



**Surveys:
Construction, Implementation and Results
Draft**

ACRLI Survey Unit



Outline

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I. Aim

The ACRLI conducted a parallel empirical investigation to accompany and supplement its expert evaluation of the state of the Judiciary (SOJ), Media (SOM) and Parliament (SOP) in Egypt, Jordan, Lebanon and Morocco. The research's main aim was to provide empirical support for the analyses ACRLI is preparing in its assessment of the three pillars. The following report details the construction, implementation and results of the research conducted by ACRLI during the period between April 2005 and November 2006.

II. General Methodology

In order to provide a rigorous assessment of the state of the judiciary, media and parliament, ACRLI adopted a multi-method, multi-level methodology in its review. Specifically, a selection of highly renowned experts in the judiciary, media and parliament were asked to provide an in-depth report on the SOJ, SOM, and SOP. Paralleling the experts' analytical report, ACRLI proceeded with an empirical research project to provide data on each of the three pillars in the four countries of interest (Egypt, Jordan, Lebanon, and Morocco). Furthermore, this empirical project used a multilevel approach through:

- 1- Literature review (analytical)
- 2- Focus groups and expert interviews (qualitative)
- 3- Survey of a random sample of expert users in each of the pillars (quantitative)
- 4- General population survey in each of the countries targeted (quantitative)

Focus groups helped identify the criteria needed and dimensions upon which to assess each of the judiciary, media and parliament. A specialized set of questionnaires were derived from the combined effort of the focus groups, experts within and outside ACRLI, and IFES. These specialized questionnaires provided the objective assessment tool in ACRLI's empirical research. The questionnaires investigated attitudes and perceptions of experts towards a set of principles and indicators that measure the states of the judiciary, media and participation. These questionnaires were distributed to samples of expert users within each pillar (e.g. Lawyers, judges, media employees, parliamentarians etc.; see section III, Ai, Bi, and Ci). Finally, a general public questionnaire was developed and distributed to random samples in each of the countries targeted and aimed to assess the public's perception of the SOJ, SOM and SOP.

A. QUESTIONNAIRE DEVELOPMENT

i. Focus group and Expert Interviews (qualitative method)

Interviews and consultations with both local and regional experts were undertaken throughout the development of the project.

Local and regional experts discussed the original list of the:

- “State of the Judiciary” indicators developed by IFES (2003)
- “State of the Media” and “State of the Parliament” indicators developed by experts at the ACRLI in consultation with IFES.



The experts' input and in-depth exploration of concepts and principles led to the development of several clustering scenarios, thus providing a more localized conceptual framework (see ACRLI list of indicators).

Focus groups¹ and detailed discussions with experts from Egypt, Iraq, Jordan, Lebanon, and Morocco led to finalized versions of the principles, clustered into clearly defined categories. These categories formed indices for the states of the judiciary, media and participation that are both universal and culturally sensitive to the Arab context.

For example, ACRLI convened a two day meeting in Amman for judiciary experts from Egypt, Iraq, Jordan, Lebanon and Morocco to discuss the list of principles and identify dimension relevant to the measure of the state of the judiciary in the Arab world. One of the major outcomes of the conference was the establishing of a detailed, well structured instrument upon which the SOJ could be assessed in the Arab world.

ii. Expert surveys

a. Aim

The goals of the expert surveys were:

- To lay out the foundation for the construction of a comprehensive, reliable and valid measure of a “sound judiciary”, Media, and Parliament in the four countries targeted.
- To enable the empirical *rating* of the state of the judiciary, media and participation in each country surveyed.
- To enrich the conceptual and analytical evaluation of the SOJ, SOM and SOP reports completed by the ACRLI.

b. Methodology

1. Survey of surveys

A review of surveys was conducted by the ACRLI Survey unit in association with IFES. Its goal was to identify what research has been carried out regionally on each of the three pillars, and through this process, enrich ACRLI's work, guard its research from previous pitfalls, and thus strengthen the quality and value of its project.

