Councils are the sole non-governmental institutions that are formally involved in Iranian system of local management. In addition to these institutions, there are some other governmental institutions that are engage in urban affairs management. The radius of the management authority and the responsibility scope of the Municipalities and Town Councils do not go far beyond the city boundary. However in terms of urban management, these government institutions cover the Town as well as the entire district boundaries. As a rule, in all Iranian cities, municipalities are under the authority of Town Councils and are monitored by them, at the same time the municipalities as well as councils are obliged to obey macro policies announced by the government and Ministry of Interior. As it was mentioned before, the Ministry of Interior links the councils to the state and the local government.

Term of Councils: The activity period of each council, according to the organization of Islamic Council's act, is four years from the time of its establishment. However, even after the expiry of its term, the old council will continue to function until the first meeting of the succeeding council. It may be mentioned here that reelection of council members is permissible and has no limit.

Council's Sessions: There are two kinds of sessions for all kind of councils, ordinary and special sessions. After the first session of the newly-established council, ordinary session should be conducted twice a month. Special sessions refer to those meetings purposely called by either the Governor or Mayor. In these meetings, the chairman of the City or Village Council is obliged to set the time and enjoin the attendance of all members. All ordinary Councils sessions are held in public and everyone is invited to participate. Should there be any public disturbance while the meeting is going on; the Chairman has the right to

dismiss whoever has caused the disturbance. The Town Council holds office at the City Hall. All sessions of the Town council will take place in the Town Council office.

The Town and village Council Violations Investigation: To prevent the Town Council members from committing "abuse of authority", which is a grave violation of the Law of Organization of Islamic Council, the Iranian government has established the Disputes Settlement Board, to be composed of the following members: i. The Central Disputes Settlement to dispose to the Complaint, Board is represented by the Vice president; social and political undersecretaries of the Ministry of Interior; one of the deputies of the Judiciary branch, selected by the Head of this authority; one of the deputies of Prosecutor General, selected by the Prosecutor-General; and three members of the Islamic Consultative Assembly (two persons from the committee of the Councils and the country's Interior Affairs Committee, and one member of the Articles 88 and 90 of the Constitution). ii. The Central Disputes Settlement and Complaints dispose Board of the province is represented by the Governor-General, the high-ranking Judiciary authority of the province; two people, selected, by the Central Disputes Settlement and Complaint Handling Board; and one member of the City Islamic Council of the province center, selected by the Council.

In case the investigated subject is related to the City Council of the Central Province, the representative of the other City Council with a population considered as the largest town shall be the member of the Board. Moreover, the secretariat of the Central Board in the Interior Ministry and the social and political undersecretary of the Interior Ministry shall be appointed as the Secretary Board. In the first session, the Board shall select one chairman and one vice-chairman among themselves.

Cancellation of City and Village Council Ratification: In cases when the ratified regulations of the Councils are not in conformity with their duties and legal authorities and are deviating from the general rules of the country, the related executive authorities can communicate their objection to the Council within 10 days from the date of declaring legislation, stating their reasons and request for reconsideration. The Council shall undertake to hold a meeting, one week after the receipt of the objection, to investigate into the subject and advise the result of its consideration accordingly. If the Council in his own reconsideration does not deviate from his previous verdict vis-à-vis the ratified case of dispute, the subject shall be referred to the Province Disputes Settlement Board. The said Board shall consider the subject within 15 days and acknowledge his consideration. When the opinion of this board lays down the cancellation of the City Council Legislations and it is confirmed by the Central Disputes Settlement Board, their opinions shall be definite and indispensable.

Dissolution of Councils: Whenever the Council takes measures against its duties or against the general interests of the country or behaves in a prodigal way or has the unauthorized possession of the assets which are somehow within the protection of the Council, the subject of the Council dissolution shall be referred to the province Disputes Settlement Board in a written proposal form by the Governor. Said Board shall handle the complaint and the reports and in case of deviation of any one of the Village Councils, the Board shall dissolve the said Councils. Regarding other Councils, in case of any deviation from the legal duties, these Councils shall also be dissolved, based on the proposals of the Provincial Board and the approval of the Central Disputes Settlement Board. However, if there is an objection to the dissolution, any one of the dissolved councils can complain to a competent court, and the court shall consider the subject out of turn and issue the definite verdict.

