



IDENTITY CENTER

Policy Paper: Fostering a Parliamentary Democracy in Jordan through Electoral Reform



www.identity-center.org

In recent years, I have outlined on many occasions my vision for our political system: A small number of major, nationally based political parties, representing views across the spectrum. Only such a system is capable of offering the competition of ideas Jordan needs, as well as achieving the necessary parliamentary consensus on actions to be taken.

–*His Majesty King Abdullah II* (January 16, 2013)¹

Executive Summary

In the wake of increased opposition activity in Jordan during the events of the Arab Awakening, King Abdullah II wrote a series of policy papers in which he unveiled his vision for comprehensive political reform in the Kingdom. Highlighting the importance that he vests in the increased role of political parties, King Abdullah II stressed that “[t]he path towards deepening our democracy lies in moving toward parliamentary government, where the majority coalition in parliament forms the government.”²

Such a transformation in the political landscape of Jordan is absolutely crucial, as the current system prevents the empowerment of parties – and of parliamentarians more generally. While relatively free elections are currently being contested in the Kingdom, the system ensures that election results serve to both reinforce existing power structures and buttress the supremacy of tribal elites. As a result, political ideologies and political parties play only a marginal role in both elections and policy formulation.

As a result of this weakness, King Abdullah II has stressed the need for change to parliamentary government and that the “key driver of the timeline for this transition” will be the success of the Kingdom’s ability to develop national political parties that are capable of winning elections and forming governments.³ However, the legislation that the government has thus far produced cannot support this transition, as the reforms do not furnish parties with the necessary space to naturally develop and effectively play a role in government formation. Recent initiatives have focused on increasing the parliament’s role in forming the government, but without having secured a solid parliamentary system as a foundation. This contradiction has produced an impasse to democratic transition, as the crux of the issue is not the inability to form strong governments, but the inability to form strong parliaments: the latter must precede the former.

This paper proposes an alternate approach. It suggests concrete proposals for electoral reform, which will act as a catalyst to encourage parties to develop from the ground up whilst simultaneously ensuring that they have the requisite parliamentary space in which to mature. It focuses on four key reforms:

1. *The Electoral System*: Before political parties can play a larger role within the parliament, the Election Law needs to be reformed so that it does not inherently benefit loyalist and tribal candidates.
2. *Election Funding*: Regulations and oversight of party funding need to be revised to ensure that independent candidates are not financially advantaged in the electoral process.
3. *Voter Awareness*: Longer campaign periods and equal airtime for candidates must be provided. Otherwise, Jordanians will continue to lack necessary knowledge about the electoral process and candidates.
4. *Legislative Reform*: Electoral reform needs to be accompanied by constitutional reform, so that as the parliament becomes more representative its role in governance is clearly defined and guaranteed.

Research Methodology

A number of reports have focused on the shortcomings of the 2012 reform package. They have clearly demonstrated that the changes that were implemented were insufficient for the realization of a parliamentary democracy. This paper attempts to place these analyses within a broader framework of democratization in Jordan, and thereby address the specific conditions that have impeded efforts to empower the parliament. To facilitate this endeavor, the paper uses a synthesis of both scholarly and primary sources, which allows a simultaneous micro and macro examination. The theoretical and historical frameworks were largely derived from academic works, whilst information regarding the actual reform of the political system has largely depended on interviews, a focus groups, and a telephone survey. The Identity Center conducted the interviews with members of the parliament and government as well as party leaders. Using the results of the interviews, the Center subsequently convened a focus group with activists working towards democratic enhancement. Lastly, in support of the interviews and focus group, the Center conducted a telephone survey with a representative sample of Jordanians to access a wider cross section of Jordanian popular opinion.⁴ These three avenues of primary research were then integrated with the secondary research. Because the latter focused on broader issues of democratization and the former on specific solutions for affecting reform, the integration of the two sources allowed this paper's conclusions to provide a specific starting point for addressing broader issues in Jordanian governance.

Because the paper's findings and recommendations focus on electoral reform as the starting point, this paper has largely been crafted for policy makers to serve as a tool for pursuing the implementation of King Abdullah II's vision. It provides policy makers with a concrete first step for tackling long-standing issues that have plagued Jordan's political progress. Nevertheless, the paper will hopefully also serve as a useful resource for any organization or researcher that wishes to contextualize the current political situation in Jordan and identify the source of constricted efforts to reach deep democracy in the Kingdom.

Introduction

The role of political parties in Jordan has always been extremely limited. While many writers have argued that parties have declined in importance since their supposed height in the 1950s, their marginal role in Jordanian politics has largely remained constant.⁵ Inter-party dynamics have certainly shifted and the relative importance of individual parties has ebbed and flowed, but parties as a whole have consistently remained subject to the “good will” of the state.⁶ Neither their power in relation to the state, nor their ability to act as a link between the people and the authorities has ever been significant. Instead, parties, and indeed the parliament in which they contest seats, remain a visage for nearly unlimited executive power. Despite a long series of reforms, there has been minimal divestment of power away from the executive.

However, with the rise of grassroots political participation since 2011 and an increasingly visible willingness from the royal court to allow a decentralization of power, a renewed opportunity for democratic progress has emerged. The reforms that the government subsequently introduced, however, have been grossly insufficient and have failed to establish the necessary base in parliament to empower the parliament, blocs, and parties. To begin the protracted transition towards a parliamentary government in Jordan (and consolidate stability in the currently precarious socio-economic landscape), further parliamentary – and specifically electoral – reform is necessary.