The review of surveys² provided ACRLI-IFES with sufficient information about research in the field and highlighted several categories of concern to the project. These bottom-up findings enabled the refinement of principles³, and the clarification of relevant categories of each pillar. The findings were discussed with IFES as well as ACRLI experts associated with the project (for example, implications of the literature review affected the final list of principles derived from the Amman conference).

2. Survey Construction

Principles:



The survey unit turned the finalized set of principles into questionnaire items in each of the three pillars. All redundant and overlapping items were eliminated, knowledge/information questions were deleted (i.e. questions that test the experts' knowledge of the field rather than request his/her assessment of the state of the judiciary, media or parliament). Principles were converted into questions that could be measured on a five point Likert type scale. The questionnaire was carefully worded to ensure that items measure relevant issues to the populations sampled and are respective of academic guidelines in questionnaire design.

Construction and validation:

It is important to note that the development of the questionnaires was a lengthy and meticulous process. Drafts developed by the survey unit would be reviewed by experts at ACRLI and IFES, and discussed until all parties (ACRLI experts, Survey unit experts and IFES) complete satisfaction was obtained.

Pilot testing:

Furthermore, each of the questionnaire that were developed went through a lengthy pilot testing in each of the four countries targeted. The pilot used small samples with detailed feedback from the participants. Issues of terminology, exhaustiveness, comprehensiveness and comprehension, cognitive load etc. were assessed meticulously. Results led to further refinement of the expert user questionnaires before its final implementation.

3. Structure of the surveys

01. For the judiciary pillar:

The questionnaire tapped into 4 major dimensions (independence, integrity/impartiality, competence, and efficiency) and contained 108 questions, 70 of which asked participants about their evaluation of specific aspects of the judiciary, 17 items asked about the reforms needed, and 21 items provided a general evaluation of the state of the judiciary in the participant's country.

02. For the media pillar:

The questionnaire tapped into 3 dimensions (independence, integrity and competence) and contained 76 questions, 65 of which asked participants about their evaluation of specific aspects of the media, and 11 asked about the reforms needed.

03. For the participation pillar:

The questionnaire tapped into 4 dimensions (representation and participation, independence, integrity-impartiality, and performance) and contained 61 questions, 44 of which asked participants about their evaluation of specific aspects of the parliament, and 17 asked about the reforms that are needed.



iii. General Population Surveys

a. Aims

The general population surveys aimed at:

- Identifying the public's perception of the state of the judiciary, state of the media and state of the parliament in each country surveyed.

b. Survey Construction

One public opinion survey including questions about all three pillars was developed. The questionnaire consisted of 74 questions out of which 19 were demographic and background questions. Questions specific to each of the pillars were as follow:

1. Judiciary

The judiciary opinion survey mirrored the expert surveys by tapping the 4 categories; independence, impartiality/integrity, efficiency and competence. It included three sections:

1) Background questions:

There were four background questions out of which:

- 3 questions pertaining to experiences with the judicial system, and
- 4 questions examining participants' experience with their lawyers and their evaluation of the judge handling the case.

2) 12 general questions on the judiciary:

In this section, public's opinion of the state of the judiciary is explored. Questions pertaining to the 4 categories were as follow:

- Independence: 2 questions
- Integrity: 6 questions
- Competence: 1 question
- Efficiency: 4 questions
- General evaluation: 5 questions

3) 4 questions tapping into the reforms needed within the judiciary

2. Media

The media opinion survey included three sections:

1) Background question:

The only background question in the media pillar pertained to the use of media outlets to obtain the information needed

2) 12 general questions on the media

3) 3 reforms questions

3. Participation

The media opinion survey included three sections:

1) Background question:

1 question pertaining to participation in the last parliamentary elections was explored in this section

2) 14 general questions on participation and

3) 4 reforms questions



B. IMPLEMENTATION

i. Polling Agency

ACRLI and its “Survey Unit” conducted a search of polling agencies in Lebanon and the Arab world that may serve the needs of the research project. In November, a “Request for Proposal” for the three pillars was written and sent to local and regional polling agencies for bidding. Experts within ACRLI and within IFES independently reviewed the submitted bids to ACRLI using a set of criteria available to both (e.g. sampling plan, qualifications

of their employees, experience, ability to complete the project in each of the countries surveyed, respect of international norms in research, reputation etc.). The ranking provided by ACRLI and IFES were compared, and agreement between both lists led to the contracting of Information International to carry out the field work for both the expert and the public opinion surveys in each of the countries targeted.

