

RESEARCH  
ARTICLE**Law as an Indicator of Good Governance and a Mechanism for Contributing to Sustainable Development: A Study in Light of Algerian Legislation****Youba Kichou**

Doctor of Law

Specialization in Real Estate Law, Faculty of Law and Political Science, University of Ghardaia  
Algeria

Email: youba.kichou@univ-ghardaia.dz

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**Abstract**

Achieving development, particularly sustainable development, in countries can only be realised through good governance characterised by the effective management and rational administration of resources and revenues. This achievement depends not only on good governance at state level, but also on commercial enterprises and civil society organisations, as they all work together to embody the principles of governance, thereby achieving sustainable development and keeping pace with advancements in developed nations.

This study addresses governance in general and the indicators for measuring it, with a specific focus on the rule of law as an indicator of good governance. The study connects governance to sustainable development through three main axes: the first discusses the concept of governance in general; the second emphasises law as an indicator of good governance; and the third centres on linking governance to sustainable development.

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**Introduction:**

Throughout history, various governance systems have emerged in different parts of the world, ranging from empires and monarchies to principalities and republics, eventually leading to the modern state concept.

In fulfilling their roles, the state and its institutions must address the needs of their citizens and manage affairs in a way that promotes development, prosperity and growth. Effective governance is essential to ensure a decent standard of living for the population and secure a position within the international community.

The United Nations has implemented a development programme for its member states to help them achieve progress for their populations. One notable example is the 2000–2015 Development Programme, which aimed to eradicate poverty, ensure compulsory and free education, and enhance the role of women in society. This was followed by the United Nations' Sustainable Development Programme (2015–2030), towards which many countries are working to ensure sustainable development that allows their citizens to live well without compromising the resources available to future generations.

In recent decades, the world has witnessed a broad trend of reforms encompassing various economic, social, political and legal aspects of the state. Coinciding with rapid changes in the global economy, this reform has led to the dismantling of economic barriers due to the globalisation of activities and transactions, promoting competition, free trade, and finance.

Changes in international economic regulations have resulted in new development strategies being adopted to achieve comprehensive and sustainable human development<sup>1</sup>.

Sustainable development in countries can only be achieved through good governance, which is characterized by the effective management of resources and revenues. Furthermore, good governance extends beyond the state to commercial enterprises and civil society organizations, all of which embody governance principles. This collective effort is crucial for achieving sustainable development and catching up with advanced nations.

Thus, this study addresses governance in general, its measurement indicators (particularly the legal indicator), and the link between governance and sustainable development. The study is structured around three main points.

## **First Axis: The Nature of Governance**

### **1. Definition of good governance**

The concepts and definitions of good governance are diverse. Linguistically, 'governance' is a modern Arabic term, officially recognised by the Arabic Language Academy in Cairo in 2002 as a translation of the English word 'governance'.

It is referred to as governance, good governance or governance in a broader sense. However, to define it, we must explore what legal scholars and international bodies say about it.

#### **1.1 Definition of Good Governance from a Legal Perspective**

Good governance is characterised by integrity, transparency, accountability, anti-corruption measures and achieving justice without discrimination. It applies to any governmental or non-governmental organisation, at any international, regional or local level and in any field relating to goods or services<sup>2</sup>.

Good governance encompasses the various methods and practices that individuals, public institutions and private entities use to continuously manage their shared affairs. It is characterised by cooperation, reconciliation and balancing diverse and conflicting interests. This type of governance involves formal institutions and systems with executive powers, promotions and formal amendments that enable societies and institutions to agree on serving their common interests<sup>3</sup>.

#### **1.2 Definition of Good Governance from the Perspective of International Bodies**

To define good governance from this perspective, we must refer to the definitions provided by the World Bank and the Organisation for Economic Co-operation and Development (OECD).

**The World Bank defines good governance as follows:**

The World Bank defines good governance as the traditions and institutions through which authority is exercised in countries for the common good. This includes the process of selecting those in power, the government's ability to manage resources and implement peaceful policies effectively, and mutual respect between citizens and the state for the institutions governing political, economic and social interactions<sup>4</sup>.