To highlight the specific inadequacies of the 2012 reforms, as well as their broader context and identify the changes necessary for taking the first step in the climb towards parliamentary democracy, this paper begins with a brief history of political parties in Jordan vis-à-vis elections and their evolving role. It then examines the current situation and contextualizes the recent reform initiatives put forth by the government. It highlights their shortcomings and proposes a more effective means of empowering parties through a representative electoral system.

Historical Framework: “Defensive Democratization” and the Maintenance of a Neo-Patrimonial Rentier System

Post-Mandate Era (1946-1989)

In the first half of Jordan’s post-Mandate existence, the parliamentary system remained largely irrelevant because the legitimacy of the Hashemite monarchy rested not on the existence of a democratic system, but on the prevalence of neo-patrimonial relationships (in which the state uses its resources to ensure the loyalty of key members of society).⁷ This patron-client dynamic emerged as a result of Jordan’s economic dependence on foreign aid and remittances rather than taxation. As a result of these state-to-state transfers, Jordan evolved into a semi-rentier state, reliant on financial contributions from Arab oil-producing countries, the United States, and the West. Because aid, rather than taxation, persisted as a central feature of Jordan’s political and economic landscape, collective political demands remained insignificant. Through its distribution of resources, the state curtailed the development of the opposition and minimized political participation.

Such extensive societal depoliticization was facilitated by the existence of a semi-rentier state, as depoliticization is a “hallmark” of such a system.⁸ That is, “[i]n most developing countries, state appropriation of societal resources (‘taxation’) typically spurs the population to seek a greater voice in the allocation of state expenditures (‘representation’);” such societal pressure, however, is substantially weaker in a semi-rentier system.⁹ In contrast to the American declaration of “no taxation without representation,” in Jordan “no taxation, no representation” remained predominant.¹⁰

This dependence on neo-patrimonialism and foreign rents, however, rendered Jordan extremely vulnerable to shifts in regional and global power structures.¹¹ Such changes carried the potential to undermine the Hashemite monarchy, for its legitimacy depended not on coercion or ideology, but on the ability to provide socio-economic benefits to its people.¹² In effect, the state guaranteed loyalty by providing its citizens with sufficient standards of living and by coopting oppositional and elite elements of society.¹³ This cooption was accomplished by furnishing decisive personalities and groups in the Kingdom with important positions and material incentives. The need to perpetuate this system, however, made Jordan increasingly dependent on the continued flow of state-to-state rents.

The stability of these relationships was threatened when the flow of rents to Jordan began to dry up in the early 1980s. The two foundations of Jordan’s semi-rentier economy – remittances and oil-driven foreign aid – reached a high water mark in 1981, and subsequently witnessed a definitive decline.¹⁴ Between 1981 and 1987, Jordanian income derived from these two sources fell from \$2.3 billion to 1.5 billion.¹⁵ As a result, Jordan was forced to turn secretly to the International Monetary Fund (IMF) for assistance; IMF assistance, however, was predicated upon the reduction of both public expenditure and subsidies on basic commodities. The government’s compliance with these concessions provoked widespread opposition, and protests emerged across the Kingdom.¹⁶ As a result of its submission to the IMF, the state faced an unprecedented legitimacy deficit, and its traditional bases of support began to erode.¹⁷ It consequently cast out to secure a new means of maintaining legitimacy and ensuring loyalty, and determined that it could maintain existing power structures by providing them with a new veneer of legitimacy through the installation of a parliamentary façade.

The Era of Democratization (1989-1993)

In response to the protests, King Hussein launched an extensive, albeit controlled, program of democratic reform. He suspended martial law, greatly expanded the freedom of the press, restored parliamentary rule, legalized political parties, and ratified a National Charter defining their role. Initially, these reforms seemed to lay the foundation for both genuine reform in the Kingdom and an expanded role for political parties. Indeed, parties were provided with a renewed space to earnestly participate in policy, and the 1986 Election Law encouraged and benefited candidates running in political parties – particularly large parties; with the resumption of parliamentary elections in 1989, the Muslim Brotherhood, Jordan’s largest party, took 22 of the 80 seats in the Chamber of Deputies.

The government was shocked by the extent of the Muslim Brotherhood's electoral success. The reforms that the authorities had introduced were not intended to realize such extensive political reform; instead, they were supposed to act as a tool to pre-empt further challenges to the regime's legitimacy. The reforms, in effect, constituted a tactic of "defensive democratization," whereby the state attempted to provide a visage of reform that would disguise its simultaneous reification of traditional power structures.¹⁸ Because of this aim, the Brotherhood's electoral success caused the authorities to collectively recoil, as the movement had secured adequate representation within the government to allow it to exert a limited – but unprecedented – degree of influence.