A classic example happened to the Tehran City Council. In its first term (1998-2002), the Tehran Mayor was dismissed from his office. For three months, the Council deliberated on his case, but the members were not able to agree on the appointment of the new mayor. For this reason, the Tehran City Council was dissolved upon the approval of the Central Disputes Settlement Board. When Tehran City Council dissolved, the Ministry of Interior, being the representative of the local authorities to the central government, assumed the functions of the council. This rule is one of the major weaknesses of local government law in Iran. In dissolving of City Council, the Central Government interferes to the functions of Local Government. According to Iranian Constitution law, City Council is an organization to make decision and ratify the regulations at local level. The function of City Council is the same with the functions of Parliament. The Central Government has no right to dissolve the Parliament and interfere to its functions, but in the case of City Council, the Central Government has the right to dissolve it and Ministry of Interior can be the local authority's representative.

The Councilors (City Council Members): In Iran all members of the councils including the City and Village councils, are directly elected by the people. The quality of City Council election will be discussed in the next section. Within the structure of the City Councils, the councilors are formal decision-makers in matters of policy and frequently in other sphere as well. The councilors should attend the city council sessions and they don't have right to delegate their responsibilities to other persons or members of City Council. The number of Village and City Council members is in proportion with the population of that village and city, which varies between 3 and 15 according to the law. According to Article 4 of the organization of Islamic Council's law, The member of Village Islamic Council whose villages population is up to 1500 shall be three and those with more than 1500 population shall be five.

Councils Substitute Members: The numbers of councils substitute members shall be from two to six depending on the

number of the main members- The substitute members lie after those who gained the overall majority. If the number of volunteers is less than the overall main and substitute members, those who are left out of the members are selected as the substitute ones. But if the number of candidates is less than the whole members (including main and substitution members) elections shall not be held. Whenever a member or members leave the Council's membership, substitute members shall be invited for being the main member in observing the order of the votes.

Payment of Councilors: Members of city councils in Iran for attending the meetings have paid salaries. The amount of salary will be announced by the Ministry of Interior every year. If the member of city council is government staff and serves full time in the council, he could be assigned from his office to the city council office and he will receive his salary from the city council.

Resignation of City Council Members: The member of city council under the organization of Islamic Council's law (1999) may resign from his/her office by writing a notice addressed to the chairman of the city council. The resignation should be accepted by other councilors (city council members), if they are agreed on his/her resignation, the chairman should inform the city governor who is tasked to invite the substitute member to join to the city council.

Removal of City Council members: If any member of city council has been absent for six (6) consecutive meetings or 12 recurrent meetings in one year in the city council or commission meeting without any acceptable reason, the chairman of city council should report to Central Disputes Settlement Board for removal of that member. The withdrawal of Council members is stated in Article 82 of the organization of Islamic Council's law (1999). To wit "the membership withdrawal, in the cases of village councils shall be upon the approval of the Province Disputes Settlement Board; whereas, in the case of the City Council, it shall be upon the proposal of the Province Disputes Settlement Board and the approval of the Central Disputes Settlement Board. In case of any complaint, people deprived of the membership can complain to a competent court. This court shall consider the subject out of turn and its verdict are defined and indispensable".

Chairman of the Council: The Chairman of the City and Village Council will be elected among the Council's members. According to the organization of Islamic Council's law, the first session of the councils shall be held one week after the final election, with the invitation of the authorities of the country divisions units of the polls and the chairmanship of the eldest members. One chairman, one vice chairman and at least one secretary shall be selected among them. After the oath taking of the elected members of the Council, their first meeting commences. In this meeting, they will appoint the chairman, vice chairman, and secretary' by secret ballot. The chairman is

responsible for chairing the council, and he is a powerful figure within the local government.

Duties of the Chairman: The duties of the Chairman include the following; i. to head the council and to be responsible for its finances; ii. to call meetings both ordinary and special; iii. to invite the Governor, Mayor and other persons when the council members feel that their attendance is necessary; iv. to invite the members and distribute the responsibilities between them and the commission; v. to ensure that laws and regulations ratified by council are strictly followed; v to introduce council representative to government offices in that area or in the country and enhance their cooperation in various social, cultural and educational activities; vi. to issue orders to the head and members of city council secretariat who are selected among of City Hall staff; vii. to act as the City Council speaker; viii. to approve the City Council budget, that will be estimated by City Council treasurer; and ix. to sign all official letter issued by City Council.

Acting (Vice) Chairman: The 1999 Act provided that if a chairman of City Council is unable to perform his functions on account of absence, illness or any other cause, an acting chairman will continue to function until the vacancy is filled by a new elected chairman or until the chairman resumes the functions of his office.