**OECD definition of good governance:**

The OECD defines good governance as 'the use of political power and the establishment of oversight in society, along with the provision of the necessary resources to achieve economic and social development'. This definition emphasises the

<sup>1</sup> - Charshari Farouk, Requirements of Good Governance: Factors for Achieving Sustainable Local Development, a thesis submitted for a Ph.D. at the University of Abdel Rahman Mira Bejaia, Faculty of Law and Political Science, Department of Public Law, Specialization in Law of Regional Groups, Research Laboratory on the Effectiveness of the Legal Rule, Algeria, 2019, p. 02.

<sup>2</sup> - Midhat Mohammad Abu Al-Nasr, Good Governance - The Art of Managing High-Quality Institutions, First Edition, The Arab Group for Training and Publishing, Egypt, 2015, p. 15.

<sup>3</sup> - Abdel Karim Qallati, The Role of the Independent Press in Establishing the Concept of Good Governance in Algeria - A Descriptive Analytical Study, a thesis submitted for a Ph.D. in Information and Communication Sciences, University of Algeria 3, Faculty of Political Science and Information, Department of Information and Communication, Algeria, Academic Year 2010-2011, p. 69.

<sup>4</sup> - Hicham Abdel Karim, The Role of Civil Society in Promoting Democratic Governance, a thesis submitted for a Ph.D. in Political Science and International Relations, Branch of Political and Administrative Organization, University of Algeria 3, Faculty of Political Science and Information, Department of Political Science and International Relations, Algeria, Academic Year 2013-2014, no page number.

capability of political authorities to provide the legal and environmental frameworks necessary to enable actors to achieve development goals<sup>5</sup>.

## **secondly: Principles of Governance**

The United Nations has outlined the following principles as being fundamental to good governance:

### **1. Accountability**

Accountability is a fundamental condition of good governance and applies not only to government institutions, but also to civil society organisations and the private sector<sup>6</sup>. It arises from a system of oversight. Examples include:

- Parliamentary accountability of the government through written and oral questions.
- Associations being accountable to their supervisory bodies for their income and expenditure through the review of accounting records and auditor reports.
- Commercial companies being accountable to tax authorities for their revenue figures.

### **2. Participation in Decision-Making**

Participation is a crucial principle of good governance, as everyone is concerned with and participates in their community's life. Individuals should play a role alongside the state in decision-making and development, either through political engagement, representation in legislative bodies, or involvement in civil society organizations such as scientific, cultural, or religious associations.

Examples include:

Citizens legislating through their representatives to create laws that serve their community and align with its development needs.

- Scientific associations holding conferences and conducting research that yields recommendations for the authorities to translate into decisions that benefit social domains.
- Companies communicating challenges and obstacles to successful investment in order to seek legal adjustments and decisions that support commercial and investment projects, thereby fostering development.

### **3. Transparency**

Transparency is as important as the previous principles and is essential for good governance. This means that the actions of institutions are visible to their members and that nothing is concealed. Examples include:

- Publication of republic laws in the official gazette and making them accessible to the public on an official website.
- Presenting civil society organisations' activities to their general assemblies for approval to ensure transparency in organisational operations.

### **4. Effectiveness and efficiency**

This principle means that operations and institutions must meet societal needs while sustainably maximising the use of available resources<sup>7</sup>.

### **5. Rule of Law**

This is a universal principle; it is impossible to discuss good governance today without laws governing the institutions that work towards development. Laws or regulations must apply equally to rulers and the ruled, serving as the distinction between lawful and unlawful actions. Therefore, adherence to the law as a guiding principle for all will inevitably embody good governance and achieve sustainable development. Examples of laws include:

<sup>5</sup> Hicham Abdell Karim, the same reference, without mentioning the page number.

<sup>6</sup> Hicham Abdell Karim, the same reference, without mentioning the page number.

<sup>7</sup> Hicham Abdell Karim, the same reference, without mentioning the page number.

- The Constitution: The constitution is the supreme law of the state and is established by the people through various legislative processes. It may be drafted by a committee of experts, a constituent assembly or parliament, and is subject to a public referendum. No other laws can conflict with it.
- International treaties: International treaties or legally ratified agreements between states form part of a country's legal framework and take precedence over ordinary laws. These treaties aim to regulate relations between states by combatting specific phenomena, collaborating in scientific fields that benefit both nations and cooperating with the United Nations on its global programmes.
- Ordinary legislation: This consists of laws enacted by the legislative authority, specifically parliament, which in Algeria is represented by two chambers: the National People's Assembly and the Council of the Nation. Examples include the Electoral Law, Health Law and Public Service Law.
- Subordinate legislation: This includes a range of decisions, regulations, directives and circulars issued by the executive authority, including:
  - the Presidency of the Republic, in the form of presidential decrees;
  - the prime minister in the form of executive decrees;
  - Ministers, governors, mayors, provincial executive directors, and university presidents in the form of decisions, regulations or directives.