Information International provided ACRLI with detailed methodology reports, as well as helped carry out the pilot tests mentioned above. The methodology reports detailing the procedure used for data collection, as well as the sample selection are available for consultation and are not presented in this report.



III. RESULTS OF THE SURVEYS

The main results of the surveys are outlined below, and are displayed in three main sections referring to the three pillars: judiciary, Media and Parliament. Each section presents descriptive of the samples selected (expert and public opinion), results of the experts survey and results of the public opinion surveys.

A. Judiciary

i. Samples descriptives

Sample selection and population parameters for the expert survey and public opinion survey are outlined in the tables below:

Expert

		Judges	Lawyers
Egypt	Population	1375	72,945
	Sample	80	120
Jordan	Population	267	3245
	Sample	80	120
Lebanon	Population	189	3411
	Sample	47	120
Morocco	Population	754	4245
	Sample	80	120

Opinion poll

	Sample size	Immediate Refusal rate
Egypt	800	11%
Jordan	400	27.2%
Lebanon	400	negligible
Morocco	800	18.3%

Note: There is a high level of illiteracy in both Cairo and Alexandria; 16.5% of the sample surveyed reported being illiterates, and another 35% reported completing elementary school only.

ii. General findings

a. Expert

1. General findings

- Judges and lawyers differed in their evaluation of the SOJ. Specifically, judges expressed a significantly lower amount of negative evaluation than lawyers did (average ratio about 1:3).
- If we consider the number of items/dimensions that received a negative evaluation as an indicator of the SOJ in each country, than the best ranking are the following:
 - According to judges: Morocco, Jordan, Egypt than Lebanon;
 - According to Lawyers: Egypt, Jordan, morocco, Lebanon
- With the exception of Lebanon, judges evaluated the SOJ in a relatively positive way (less than 20% grievances) while lawyers rated about half the items measuring the SOJ negatively. Grievances in Egypt and Jordan are quite close in number/rates; Morocco has the best judge evaluation



- Judges and lawyers in Lebanon gave a significantly negative evaluation of the SOJ, with judges complaining about a third of the items, while lawyers
- complained about 80% of items! These rates are almost double the ones reported by experts in the other samples.
- The most significant grievance across lawyers, judges and countries relate to freedom of expression and association, a sub principle of the independence principle in the SOJ.
- The profile of grievances differs per country and would thus require country specific interventions.
- Experts did voice positive evaluations to specific items and dimensions.

2. Reform

The most common types of reform pertained to the competence dimension. They investigated the need for better qualifications and for appropriate training. Judges in all four countries and lawyers in Egypt, Jordan and Morocco voiced to the need for reform in the judicial training system. Moreover, both lawyers and judges, in Egypt, Jordan and Morocco, stressed on the need for reform to strengthen the qualifications and skills of judicial officials.

b. Public Opinion

1. Background information

- both the Egyptian and the Lebanese samples reported low interaction with the courts (16 and 22% respectively), while Jordanian and Moroccan participants reported higher levels with 1 in 3 participants having had some experience with the courts.
- Bribery of court staff also varies between countries; the lowest rate is reported in Jordan (19%) and the highest in Egypt (almost 60%).
- Bribery of judges is significantly lower than bribery of court staff, with the lowest rate reported in Egypt (11%) and the highest in Morocco (25%).
- Participants in Egypt and Lebanon have a favourable evaluation of their lawyers' performance and a divided evaluation of the judges' performance.
- Participants in Jordan expressed mixed reviews, with opinions relatively divided between positive and negative evaluations to both the lawyers and the judges' performance.
- participants in Morocco had mostly negative evaluations of both their lawyers' and the judges' performance.