Democratization at a Standstill (1993-2012)

The trepidation with which the government greeted the Brotherhood's success was subsequently reinforced when the Brotherhood (and other opposition forces) became increasingly vocal in its criticism of Amman's bilateral relationship with Israel.¹⁹ Criticism of Jordan's foreign policy was deemed unacceptable, as the security of Jordan's state-to-state rents was particularly precarious in the volatile post-Gulf War politico-economic context. The authorities were equally unwilling to tolerate the drastic transformation of the Kingdom's political landscape that an increase in party participation would provoke, as such a shift would jeopardize the state's neo-patrimonial base of support. Consequently, the state was forced to pursue a new means of restricting the role of political parties whilst maintaining the illusion of continued parliamentary democracy. The answer to this predicament was located in the genesis of a new election law; the government subsequently introduced the 1993 Election Law, which significantly curtailed the influence of political parties by pioneering a new method of voting.

The 1986 Election Law, which allowed multiple votes and encouraged candidate alliances, was replaced with a Single Non-Transferable Vote system (SNTV: "one person, one vote").²⁰ The SNTV system that was introduced combined multimember districts with the ability to only vote for a single candidate. As Jordan is a predominantly tribal society, the government hoped that by limiting voters to a single vote, they would cast their ballots based on tribal affiliation and not use additional votes to support ideological sympathies.²¹ Previously many Jordanians had based their first vote on tribal commitments, but had then used their remaining votes to support parties. As a result of the changes, parties fared much worse in the 1993 Election. The Muslim Brotherhood, for instance, lost half of its seats.²² Recoiling from its electoral losses, the Brotherhood decided to boycott the subsequent 1997 Election when it became clear that "one person, one vote" would not be revoked. The Brotherhood, however, was not alone in its antipathy to the new system: widespread opposition soon coalesced around the continued use of "one person, one vote."

Opposition to the Election Law remained constant, and the government, attempting to appease demands for further electoral reform, accompanied nearly every election between 1993 and 2010 with the introduction of a new election law. Each new law was purported to be a harbinger of democratic reform, but nonetheless maintained the imposition of the SNTV system. Each law, therefore, merely served to suppress discontent, but failed to affect real change. These modest manifestations of "defensive

democratization,” however, were drastically eclipsed by the far-reaching “defensive” reforms that were implemented following the events of the Arab Awakening in 2011 and 2013.

To prevent the opposition movement from boiling over in the first half of 2011, King Abdullah II announced the introduction of extensive changes. Subsequently, the King launched both the Royal Committee on Constitutional Review, which was tasked with reviewing the Jordanian constitution and proposing amendments that would both enhance civil liberties and promote political democratization, as well as the National Dialogue Committee, which was charged with examining possible changes to both the Political Parties Law and the Election Law. Out of these two committees emerged a number of recommendations, which the government reviewed and then attempted to implement. In the subsequent reforms, the scope of martial law and the jurisdiction of the State Security Court was restricted, a Constitutional Court was instituted, the Independent Electoral Commission (IEC) was established, a new Political Parties Law was passed, and, most importantly for the purposes of this paper, a new Election Law was introduced.

Election Law of 2012: New Law, Same Implications

In the lead up to reforms, opposition parties and movements demanded significant amendments to the extant electoral system. The opposition focused on the elimination of the “one person, one vote” system and the introduction of both a party list system as well as proportional representation. These demands were reflected within the new Election Law that was introduced in 2012, but only nominally.²³ The protesters, for instance, had called for a system in which fifty percent of the seats were allocated through proportional representation.²⁴ The new law, however, designates only twenty-seven out of one hundred and fifty to be contested through a proportional national list; the remaining seats are occupied by independent candidates who are elected based on the continued implementation of the 1993 SNTV system. As a result of this mixed electoral system, political parties are now confined to contesting a mere twenty-seven seats. Hence, even though the protests of 2011 *technically* led to reform and the removal of the hated “one person, one vote,” the system’s key precepts remain the method of determining the composition of the overwhelming majority of the house.²⁵ Owing to the limited nature of the reforms, the Muslim Brotherhood, a central force in the push for reform, dismissed the new Election Law as a mere “cosmetic change.”²⁶

Current Problem: An Electoral Law that Discourages Political Parties

King Abdullah II presented the above reforms as the first stage in the realization of his vision for Jordan’s transition to parliamentary government and deepened democracy. The reforms, however, did little to address prevailing power structures that were preventing parliamentary development. Instead, the changes that were made merely served to reinforce the patron-client relationship upon which the government has long depended, and simultaneously ensured the continued marginalization of ideological parties. In an interview with the Identity Center, Ahmad Shunaq, the General Secretary of the National Constitutional Party, argued that since the passing of the 1993 Election Law Jordan’s parliaments have remained “hostage” to executive power.²⁷ Indeed, like the 1993 Law, the 2012 Law was formulated to guarantee that without the need for election day

intervention the parliament would largely consist of members who are both loyal to the regime and unwilling to allow drastic changes to extant power structures.

The continuity of parliamentary composition is guaranteed by the stakes of the electoral contest. While being a member of parliament in Jordan offers an individual little opportunity to influence policy, the position vastly increases one's ability to access state resources. Consequently, elections are competitively contested for resource access, and voters elect candidates capable of directly distributing those resources.²⁸ The state need not interfere on election day or manipulate results, as the system not only self-perpetuates its own depoliticized nature, but also ensures the continued dominance of loyalist members within the house. This electoral conclusion is guaranteed by that fact that voters cast their ballots for candidates that have the greatest access to resources and the greatest ability to distribute *wasta* (connections), thereby willingly reinforcing dominant neo-patrimonial relationships.²⁹ In its simplest form, candidates who have a good relationship with the state – and are consequently more likely to gain access to resources – are more attractive to the electorate than their more oppositional counterparts.