### Third: Elements of governance

The concept of governance has emerged as part of a global culture that aims to enhance the participation of various societal stakeholders in government-led policy formulation and implementation. This interaction reflects collaboration between the state, civil society and the private sector to achieve sustainable development. Good governance, with its associated standards and principles, promotes sustainable development by utilising the human, material and organisational resources available within society. It advocates increased justice and equality, decentralisation and transparency, and combats corruption in all its forms, while promoting democracy<sup>8</sup>.

The UN Development Programme presents good governance as a participatory concept involving the state, the private sector, and civil society. It identifies three main parties that influence development in the governance process: the state, civil society institutions, and the private sector. These parties are all essential for achieving sustainable development<sup>9</sup>.

It is clear, therefore, that the three elements of governance are the state, civil society organisations, and businesses. Each operates within its own sphere to embody governance principles and promote development.

#### 1. The State and Its Institutions

The state is the primary legal entity, from which other entities branch. Its jurisdiction is confined to a specific territory, and it does not require an explicit legal text in order to exist. Although some have criticised the concept of state personhood, the prevailing view is that the state is a legal entity. This recognition enables a distinction to be made between state assets and those of other entities, establishes state liability for the actions of its employees and grants the state the capacity to litigate and enter into contracts<sup>10</sup>.

The state exercises its authority throughout its territory, and all public and private legal entities derive from it. In administrative law, the term 'state' specifically refers to central authorities, whereas in international law it refers to the entire national community characterised by territory, population and political authority<sup>11</sup>.

#### - The wilaya (province)

<sup>8</sup> Midhat Mohammad Abu Al-Nasr, the previous reference, pp. 41-42

<sup>9</sup> Abdel Karim Falati, the previous reference.

<sup>10</sup> Amar Boudiaf, A Concise Guide to Administrative Law, Second Edition, Josoor Publishing and Distribution, Algeria, 2007, pp. 149-150.

<sup>11</sup> Mohamed Saghir Baali, Administrative Law, Administrative Organization and Administrative Activity, Dar Al-Nashr, Al-Ulum Wal-Tanzir, Annaba, Algeria. 2002, p. 36.

The state cannot manage its affairs alone and must address the needs of its citizens with the help of regional legal entities. These entities are geographical organisations with legal personhood and financial independence that help the state fulfil its responsibilities according to the specific requirements of each region.

### **- The municipality**

The municipality is a grassroots entity representing the foundational structure of the Algerian administrative organisation. It alleviates the burden on both the state and the wilaya, leading to legal independence and the separation of responsibilities, particularly with regard to contracting, financial accountability and legal responsibility<sup>12</sup>.

The evolution of state functions has led to the establishment of public institutions in various fields. These institutions are endowed with legal personhood, enabling them to perform their tasks more effectively, whether they are national or regional/local<sup>13</sup>.

Initially, public institutions were limited to administrative services, but the concept has since expanded to include economic, industrial and commercial services. When the state grants legal personhood to public services, they become public institutions<sup>14</sup>.

Consequently, the collaboration between the state and its institutions, while adhering to governance principles, embodies good governance and leads to sustainable development.

## **2. Civil Society Organisations**

Individuals primarily focus on their work and livelihood in order to meet their own needs and those of their families, such as ensuring they have access to food, shelter and other essentials. However, alongside these individuals, there are many others who care about their communities and are willing to volunteer and help others. This willingness to give without expecting anything in return is known as public altruism. Civilised governments encourage this, fostering what is called civil society.

The concept of civil society is of significant importance in contemporary political philosophy. Since the 1980s, the term has experienced a strong resurgence in political theory, referring to social groups represented by associative structures assumed to be homogeneous, which exist between the family and the state<sup>15</sup>.

According to Article 49 of the Civil Code<sup>16</sup>, legal entities include commercial civil companies, associations, and institutions. The law recognises the vital role of civil society organisations in contributing to development and progress, and therefore organises them. However, these organisations can only make this contribution if they adhere to governance principles, which they should embody in their mission.