2. General findings

- Public evaluation of the SOJ differs from experts in the field, especially in Morocco. Generally, the public in all cities surveyed had a more negative evaluation of the SOJ in their country (Egypt and Jordan: half of items negatively; Lebanon and Morocco about 85% of items negatively).
- Public response to the state of the judiciary varies greatly between countries. The most favourable evaluation came in Amman, while the most negative came in Beirut and Moroccan cities.
- Egyptian participants voiced a significant amount of grievances (7/8) about the judicial system's integrity (not the personal integrity of Judges as such).



These complaints extended to a negative evaluation of the enforcement of rulings criteria.

- Jordanian participants had a relatively positive evaluation of the judicial system in Amman. Although specific grievances were voiced about specific items, the overall evaluation was positive.
- Lebanese and Moroccan participants had the most negative evaluation of the state of the judiciary in their respective cities. Grievances covered almost all principles. Only the judges' competence was not put in question.
- Reform request centre on independence and efficiency with few concerns related to competence. And integrity (except Jordan)

3. Reform

Participants in both Egypt and Lebanon ranked reform priorities in a similar way (independence, then integrity, then efficiency then competence); these ranks changed for Jordan (efficiency, then independence, then competence, then integrity) and for Morocco (efficiency, then integrity, then independence then competence).

B. Media

i. Sample descriptives

Expert

	Sample size	Refusal rate %	Gender ratio ♂-♀ %
Egypt	150		69 - 31
Jordan	150	16.6	57 - 43
Lebanon	150	22.7	58 - 43
Morocco	150	23.5	76 - 24

Opinion poll

	Sample size	Immediate Refusal rate	Gender ratio ♂-♀ %
Egypt	800	11%	58 - 42
Jordan	400	27.2%	52-48
Lebanon	400	negligible	50
Morocco	800	18.3%	50

Overall, the state of the media was negatively evaluated by experts and the public in the four countries surveyed. Both expert evaluation and public evaluation of the SOM would rank Jordan and Egypt as worst, followed by Morocco then Lebanon. This accord between public and expert evaluation is noteworthy.

ii. General findings

a. Expert Survey

1. General findings

- The most significant grievances reported by Experts rest in the independence principle:
 - In Jordan, they relate to guarantees of media independence
 - In Egypt and morocco: Absence of Censorship.
 - In Lebanon: Personal independence
- Censorship seems to be the most prominent grievance in Egypt, Jordan and Morocco (but not Lebanon). Expert in Lebanon do not seem to perceive the



independence of the media as negatively as experts in the other countries surveyed.

- Experts in all four countries surveyed voiced complaints about the lack of “Guarantees of media independence”, “Explicit and fair regulatory framework for media activity” and “Personal independence”, three of the independence principles of the SOM.
- Participants in Jordan voiced concern about the “adequate qualifications” (competence) of media professionals while in Morocco, experts negatively evaluated the “clear professional and ethical standards” (integrity) within the SOM.
- The profile of grievances differs per country and would thus require country specific interventions.

2. Reform

Experts in Jordan, Egypt and Morocco rated “legal reforms to enhance the independence of the media” as the top most reform priority. Many of the reforms requested are within the independence dimension. These include the need for reform in the legal system, regulatory framework and guarantees for personal independence of journalists. In Lebanon, “Reforms [...] to strengthen the competence and qualifications of journalists” was viewed as the most important type of reform.

b. Opinion

1. Background information

Results regarding the type of media used to obtain the information needed showed that:

- Participants in the four countries revealed an extensive use of the general media outlets available (e.g. newspapers, TV, and Radio), with the TV being the most relied upon source for information in Jordan, Lebanon and Morocco.
- In Egypt, on the other hand, people had recourse to Newspapers and Magazines.
- The internet was also highly used in Jordan, Egypt and Lebanon but not in Morocco.
- Informal networks of information such as religious and social groups were the least relied upon for information in any of the countries except for Egypt.