Secretary of City Council: As it was mentioned earlier the Secretary of City' Council will be elected among the councilors themselves. Briefly, the duties of the secretary include the preparation of meeting orders according to members' suggestions, and to give these to the chairman who will set the time of the meeting. During Council meetings, he/she has to write the proceedings. Each meeting should be registered in a special notebook. As the keeper of records, he/she is also responsible in the preparation of any official communications and reports related to the Council. The Secretary is obliged to report all the Council's activities to the Chairman of the Council. Lastly, he/she is tasked to inform the public by publishing all the regulations and laws ratified by City Council.

Treasurer of Council: The Treasurer of City Council will be elected among the councilors who compose the Council. Aside from the general task related to finance and accounting, he/she is mandated to cooperate with the chairman in setting up the expenses of the city council and regulating its budget. Part of his/her duties is to set up the transaction of consignment of goods and properties to be submitted to the Council. Finally, the Treasurer has to monitor and inspect the City Hall's monthly expenses based on the accounting procedures prescribed by Law.

Council Committees: There are three main committees in the Council, namely Cultural and Social committee, Program, Budget and Legal Affairs committee, and Development and Expansion committee. Each member, corresponding to his/her

education and experience, is active in one of the said committees. Every Committee is composed of three Councilors or more. The purpose of the Committee is to examine and provide feedback to the Council on all matters considered appropriate to be undertaken by a committee. The functions of Committee are as follows: i. to come up with development plans; ii. to discuss on issues and problems related to the Council's functions for which the committee was given responsibility; iii. to make proposal of plans; and to prepare working papers on the activities for which, the City Council was given responsibility.

Types of Function of Local Government (City and Village Council): The City Council in Iran established as the main element of the urban management system of decision- making. The local governments (City Councils) in Iran were given wide powers within the Iran Constitution law and Islamic Council's Rules and Regulations of 1996. The City Councils are in charge of policy making, monitoring, and coordinating municipal affairs. However, the institution of City Council suffers from the lack of authority of monitoring and supervising other state-affiliated organizations involved in urban management, such as water supply services, electricity transformation, and so on.

In brief, the functions of local government (City Councils) could be categorized as; i. Policy making, legislation, planning and monitoring; ii. financing and administration; iii. development and technical affairs; and iv. service providing activities. In below, the above mentioned functions will be comprehensively analyzed.

Policy making, legislation, planning and monitoring: The policy making is one of the most important functions of local government (city council) in Iran. The functions of City Council concerning of policy making are; i. electing Mayor for a period of four years; ii. recognizing deficiencies, flaws and urgent needs of electoral region and preparing and proposing relevant plans as well as applicable solutions; iii. enforcing municipal-related city council approvals and other urban service related approvals; iv. collaborating with executive authorities; v. planning to enhance citizens participation; and vi. establishing councils and encouraging to establish NGO's.

Financing and administration: The second category provided by City Council is financing and administration. The functions of City Council concerning of financing and administration could be viewed in below. i. Approving by laws proposing by municipalities with reference to Ministry of Interior guidelines; ii. approving the profiles of the companies and organizations affiliated to the Municipalities upon the agreement of Ministry of Interior; iii. monitoring good management of assets in hands of municipalities; iv. confirming municipalities' budgets (every six months) and publishing it; v. approving, modifying and evaluating municipal yearly budgets and budget appendixes; vi. approving grants proposed by municipalities; vii. monitoring contracts; viii. approving duties to be imposed on urban services

and modifying them if necessary; and ix. approving the rate of taxes for those services to be provided by municipalities.

Development and Technical Affairs: The third category function of City council is development and technical affairs, those functions are discussed in below; i. collaborating with municipalities to approve city boundaries, considering “city directive plans” and “city comprehensive plans”, upon their preparation by municipalities; ii. approving standards and criteria in relation with unbounded urban lands from health, public relief and development point of views; and iii. supervising urban development plans.

Services: The fourth category provided by local government is services. The services provided by local government include personal services, and public services. According to Byne "the personal services seek to enhance personal welfare"¹⁸, which for Richard¹⁹ took the form of direct assistance to those individuals who need them and was considered to be a costly sector of local government functions.

In Iran the personal services include, education, providing loans to youth who will get marriage, and employment services. The public services provided by local government includes provision and maintenance of theaters center, art centers, cinemas, parks and gardens, library, and children playgrounds. In addition, this category includes sport facilities such as sport centers, swimming pools, and soccer centers, in the districts. Others local government functions to public services are supervising burial-grounds, approving the names of the streets, circles, lanes, supervising health aspects of urban digging, enacting laws and regulations for establishing and managing marketplaces; and enhancing municipalities-state affiliated organizations corporation²⁰.