### **Key types of civil society organisations:**

#### **1. Professional unions:**

These organisations represent the professional or craft interests of their members, and have legal status independent of their members. The French Council of State recognised professional unions as entities of public law, but did not classify them as public institutions. This perspective has been confirmed in rulings concerning professional unions, such as those for doctors, architects, pharmacists and accountants. Regardless of differing legal theories<sup>17</sup>, what matters is that these organisations operate in accordance with governance principles.

#### **2. Associations:**

<sup>12</sup> - Amar Boudiaf, *A Concise Introduction to Administrative Law*, op. cit., p. 150.

<sup>13</sup> - Mohamed Saghir Baali, *Algerian Local Administration*, Dar Al-Ulum for Publishing and Distribution, Annaba, Algeria, 2013, p. 13.

<sup>14</sup> - Daoudi Abdelhafidh, *Lectures on Introduction to Legal Sciences*, Faculty of Law, Ferhat Abbas University, Setif, 2007-2008 academic year.

<sup>15</sup> - Hicham Abdell Karim, the same reference, without mentioning the page number.

<sup>16</sup> - Ordinance No. 75/58 dated September 26, 1975, concerning the Civil Code, amended and supplemented by Law No. 80/07 dated August 9, 1980, Law No. 83/01 dated January 29, 1983, Law No. 87/19 dated December 8, 1987, Law No. 88/14 dated May 3, 1988, Law No. 89/01 dated February 7, 1989, Law No. 05/10 dated June 20, 2005, and Law No. 07/05 dated May 13, 2007.

<sup>17</sup> - Daoudi Abdelhafidh, the same reference.

These are non-profit organisations established by volunteers to assist the state in addressing community issues. They may be referred to as associations, federations, networks or by other names. Their purposes vary, including:

**Scientific associations:** Composed of scientists, doctors and researchers who come together to advance their fields. A prime example in Algeria is the National Geographic Real Estate Association<sup>18</sup>.

**- Cultural associations:** Focused on cultural affairs and the promotion of cultural activities, these associations typically involve volunteers with an interest in literature, poetry and high-level cultural discourse.

**Religious associations:** These include mosque associations.

**Sports associations:** Organisations aimed at promoting sports activities.

These civil society organisations play a crucial role in governance and sustainable development, embodying the principles of good governance in their operations.

According to our view, governance in associations can be effectively realized if their management is entrusted to competent members who are skilled in administrative and financial management.

These two aspects are crucial to the success of the association. Excellent administrative management, led by the president and the executive office and demonstrated through an annual agenda approved by the general assembly and implemented throughout the year, in conjunction with prudent financial management conducted by the president and treasurer, who ensure the rationalisation of expenses and the prudent spending of income, while the association's accounts are maintained by an auditor in accordance with Law 12/06<sup>19</sup>, will make collaboration between associations, the state and the private sector in embodying governance and achieving sustainable development evident.

### 3. Private Sector Companies

A company is, by definition, a contract in which two or more persons (whether natural or legal) commit to contributing to an economic project by providing a share of capital or labour. They share any resulting profits or losses in accordance with Article 416 of the Civil Code. Article 417 states that, upon its formation, a company is considered a legal entity; however, this status is not effective against third parties until the proper registration procedures have been followed.

The Organisation for Economic Co-operation and Development (OECD) defines corporate governance as the framework of relationships among those involved in managing a company, including the board of directors, shareholders, and other stakeholders. The International Finance Corporation defines corporate governance as the system by which companies are directed and controlled. This involves organising relationships among different interests and objectives, including those of employees, customers, creditors, suppliers and the broader community. This involves guiding and monitoring good business practices to ensure objectivity, accountability, integrity, and compliance with laws<sup>20</sup>.

In commercial enterprises, governance ensures justice, transparency, accountability and the protection of shareholder rights, whether they are in the minority or the majority<sup>21</sup>. It facilitates the flow of local and international funds, encourages investment and guarantees rigorous financial performance reviews, all while complying with legal obligations. Governance structures delineate roles and responsibilities, enabling accountability and oversight<sup>22</sup>.