2. General findings

01. Assessment of individual item responses indicated that in all four countries, the public perceived :

- the media to be highly influenced/pressured by government sources,
- that media does not provide impartial or balanced views, and
- media hiring procedures suffer from discrimination (political, racial, gender).

02. Other significant findings include:

- The public in Egypt and Jordan do not believe that journalists have freedom of expression.
- In Egypt, public perception indicates that the media does not reflect the diversity in society, and that non governmental sources have a significant influence on the media.



- Public perception in Egypt, Jordan and Lebanon indicate that journalists are susceptible to bribery.
- Only in Lebanon is the media perceived to reflect diversity in covering political, economic and social views.
- Sanctions against journalists are perceived to be arbitrarily imposed in Jordan and Morocco.
- Large percentages of the public believe that the media is unable to report openly on political, religious and social issues in Jordan and Egypt.

3. Reform

Participants in both Egypt and Jordan ranked reform priorities in a similar way (integrity, then efficiency then independence); these ranks changed for Lebanon (efficiency, then independence, then integrity) and for Morocco (independence, then integrity, then efficiency).

C. Participation

i. Sample descriptives

Expert

Opinion poll

		Parl.	Empl.	Refusal rate %
Egypt	Population	454	N/A	26.5
	Sample	25	25	
Jordan	Population	110	N/A	16.7
	Sample	35	25	
Lebanon	Population	128	105	15.3
	Sample	25	25	
Morocco	Population	325	160	59
	Sample	25	10	

	Sample size	Immediate Refusal rate	Gender ratio ♂-♀ %
Egypt	800	11%	58 – 42
Jordan	400	27.2%	52-48
Lebanon	400	negligible	50
Morocco	800	18.3%	50

Note: it is important to note that the “Muslim Brotherhood” members of parliament refused to participate in the expert survey.

ii. General Findings

a. Expert

1. General findings

- Employees had significantly more grievances than parliamentarians in Morocco, Lebanon and Egypt. Parliamentarians had more grievances than employees in Jordan.
- Jordanian members of parliament had the highest level of complaints (44.4%), followed by Morocco (25%), Egypt (22.2%) and Lebanon (20%). Interestingly, the order is reversed when employees are asked about the SOP, with Lebanon (44.4%), Egypt (41.6%), Jordan and Morocco (25%).



This reversal of perspective (anti image) between members of parliament and employees is worth some attention and analysis.

- Representation and participation:
 - Members of parliament and employees in all four countries reported a lack of equal opportunities in the representation and participation dimension (with the exception of parliamentarians in Jordan, whose grievance resides in the participation principle). This common grievance is one of the strongest cross expert grievances.
 - Employees in Egypt, Jordan, and Lebanon voiced complaints about “participation”, while employees in Morocco (counsellors) and Lebanon voiced complaints about “free and fair elections”.
- Independence
Employees in Egypt and Morocco voiced complaints about “independence in fulfilling mandates”, while counsellors in Morocco and members of parliament in Lebanon complained about the lack of “protection”.
- Performance:
There seemed to be no negative evaluation by MP and PE on the following dimensions:
 - efficiency in the legislative process
 - Efficiency of parliamentary committees
- Integrity:
 - Parliament members and employees in all countries (except MPs in Morocco and Lebanon) perceived the political financing rules for parties and election campaigns to negatively affect the integrity of the SOP.
 - Members of parliament in Egypt, Jordan and Lebanon, as well as employees in Jordan negatively rated the application of conflict of interest rules in their respective countries.
 - No grievances by members of parliament or its employees in any of the countries surveyed were voiced in terms of the transparency of parliamentary activities.

2. Frequency analysis

01. The financing of election campaigns

- According to Parliamentarians:
 - Election campaigns are significantly financed by the personal funds of the candidate in Jordan, Lebanon, Egypt, and Morocco. This was the only type of financial support for election campaigns that was believed to be significant in the four countries.
 - Only in Morocco did members of parliament perceive that individual donations and public fund contribute in financing election campaigns
- According to Employees:
 - election campaigns are perceived to be financed by the personal funds of the candidate in Jordan, Lebanon, Egypt, and Morocco and by Individual donations in Lebanon, Egypt, and Morocco.
 - Only in Morocco were most types of funding (3/4) rated significantly.