However, because candidates are not merely considered attractive for their ability to access resources, but also to distribute them, candidates with a direct connection to voters are preferable. In Jordan, this means that tribal affiliations become particularly salient, as they represent the single most secure means of ensuring the direct diffusion of resources.³⁰ Previous polls clearly indicate that votes are much more frequently cast for candidates with whom the voters have close personal contact rather than candidates who reflect voters' opinions and ideologies. A candidate's ideology, political experience, and competence are secondary to his ability to access and distribute resources.³¹ Parties, therefore, retain only minimal importance, as they do not increase an individual candidate's ability to access and distribute resources. As a result, Bassam Hadaddin, who served both as Minister of Development and an MP and is a current senator, noted that the prevailing political system is characterized by individualistic relationships that are devoid of the prerequisite building blocks to enable political development.³²

Because the legislature is furnished with next to no ability to influence policy, much less create it, elections constitute a largely non-ideological process. Aware of the dearth of parliamentary power, voters do not cast their ballots based on ideological affiliation. Candidates, therefore, are not required – or even encouraged – to formulate an ideological platform, as both they and their electorates know that the parliament has little power over policy.³³ Moreover, because candidates are not elected for ideological reasons, they do not, as Bassam Hadaddin emphasized, attempt to exert a substantial political role once elected.³⁴ Joining a political party is equally unnecessary for the success of a candidate's campaign. The provision of an easily identifiable political platform will likely not result in the acquisition of increased votes. At the same time, there is no other incentive to work within a party, as the dominant party does not form the government.

This electoral trend has been meticulously engineered by the authorities. Relying on the tribal constitution of Jordanian society, the state knows that the electorate consistently opts to prioritize tribe and *wasta* over ideology. Exploiting the discrepancy between

primary and secondary votes, the state created the “one person, one vote” system to ensure that votes solely serve tribal, neo-patrimonial interests. In introducing the system, therefore, the state guaranteed that political parties would lose votes to loyalist independents. The government has continually reformed the electoral system since the 1993 introduction of “one person, one vote,” but every subsequent amendment merely constitutes a new manifestation of the same system. Political parties remain weak, and, consequently, the parliament endures as a façade that is entirely subservient to the executive.³⁵

Shortcomings of the 2012 Reforms: Perpetuating a Vicious Cycle

Dissatisfaction with political disenfranchisement reached a boiling point in the early 2010s as events in the region erupted during the Arab Awakening. Sensing the need for major reform, King Abdullah II not only introduced the reform package mentioned above, but he prepared to put Jordan on track towards his “vision” of parliamentary democracy. After the passing of the 2012 Election law and parallel reforms, King Abdullah II argued that the next step towards achieving his vision was a rectification of the means by which governments are selected.³⁶ Immediately before the 2013 parliamentary elections King Abdullah II declared:

After the upcoming elections, we will start piloting a parliamentary government system, including how our Prime Ministers and Cabinets are selected. [...] Historically, the Prime Minister and Ministers have been chosen for their leadership qualities and expertise, and approved by a vote of confidence in Parliament. [...] However, it is important that we start building our system of parliamentary government. As a first step, we will change how the Prime Minister is designated after this upcoming election.

1. The new prime minister, while not necessarily an MP, will be designated based on consultation with the majority coalition of parliamentary blocs.
2. If no clear majority emerges initially, then the designation will be based upon consultation with all parliamentary blocs.
3. The Prime Minister-designate will then consult with the parliamentary blocs to form the new parliamentary government and agree on its program, which will still have to obtain and maintain the Lower House’s vote of confidence.³⁷

While King Abdullah II’s plan was intended to put Jordan on the path towards parliamentary government, the requisite legislative capacities for greater involvement in the government have not yet been established. The 2012 electoral reforms moved the electoral system in the right direction, but the reforms were limited. They did not address the prevalence of neo-patrimonialism, stop the practice of extensive electoral gerrymandering (using electoral districts for political advantage), or encourage political parties. In short, they were (and remain) insufficient to inspire the creation of a party-based parliament in the near future – or even to facilitate significant parliamentary cohesion.³⁸

As a result of these reform shortcomings, the parliament proved to be incapable of performing its newly designated tasks listed above. In the two months following the parliamentary election the deputies were unable to agree upon a new prime minister, and subsequently caved under pressure from the Royal Court to extend the mandate of the incumbent head of the monarchically appointed, short-term government, Abdullah

Ensour.³⁹ Ensour subsequently held consultations with deputies regarding the composition of his cabinet, but later proceeded to ignore their recommendations and formed the government himself.⁴⁰ This regression highlighted the central impediment preventing the enhancement of the parliament's role in governance: *an electoral and parliamentary system that discourages the evolution of parties.*

As a result of 2013 reforms of internal parliamentary bylaws, the previously informal system of parliamentary blocs has been formalized. This development, as Member of Parliament Jamil al-Nimri posited in an interview with the Identity Center, is crucial, as blocs have now replaced individual representatives as the basic units of interaction within the legislature. As a result, representation in committees is now based on blocs, and interaction within the house has become more efficient. However, while the new bloc system will indeed help to reinforce the importance of ideology-based politics, it, will be for naught if it is not accompanied by electoral reform. Only through a more representative electoral process can a system based on parties and platforms come to full fruition. Blocs are an extremely useful aid in this process, but they do not represent a comprehensive, long-term solution for the empowerment of parliament as an instrument of democracy.