#### Benefits of governance in the private sector:

**The governance system offers several advantages, including:**

<sup>18</sup> - The National Geographic and Real Estate Association of Algeria is a non-profit organisation established on 3 November 2017 in Algiers. Its national headquarters are located on Mohamed Zarouki Street in the centre of Bouira. Founded by young researchers, the association aims to promote scientific research in the fields of geography and real estate law, creating a unique intersection between these two disciplines for the first time in Algeria, as far as we know. Following the kind approval of the Ministry of the Interior on 23 December 2018, the association began its activities under the presidency of Professor Qayshu Yuba, the initiator of the idea. It began its activities in February 2019 and is open to individuals and organisations within the national community that share its goals, including administrative bodies, professional organisations, institutes, and colleges. It has signed numerous scientific agreements with universities and research laboratories at national higher education institutions.

<sup>19</sup> - Law No. 06/12 concerning associations, dated January 12, 2012, Official Gazette No. 02 of 2012.

<sup>20</sup> - Medhat Mohamed Abu Al-Nasr, p. 64.

<sup>21</sup> - Saad Mohamed Al-Siyari, the previous reference.

<sup>22</sup> - Hattouf Abdulrazak Ahmed, The Importance of Good Governance in Companies for Development, Conference on Good Governance and Building Institutions, the previous reference, p. 347.



- Encouragement of investment and innovation: Effective governance fosters a stable financial market, reducing risks and lowering the cost of capital.
- Fair treatment of shareholders: It enhances trust and credibility, creating a sound working environment that promotes participation and accountability.
- Social welfare: Companies have a responsibility to produce goods and services that meet community needs, ensuring quality and appropriate specifications at minimal cost while utilising community resources efficiently. Transparency and equal opportunities are vital for fulfilling this function and achieving societal welfare.
- Economic development: Proper implementation of corporate governance leads to the efficient use of resources, enhancing competitiveness and enabling companies to access various funding sources for expansion and growth. This also contributes to productive efficiency, sectoral and national development, and sustainable economic prosperity.

In summary, governance principles in associations and companies are essential for achieving sustainable development, promoting social welfare and fostering economic growth.

## **Second Axis: Law as an Indicator of Good Governance**

Contemporary times have seen governance garner significant attention from researchers and scholars as a prevailing and desirable philosophy. It is often seen as a solution to the problems facing administrative bodies<sup>23</sup>. However, good governance can only be realised if its indicators are understood. These indicators vary, and we will first outline them before focusing specifically on the legal indicator.

### **1. Indicators of Effective Governance**

The World Bank Institute established a database of good governance practices from 1996 to 2007, based on six indicators reflecting the level of governance in a given country. This initiative targeted developing countries and organisations providing aid<sup>24</sup>. Some governance indicators include:

- Political Participation Indicator: This reflects the extent to which freedoms are respected, indicating the principle of power rotation and adherence to constitutional laws.
- Political Stability Indicator: This indicates the absence of civil wars, terrorism or instability.

### **2. Rule of Law as an Indicator of Good Governance**

#### **Definition of the rule of law:**

Legal definition: The rule of law means more than just acting according to the law. It embodies the principle of governmental justice and ensures that the government does not possess excessive powers. It means that the government is subject to the law, rather than the law being subject to the government. No individual, including ordinary citizens, is above the law, and the government itself is bound by legal constraints. Laws should reflect the will of the people, not the whims of officials. The rule of law protects civil and social rights from tyranny<sup>25</sup>.

#### **Definition of the United Nations:**

The United Nations views the rule of law as a system in which all individuals, institutions and entities in both the public and private sectors, including the state, are accountable under laws that are publicly promulgated, equally enforced and adjudicated by an independent judiciary in accordance with international human rights standards<sup>26</sup>.

#### **Mechanisms for Activating the Rule of Law**

<sup>23</sup> - Mona Haidar Abdul Jabbar Al-Taie, Governance in Public Organizations - A Case Study in the Ministry of Higher Education and Scientific Research, Conference on Good Governance and Building the State of Institutions, the previous reference, p. 419.

<sup>24</sup> - Abdul Karim Qalati, the previous reference.

<sup>25</sup> - Ben Abdelaziz Khira, Good Governance between Western and Islamic Thought - A Comparative Study, Thesis submitted for a Doctorate in Political Science and International Relations with a specialization in Political and Administrative Organizations, University of Hajj Lakhdar Batna, Faculty of Law and Political Science, Department of Political Science, Academic Year: 2013-2014, without mentioning the page number.