Functions of Village Councils: The main functions of Village Councils are: i. to recognize the flaws and deficiencies at village level, and to propose the solutions; ii. to attract people's participation; iii. to prepare the conditions for health care regulations to be enforced; iv. to prepare the conditions for a sustainable natural environment; v. to monitor and follow-up rural development plans and projects; vi. to collaborate with concerned authorities to establish manage maintain and exploit rural Public facilities²¹ (article 68 of organization of Islamic Council's law).

Despite this vast functions entrusted to village councils, they are not equipped with sufficient legal and financial instruments to successfully fulfill the required tasks. As an example there is no legal ground for imposing obligatory duties at rural areas. Even government organizations solely based on the pre-designed plans and in proportionate with the budget at hand would be able to implement some development plans or provide the villagers with some public services, while village councils acts as a mere consultative body that are indented in cases to mobilize the people to take part in social activities. In addition,

village councils even have no executive power to implement the every day affairs of the villagers. Given the above-mentioned deficiencies, the institution of *Dehyari* (i.e. rural collaboration institution) is expected to be established in future based on a recent enacted law. *Dehyaris*, upon their establishment are expected to do the same activities that are now implemented by municipalities at city levels. It is predicted that *Dehyaries* will have the authority to impose local taxes and duties and to collect them²².

Functions of Municipality: During the last century the tasks and functions carried out by municipalities have varied enormously, in a way that the general trend, in retrospect, reveals a decreasing autonomy and diminishing set of duties. A glance at the law of municipalities enacted in 1955 (still credible) and its subsequent modifications shows that during the last five decades, there was a drastic increase of urban needs and development facilities. While there has been a greater number of Municipalities, the local authorities in general have decreased in number compared with the number of state-affiliated organizations. This means that the municipal authorities have effectively delegated some of their functions to these organizations, thus strengthening the local units in the overall structure of local governance. In recent years the central government has tried to change the direction of the authority delegation, perhaps as a reaction to escalating "disorders" in urban management activities. So, it is expected that there will be an increase in municipal authorities. In this regard, Article 136 of the Law of Third Development Plan was enacted to instruct the government to delegate, as far as possible, all the undertakings to the municipalities. In Iranian Municipality system all Municipalities have more or less the same tasks to undertake, the administrative organization of municipalities of cities with different population sizes differs considerably, in the way that cities with larger population would have more complex administrative organizations. The following are the main functions of Municipality:

Implementation and Coordination: i. implementing the city council approvals; ii. implementing the approvals of Higher Council of Urban Development and Architecture; iii. taking part in *Shahrestan* (County) Administrative Council's sessions; iv. assisting the establishment of “Urban Water Supply and Sewage Disposal Company” of the concerned city; v. establishing the “Coordinator Secretariat to the Digging Activities”; vi. undertaking the “Guild System Organization” activities, on the behalf of the organization in case where the organization is not yet established, in a certain City, or has been dissolved; and vii. establishing organizations to reconstruct houses and old neighborhoods.

Urban Affairs Supervising and Monitoring: i. monitoring that the general security regulations are acting upon; ii. issuing the building construction license; iii. impeding the illegal constructions; and iv. impeding noisy and unclean activities.

Urban Planning: i. preparing five years Urban Development Plan; ii. determining city boundaries and proposing it to the city council; iii. studying general and urban priorities; iv. issuing real estate documents; v. judging the urban development plans prepared by the Ministry of Housing and Urban Development; vi. proposing minor modifications in "City Comprehensive Plan" to the Higher Council of Urban Development and Architecture; and vii. providing cheap houses construction to public.

Financial Planning: i. preparing municipal yearly budget and proposing it to the city council; ii. proposing certain duty imposition or cancellation; iii. managing and maintaining public assets; and iv. receiving duties.

Physical Urban Development: i. constructing and maintenance roads, streets, circles, parks, sport facilities, surface water disposal channels, fire protection stations and flood-gates; ii. constructing garbage disposal facilities, and public toilets; iii. burial-grounds; iv. constructing city transportation terminals; v. constructing motor vehicles technical examination stations; and vi. constructing and maintenance of public market-places.

Public and Urban Services: i. garbage collecting; ii. cleaning public paths and water channels; iii. fire protection services; and iv. public transportation²³.

Conclusion

Decentralisation is part of democratic reforms. Transfer of power and resources to municipal levels will help governments empower communities to work together to define and resolve problems locally and economically. After the Revolution, the Iranian government found that establishing the councils was the best way to transfer of power and resources from the central to local government. But the problem in Iran as in other countries with historically strong central government is that the central government continues to play a key role in local level politics even after decentralization. In conclusion, the concept of local governance in Iran is fully enshrined in the Constitution Law in conjunction with other existing laws and most importantly, within the bounds of Islamic Law.

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