In an interview with the Identity Center, Hamzeh Mansour, General Secretary of Islamic Action Front (IAF) and former MP, argued that without first fostering the expansion of ideological parties in the parliament, the development of a parliamentary democracy in Jordan will be caught in a vicious cycle of contradictory policies. That is, the state continues to argue that parties need to play a greater role in the government, but, at the same time, does not allow parliament to engage with a system that encourages (or even allows) the development of political parties.⁴¹ This represents a massive paradox in policy. The state supports the involvement of parties in government, as they are purported to be necessary for the creation of parliamentary democracy; at the same time, however, parties are discouraged and marginalized at the parliamentary level, thereby preventing their ability to influence the government.

‘Abla abu ‘Olba, Secretary General of HASHD and a former Member of Parliament, posited in an interview with the Identity Center that the 2012 “parliamentary government” was doomed to fail, as parliament lacked the necessary foundation to play a role in the government.⁴² Without first ensuring that the necessary mechanisms for the enhancement of parties are present, continued attempts to foster a parliamentary democracy by focusing on the formation of governments will prove futile. The futility of these advances is inevitable, as *the critical obstacle preventing parliament's playing a greater role in government is not the process of forming governments, but rather the procedure for forming parliaments.*

A New Approach: Parliamentary Reform Before Parliamentary Government

A restructuring of the parliamentary electoral system must precede all other efforts to pursue deeper democratization in Jordan. A successful transition to parliamentary democracy is, as King Abdullah II concedes, a long-term project. Before genuine parliamentary democracy can be established in Jordan, comprehensive reform pertaining

to all aspects of the legislature is required. Indeed, Khalid Ramadan, a member of the National Dialogue Committee and General Coordinator of the National Progressive Stream, maintained in an interview with the Identity Center that “parliamentary reform is only one piece of the puzzle, you cannot reform it separately from the other powers in the government. It needs to be holistic approach involving the executive, legislative, and judicial powers.”⁴³

King Abdullah II and Ramadan are both correct; a protracted transition period will certainly be necessary before the executive becomes responsible to the legislature. However, by starting with electoral reform, and thereby deconstructing the neo-patrimonial relationships that define power structures in Jordan, the parliament will slowly develop greater cohesion, stronger ideological platforms, wider participation, and, consequently, superior capacity. The replacing of patron-client relationships with parties will function as a watershed change, triggering greater participation from the bottom up.

Creating a New Cycle

If political parties are encouraged, or even given equal opportunity to participate in elections, they would become the dominant platform for contesting elections. Because political parties are able to advocate policies as a cohesive unit, their potential to affect policy eclipses that of their independent counterparts. If parties were provided with equal opportunities, it would create an entirely new electoral trend, as parties would have the power to dominate the house. Consequently, the electorate would prefer to nominate a representative who is a member of a dominant party, creating a dynamic that could become the standard means of ensuring the realization of local interests. The electorate’s preference for party members could in turn encourage candidates to join major parties, as their membership would increase the chances of their electoral success.

Parliamentarians, as a result, would not be elected based solely on their ability to directly funnel resources to their constituents, but rather for their commitment to policies that are advantageous to their constituencies and the nation as a whole. This would decrease the importance of a candidate’s personal connection to the government and constituency and increase the importance of his or her platforms. Elections, as a result, would no longer be determined purely by access to resources, and elites and tribes would increasingly lose their inherent electoral advantage. Ultimately, the electoral system would decreasingly serve to reinforce the Kingdom’s extant neo-patrimonial connections.

Curing Apathy from the Bottom Up

Electoral and parliamentary reform would also animate democratization in another capacity. It could help to address a further impediment to the realization of deeper democracy in Jordan: widespread political apathy. While Jordan’s development as a semi-rentier state laid the foundation for depoliticization in the Kingdom, political indifference has been reinforced by a long-standing perception that elections are simply a front for a system that serves only to reward a small stratum of political cronies. However, by amending the electoral law to give parties a stronger position within the parliament, the state will encourage the proliferation of new parties. The need for a revised electoral system in which parties are encouraged was underscored by Khalid

Ramadan, who argued that incentivizing the Parties Law would act as a catalyst for political change.⁴⁴

Indeed, if elections are viewed with greater legitimacy, and not merely as a means of reinforcing patron-client relationships, Jordanians would forge formal political parties that represent their respective concerns, and stop relying exclusively on informal political movements to advance their interests. Jordanians polled in the Identity Center's phone survey indicated that they believe electoral reform is key to realizing a greater governance role for parliament.⁴⁵

Electoral reform will provide new parties with greater opportunity and, therefore, serve as a first step towards the achievement of a deeper democracy. By allowing new parties to emerge and extant parties to expand, the state could facilitate the natural progress of democratization, as it is fundamentally a process that must emerge from the bottom up.⁴⁶ Buttressing the importance of parties within the government enjoys widespread support among Jordanians.⁴⁷ Indeed, the opposition that took to the streets in 2011 did not demand an overturn of the system, but merely the ability to participate and pursue reform. Frustrated with the limitations of pursuing reform through formal parliamentary politics, the opposition mobilized itself through informal political movements rather than political parties. Nonetheless, these informal movements sought to secure their ability to participate in normal political life, and hoped that the subsequent 2012 reforms would enable this development. The reforms, however, fall vastly short of expectations; this does not bode well for the government. If sufficient reforms remain elusive in the near future, and a new forum for expressing opposition is not manifested within the parliament, opposition movements will inevitably take to the streets once again, pushing as always for greater participation and democracy. Were sufficient parliamentary reforms ensured, however, the opposition would likely move from the streets to formal politics.