<sup>26</sup> - Ben Abdelaziz Khira, the same reference, without mentioning the page number.

Three key elements must be present to embody the rule of law:

1. Respect for the hierarchy of legislation and laws.
2. Governance based on the rule of law requires adherence to existing state laws. No legal norm can supersede a stronger legal norm. For example, international treaties and laws cannot take precedence over the constitution, and subordinate legislation cannot override ordinary legislation, thus upholding the principle of the hierarchy of laws. Consequently, a mayor cannot issue a decision that contradicts municipal law, nor can a governor implement measures that violate provincial law. Similarly, Algeria cannot ratify an international agreement that conflicts with the constitution, which is the highest law in the state.

This principle was demonstrated in practice in 2019 with the introduction of legislation enabling challenges to the constitutionality of laws. This means that if a legal provision contravenes the constitution, a litigant can appeal to the Constitutional Court to annul that unconstitutional provision. For instance, a recent legal provision prohibiting appeals against rulings involving fines of less than 20,000 DZD was annulled for conflicting with the constitutional principle of dual-instance litigation.

## 2. Equality before the law

This principle signifies that all individuals are treated equally, without discrimination, in the application of the law. It encompasses equality before the judiciary and equality in political rights, allowing individuals to participate in governance and administration. This includes the right to vote, participate in referendums, run for parliamentary positions or the presidency, and be employed. To achieve this, all citizens must be treated uniformly under the law, ensuring that everyone has equal rights and obligations<sup>27</sup>.

### Independence of the Judiciary

An independent judiciary is the only means by which nations can achieve justice. This is affirmed in most constitutions and international human rights treaties, which recognise access to the judiciary as an inherent human right. Every individual has the right to appear before an independent judge because judicial independence is the true guarantee of justice. The independence, neutrality and integrity of judges are essential for establishing a system of governance based on the rule of law, ensuring the application and supremacy of democracy, and protecting human rights and public freedoms<sup>28</sup>.

If justice is the foundation of governance, then judicial independence is the foundation of justice. Justice can only be achieved when judges are independent enough to seek the truth, free from any intervention, pressure, inducement or threat<sup>29</sup>.

Judicial independence plays a crucial role in three areas related to governance:

1. Human rights: A strong judiciary is essential for upholding human rights and holding officials accountable.
2. Stable and fair political management: This contributes to the establishment of a stable and just political system.
3. Economic development: An independent judiciary fosters a robust economic environment that encourages national and foreign investment.

In summary, judicial independence is essential for achieving justice and ensuring the protection of rights within a democratic framework<sup>30</sup>.

### Third Axis: Sustainable Development and Good Governance

In this section, we will explore the application of good governance and its relationship with development, particularly in light of economic control being transferred from the government to the workforce.

<sup>27</sup> - Ben Abdelaziz Khira, the previous reference, without mentioning the page number.

<sup>28</sup> - Alaa Qutb, Judicial Independence as the Basis for Justice in Egypt, Conference on Good Governance and Building the State of Institutions, the previous reference, p. 27.

<sup>29</sup> - Alaa Qutb, the previous reference, p. 28.

<sup>30</sup> - Alaa Qutb, the previous reference, p. 29.



The global economic crisis has necessitated linking state reforms with sustainable development, due to economic liberalisation programmes, the privatisation of public economic institutions, and the emergence of poverty and unemployment.

## 1. The Relationship Between Good Governance and Sustainable Development

In our current era, governance has become an urgent and necessary issue, as it can help reduce conflict, enhance integration, and facilitate interaction. It also helps the state to create job opportunities, improve the business climate and attract investment, all of which contribute positively to achieving sustainable development<sup>31</sup>.

To illustrate this relationship, we must first define sustainable development and revisit the economic perspective of good governance briefly.

### 1. Economic Perspective of Good Governance

Good governance involves exercising authority over economic resources with the aim of achieving development<sup>32</sup>. It also encompasses economic authority exercised to foster economic cooperation and development<sup>33</sup>.

### 2. Sustainable Development

Sustainable development can be defined in two simple ways:

It is a type of development that meets current needs without compromising the ability of future generations to meet their own needs<sup>34</sup>.