02. Influences and pressures on parliament



- According to Parliamentarians:
Jordanian parliamentarians believe that the parliament is significantly influenced/ pressured by the government. No other type of pressure was mentioned in any of the countries. However, participants had neutral attitudes in Egypt on all types of pressures investigated, except in the case of non-governmental entities. In the latter instance, 50% of participants had neutral opinions regarding the extent of pressure exerted on the parliament by this entity while 50% believed that the influence is weak. This divided opinion was also present in Lebanon (36.8 neutral vs 36.8 weak and 26.3 strong)
- According to Employees:
In Jordan and Egypt, employees believe that the parliament is significantly influenced/ pressured by the government. In Lebanon, the only type of pressure mentioned is international entities.

3. Reform

Opinions differed greatly between members of parliament, employees, and countries. The most common types of reform pertained to the performance dimension.

b. Opinion Poll

1. Background information

In Egypt (46.4%), Morocco (49.8%) and Lebanon (51.3%), most of the subjects had participated in the last parliamentary elections in their country.

Even though a high percentage of participants in Jordan had partaken in the last parliamentary elections in their country, the majority (47.5 %) did not.

2. General findings

The state of the parliament in the four countries tends to be negatively evaluated by the participants regardless of whether questions are related to corruption, abuse of position and power, competence, function, and free elections. The most negative evaluations came in Egypt and Lebanon where 93% of items were evaluated negatively, followed by Morocco with 86% and Jordan with 71%. This negative evaluation is striking and differs significantly from the more moderate perception of members of parliament and parliament employees.

3. Reform

Participants ranked reform priorities in different ways in the four countries. This differential rank ordering may warrant differential interventions in each of the four countries.



Appendix

Limitations

A. Refusal rate and generalisation of results:

It is important to note that the refusal rate in sample selections may weaken the ability to generalise to the entire population. This applies to both the expert and public opinion surveys. ACRLI and the contracted polling agency (Information International) were fully aware of the potential refusal rates within this population, and took several steps to increase the cooperation of the participants. Nonetheless, refusal rates warrant caution as to generalisation of results.

B. Cities and countries:

Both the experts' survey and the general population surveys were restricted to specific target cities in each country. As such, generalisation of the results should be confined to these cities.

C. Questionnaire constraints:

- a.* Constraints attached to survey methods impact the validity of the surveys: the three lists of principles measuring respectively the SOJ, SOM and SOP were too long to be completely incorporated in one survey for each list. This difficulty prevented the construction of scales to measure each principle and its components, leading to some sub-principles to be measured with only one item, or leading to some unavoidable double barrelled questions.
- b.* The complexity of the SOJ, SOM and SOP principles may cause difficulty to participants from the general population. The necessity to construct shorter and less specialised questionnaires targeting the general population prevents a direct comparison between the experts and general public.
- c.* A few items had missing data; participants did not want to, or did not know how to respond to these questions. Missing data analysis may yield interesting questions for future research.

D. Response Style:

- a.* It is possible that a difference in response styles affect(ed) the results. Though it is unlikely, it is possible that participants in the various countries surveyed express themselves with different degrees of extremism.
- b.* Furthermore, it is possible that experience with surveys and the general level of freedom in the countries surveyed may have affected the results.



¹ A regional expert meeting was held in Amman (24 and 25 September, 2005) in order to discuss and refine the SOJ principles. There was no regional meeting/focus groups to deal with the SOP and SOM indicators. However, the Amman meeting had implications on both the media and the participation pillars and served as a template for refining the indicators of the “State of the Media” and “State of the Parliament”.

² The review of survey was most extensive for the judiciary pillar and was not exhaustive for the participation pillar.

³ Especially in the SOM where most of the principles was retrieved from the survey of survey