The state, therefore, has an enormous stake in ensuring increased party involvement in the legislature. Its former exclusion of the opposition has pushed opposition movements to radicalize and resort to tactics outside of the "rules of the political game."⁴⁸ Allowing these movements to function within the parliament as parties would push them to use more orthodox tactics, and simultaneously force them to focus on pragmatic issues rather than idealist oppositional rhetoric. Giving parties greater relevance within the parliament would also allow them to play a greater role in monitoring, transparency, and accountability.⁴⁹ Party involvement of this nature has the capacity to provide the state with desperately needed support and legitimacy at a time when it is most in need of this assistance. Maintaining a "toothless" parliament and parties, on the other hand, could prove very harmful to the stability of the state at this crucial juncture.⁵⁰

It is in the state's best interest, therefore, to ensure that electoral reform leads to parliament's playing a greater role in governance. The authorities can buttress the parliament by both ensuring that the necessary electoral reforms are passed, as well as reinforcing them by entrenching increased parliamentary power in the constitution. Currently, there is no extant legislation clearly stating that the parliament forms the

government. This absence limits the parliament's ability to play an effective role in governance.

The aforementioned failure to form a parliamentary government after the previous elections despite discussion and consultation between the Royal Court and Parliament in part stemmed from the amorphously-defined role of the parliament. The process through which the parliament influences or forms the government remains vague. Because neither the constitution nor the parliament's internal regulations defines the process by which individual representatives, groups, parties, or blocs within the parliament form the government, the parliament was unable to make any decisions. Blocs are supposed to serve as units of interaction within the parliament; however, because their role vis-à-vis governance is not clearly established, they have not hitherto been formed around political ideologies. Instead, they have solely served the individual interests of participating representatives. As such, blocs remain vague entities, incapable of ensuring that their members vote in unison, let alone affecting policy or forming the government.

Recommendations:

To allow Jordan to take the first step towards parliamentary government, this paper provides suggestions that focus on the parliament's electoral process. While the first set of recommendations focus on the precepts of the Election Law specifically, the following two sets of recommendations focus on the electoral process more generally, and include reforms pertaining to the terms of the Political Parties Law and media laws. All of the suggested reforms, however, focus on the means by which the parliament is elected, as the current electoral system represents a Gordian knot of static politics, which is preventing political parties from playing a greater role.

Electoral System:

1. If the government is committed to realizing King Abdullah II's vision of a political system in which the parliament and its parties exert a meaningful influence, more seats need to be opened up to political parties. Enhancing the importance of parties can be accomplished by increasing the number of seats in the house that are contested through the proportionally representative national list. Limiting political parties to the contestation of a mere 27 seats prevents their playing a larger role in parliament, particularly in a country like Jordan where the electorate is divided and parties remain weak.⁵¹ Such a small percentage of nationally contested seats is insufficient to allow the natural genesis of stronger political parties. Allowing a larger number of seats to be decided based on the national list, however, would help to depreciate the importance of identity barriers, encourage political parties, and facilitate the cooperation of diverse social groups.
2. By increasing the number of nationally determined seats – a transformation that certain demographics may be suspicious of – the government can make the change more attractive to voters by replacing the current closed list voting system with an open list. An open list system would allow voters to maintain limited control over which candidate is elected, whilst also ensuring the increased importance of political parties. An open list system is, in fact, what the majority of opposition movements called for in 2011, and it is, as 'Abla abu 'Olba

emphasized, still extremely popular.⁵²

3. While restricting the national list to political parties would be contrary to international electoral standards, the position of political parties within this contest should be encouraged. Introducing list requirements for independents that are similar to those of political parties would help to realize this parity. Independent lists, for instance, could be required to present proof of sufficient, cross governorate support. Were such a suggestion deemed to be unfairly promoting political parties over independent candidates, parties should be provided with the mechanisms to effectively compete in the majoritarian system as well.
4. The electoral districts need to be revised to prevent excessive gerrymandering. Unequal vote value and seat distribution has led to a widespread belief (particularly among Palestinian-Jordanians) that elections are meaningless. Making elections more representative and votes more equal in value will help to rebuild the confidence of the electorate and encourage participation among voters who have long been marginalized in the prevailing system of resource-based voting.

Funding:

1. To prevent affluent, independent candidates from securing electoral victories through vote buying and elaborate campaign efforts, strict per candidate campaign funding caps should be imposed. A per candidate limit would simultaneously undercut these unsavory practices and benefit political parties, as it will allow each of a party's participants to spend within the limit. This would both reinforce the campaign efforts of nationwide political parties as well as undercut the importance of neo-patrimonial links.
2. Parties and independents should be required to open campaign-specific bank accounts, and provide detailed reports of their finances to the IEC. The IEC should in turn make these statements publically available. Candidates who do not comply with these requirements or infringe upon them should face legal prosecution.
3. Larger parties should be encouraged with greater electoral funding. Rather than providing equal funding to every party, funding should instead depend on the party's size, number of candidates, and previous successes. Such a graduated funding scheme would encourage smaller parties to coalesce into larger ones, thereby facilitating the realization of King Abdullah II's desire to have large political parties that serve as umbrellas for the different sides of the political spectrum. Increased funding for larger parties would allow parties greater penetration of the electorate and encourage the electorate to vote on ideological grounds.