It is also a democratic development that aims to build a fair democratic system by enhancing human capacities through the increased active participation of citizens, empowering marginalised groups and expanding citizens' choices and capabilities. This is closely linked to available opportunities, knowledge acquisition and institutional empowerment.

### 3 The interconnection between good governance and sustainable development

It is important to consider the relationship between good governance and sustainable development. Good governance is a means of achieving development, which can only be realised through the integration of legislative, executive, security, governmental and non-governmental policies, alongside a commitment to achieving these goals<sup>35</sup>.

Financial and economic legislation are key factors in achieving sustainable development. Strengthening good governance by emphasising the capacity of economic laws and regulations to yield optimal returns for development leads to the attainment of developmental goals<sup>36</sup>.

In summary, establishing effective governance and reinforcing its principles requires a comprehensive approach across all political, economic and social dimensions, as well as legal and constitutional reforms that support the country's sustainable development<sup>37</sup>.

## Secondly: Mechanisms of good governance for achieving development

The mechanisms and standards of good governance vary depending on the entities and interests involved. Some focus on economic growth, while others emphasise political openness. Here, we will focus on the most significant mechanisms.

### 1. The rule of law

<sup>31</sup> - Mohammad Mahmoud Al-Ajlouni, The Impact of Good Governance on Sustainable Economic Development in Arab Countries, article published on the internet.

<sup>32</sup> - The same reference, p. 04.

<sup>33</sup> - The same reference, p. 04.

<sup>34</sup> - The same reference, p. 07.

<sup>35</sup> - Mohammad Mahmoud Al-Ajlouni, the previous reference, p. 07.

<sup>36</sup> - The same reference, p. 09.

<sup>37</sup> - Al-Alja Menâa, Presentation titled "Good Policies and Development in Algeria", International Conference on: "Good Governance and Building the State of Institutions", the previous reference, p. 33.

The rule of law means that everyone — governors, officials and citizens — is subject to the law. Nothing is above the law, so legal provisions must be applied consistently. Furthermore, these laws must align with human rights standards. The rule of law is a fundamental characteristic of good governance and facilitates development<sup>38</sup>.

## 2. Strategic Vision

In the context of good governance, a strategic vision is defined by the concept of development through partnerships between public institutions and the private sector<sup>39</sup>. Such institutions can only thrive by developing human capacities, which are central to the progress and growth of the state<sup>40</sup>. Additionally, financial prudence is essential in moving beyond traditional public budgeting to manage public programmes within the framework of good governance and achieve development<sup>41</sup>.

## 3. Accountability

Oversight is critical in any governance structure<sup>42</sup>, and accountability mechanisms are among the most important methods for achieving sustainable development. These mechanisms include:<sup>43</sup>

Legislative accountability: Parliament plays a role in implementing government policies and overseeing their execution.

Executive accountability: The executive branch is subject to oversight and accountability measures.

Judicial accountability: The judiciary plays a vital role in upholding the principles of good governance.

## 4. Government effectiveness:

This refers to indicators that measure the extent of bureaucracy and the quality of services provided. Effective governance ensures that public services are delivered efficiently and meet the needs of the population<sup>44</sup>.

In summary, these mechanisms of good governance are vital for fostering sustainable development and ensuring the effective operation of the governance framework.

## Conclusion:

One of the most significant indicators of the success of good governance in leading to sustainable development is the rule of law. Governance based on the rule of law requires adherence to the laws of the state, where no legal provision can take precedence over a stronger one. It also necessitates equality before the law, implying equal treatment in judicial matters and equal political rights. This allows individuals to participate in governance and administration.

Furthermore, judicial independence is essential because it is the only means by which nations can achieve justice. This principle is enshrined in most constitutions and international human rights treaties, which recognise access to the judiciary as an inherent human right. Judicial independence is the true guarantor of justice, and the impartiality and integrity of judges are essential for establishing a state based on the rule of law.

Ultimately, successfully applying good governance anchored in these principles inevitably leads to sustainable development.

## Acknowledgement

<sup>38</sup> - Omarani Karbousa, Good Governance and the Future of Sustainable Development in Algeria, article published on the internet.

<sup>39</sup> - Ghada Mostafa Labib, Presentation titled: "Building Human and Institutional Capacities for Good Governance", Conference on: "Good Governance and Building the State of Institutions", the previous reference, p. 223.

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### Conflict of Interest

The author declares that there is no conflict of interest related to the authorship or publication of this article.

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