Voter Awareness:

1. Ideological voting can also be encouraged by allowing longer campaign periods. Currently, elections are announced very soon before their contestations. This provides parties with insufficient time after nominations to launch effective campaigns. Longer campaign times, therefore, should be introduced so that parties

- are able to effectively articulate and disseminate their platforms and, consequently, build support.
2. A limited amount of free airtime should also be made available to all political parties and candidates contesting seats in the national list. The IEC should ensure that airtime is provided equally to all political parties. Similarly, private media outlets should be required to set standardized costs for campaign advertisements, so that all parties and candidates are subject to equal fees.
 3. The government should also encourage electoral participation through the use of voter awareness campaigns. Awareness campaigns will require the government to devote considerable media attention to increasing voter understanding of the electoral process and the parties and candidates involved in it.

Legislative Amendments:

1. The government should constitutionally define the parliament's power to the form the government and the process by which that formation is accomplished. Based on the current system, this would most easily be done using blocs as vehicles of government formation.
2. The government should modify the internal regulations of the parliament in a way that enables parliamentary blocs to play a clear and effective political role. This can in part be accomplished by defining the procedures for bloc formation as well as the obligation of bloc members to vote along bloc lines if they wish to retain their membership.

¹ King Abdullah II ibn al Hussein, "Each Playing Our Part in a New Democracy," His Majesty King Abdullah II ibn al Hussein Official Website, March 2, 2013.

<<http://kingabdullah.jo/index.php/en_US/pages/view/id/249/print/1.html>>

² King Abdullah II ibn al Hussein, "Making Our Democratic System Work for All Jordanians," His Majesty King Abdullah II ibn al Hussein Official Website, January 16, 2013. <<http://kingabdullah.jo/index.php/en_US/pages/view/id/248/print/1.html>> King Abdullah II's plan is very much in line with popular opinion within Jordan. During the Identity Center's phone survey on reforming the political system, which was undertaken for this paper, 82.76% of Jordanians polled answered that they thought parliament should play a political role, whilst only 17.24% stated that they thought that it should not.

³ King Abdullah II ibn al Hussein, "Making Our Democratic System Work for All Jordanians."

⁴ The Identity Center undertook a 500 person, semi-representative poll with a +/- 3% margin of error. Each participant was asked 9 questions, 4 of which were yes or no questions, whilst the remaining 5 were multiple choice.

⁵ See Ellen Lust-Okar, "The Decline of Jordanian Political Parties: Myth or Reality?" *International Journal of Middle East Studies*, Vol. 33, No. 4 (Nov. 2001): 545-569.

⁶ Lust-Okar, "The Decline of Jordanian Political Parties: Myth or Reality?" 546.

⁷ Rex Brynen, "Economic Crisis and Post-Rentier Democratization in the Arab World: The Case of Jordan," *Canadian Journal of Political Science* Vol. XXV No. 1 (March 1992): 75.

⁸ Glenn E. Robinson, "Defensive Democratization in Jordan," *International Journal of Middle East Studies*, Vol. 30, No. 3 (Aug. 1998), 390.

⁹ Brynen, "Economic Crisis and Post-Rentier Democratization," 75.

¹⁰ Brynen, "Economic Crisis and Post-Rentier Democratization," 75.

¹¹ Curtis R. Ryan, "Working Paper 7: Civil Society and Democratization in Jordan," *Knowledge Programme Civil Society in West Asia* (Amsterdam: University of Amsterdam, 2010), 13.

-
- ¹² Hesham al-Awadi, *In Pursuit of Legitimacy: The Muslim Brotherhood and Mubarak, 1982-2000* (London: Taurus Academic Studies, 2004), 9-10.
- ¹³ Brynen, "Economic Crisis and Post-Rentier Democratization," 78.
- ¹⁴ Brynen, "Economic Crisis and Post-Rentier Democratization," 84-85.
- ¹⁵ Kathrine Rath, "The process of Democratization in Jordan," *Middle Eastern Studies* Vol. 30, No. 3 (1994): 538; and Brynen, "Economic Crisis and Post-Rentier Democratization," 85.
- ¹⁶ Rath, "The process of Democratization in Jordan," 540.
- ¹⁷ Rath, "The process of Democratization in Jordan," 541.
- ¹⁸ See Robinson, "Defensive Democratization in Jordan."
- ¹⁹ Amin Ali Alazzam, "Political Participation in Jordan: The Impact of Party and Tribal Loyalties Since 1989," Durham Theses, Durham University, 2008, 137. <<<http://etheses.dur.ac.uk/2183/>>>
- ²⁰ "Jordan's 2010 Election Law: Democratization or Stagnation?" Konrad Adenauer Stiftung, Jordan Office, October 28, 2010. <<<http://www.kas.de/jordanien/en/publications/20947/>>>
- ²¹ Alazzam, "Political Participation in Jordan," 137.
- ²² Curtis R. Ryan "Elections and Parliamentary Democratization in Jordan," *Democratization* Vol. 5, No. 4 (1998): 182; and Linda Shull Adams, "Political Liberalization in Jordan: An Analysis of the State's Relationship with the Muslim Brotherhood," *Journal of Church and State* Vol. 38, No. 3 (Summer 1996): 521.
- ²³ Curtis R. Ryan, "The Implications of Jordan's New Electoral Law," *Foreign Policy*, April 13, 2012. <<http://mideast.foreignpolicy.com/posts/2012/04/13/the_implications_of_jordans_new_electoral_law>>
- ²⁴ Ryan, "The Implications of Jordan's New Electoral Law;" and Hamzeh Mansour, interview with the Identity Center, November 4, 2013.
- ²⁵ Kristen Kao, "Jordan's Ongoing Election Law Battle," Carnegie Endowment for International Peace, SADA, July 5, 2012. <<<http://carnegieendowment.org/2012/07/05/jordan-s-ongoing-election-law-battle/ck59>>>
- ²⁶ Kristen Kao, "Jordan's Ongoing Election Law Battle."
- ²⁷ Ahmad Shunaq, interview with the Identity Center, September 12, 2013.
- ²⁸ Ellen Lust-Okar, "Elections Under Authoritarianism: Preliminary Lessons from Jordan," *Democratization* Vol. 13, No. 3, (2006): 459.
- ²⁹ Lust-Okar, "Elections Under Authoritarianism," 460.
- ³⁰ Lust-Okar, "Elections Under Authoritarianism," 461.
- ³¹ Phone survey participants were asked, "Do you think that MPs as individuals have political experience?" In response, an astonishing 100% answered in the negative.
- ³² Ahmad Shunaq, interview with the Identity Center, September 12, 2013; and Bassam Hadaddin, interview with the Identity Center, September 7, 2013.
- ³³ When phone survey participants were asked, "To what extent do you think that the parliament is playing a political role?" 3.57% answered, "parliament is very active politically," 35.71% answered, "parliament is weak politically," and 60.71% answered, "parliament is not active politically at all."
- ³⁴ Bassam Hadaddin, interview with the Identity Center, September 7, 2013.
- ³⁵ When phone survey participants were asked, "How would you describe the relationship between the parliament and the government?" 0% described it as a "partnership," 75.86% said that "the parliament is subservient to the government," 6.9% said that "the government is subservient to the parliament," and 17.24% defined the relationship as a "Conflict." Similarly, when phone survey participants were asked, "Do you think that the parliament is sufficiently independent to play a political role?" 0% answered, "parliament is fully independent," 27.59% answered, "parliament is partially independent," and 72.41% answered, "parliament is not independent."

³⁶ King Abdullah II ibn al Hussein, "Making Our Democratic System Work for All Jordanians."

³⁷ King Abdullah II ibn al Hussein, "Making Our Democratic System Work for All Jordanians."

³⁸ Marwam Muasher, "Jordan's Proposed Constitutional Amendments – A First Step in the Right Direction," Carnegie Endowments for International Peace, August 17, 2011. << [>>](http://carnegieendowment.org/2011/08/17/jordan-s-proposed-constitutional-amendments-first-step-in-right-direction/5tz7)

³⁹ Osama al-Sharif, "Jordan's New Government: Same Old Politics," *al-Monitor*, March 31, 2011. << [>>](http://www.al-monitor.com/pulse/originals/2013/03/jordanian-government-formation.html)

⁴⁰ Al-Sharif, "Jordan's New Government: Same Old Politics."

⁴¹ Hamzeh Mansour, interview with the Identity Center, November 4, 2013.

⁴² 'Abla abu 'Olba, interview with the Identity Center, September 8, 2013.

⁴³ Khalid Ramadan, interview with the Identity Center, September 10, 2013.

⁴⁴ Khalid Ramadan, interview with the Identity Center, September 10, 2013.

⁴⁵ When phone survey participants were asked, "Do you think that reforming the Election Law will increase the ability of parliament to play a larger political role?" 82.14% answered in the affirmative, and 17.86% answered in the negative.

⁴⁶ Robinson, "Defensive Democratization in Jordan," 389.

⁴⁷ When phone survey participants were asked, "Do you think that having a greater number of MPs from political parties will improve the political role of the parliament?" 58.62% answered in the affirmative, 20.69% answered in the negative, and another 20.96% stated that they did not know.

⁴⁸ See Khaled Hroub, "Jordan: Possibility of Transition from Electoral Rut to a 'Constitutional Democratic Monarchy'," *Arab Reform Initiative*, December 2007.

⁴⁹ Hroub, "Jordan: Possibility of Transition from Electoral Rut," 4.

⁵⁰ Hroub, "Jordan: Possibility of Transition from Electoral Rut," 4.

⁵¹ Danya Greenfield, Reem Obeidat, and Gretchen Birkle, "Changes in Election Law Are Missed Opportunity in Jordan," International Republican Institute (IRI), December 3, 2012. << [>>](http://www.iri.org/news-events-press-center/news/changes-election-law-are-missed-opportunity-jordan)

⁵² 'Abla abu 'Olba, interview with the Identity Center, September 8, 2013.