

Building Democracy in Jordan:

Women's Political Participation

Political Party Life and

Democratic Elections

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The three discussion papers included in this report were prepared in 2003 as part of a project carried out by International IDEA, in cooperation with the Arab NGO Network for Development (ANND), aimed at discussing democratic reform in Egypt, Jordan and Yemen. The project was made possible thanks to a generous grant from the Government of Germany, Federal Ministry for Economic Cooperation and Development.



Preface

Internal pressures and advocacy for change have raised awareness and precipitated debates about the nature and need for reform processes in many Arab countries. Such debates have drawn in a diverse range of groups articulating interests and defining their own political programmes. In this context, electoral processes, women's participation and political parties have emerged as central issues in political reform agendas in the Arab world.

The establishment in the mid-1990s of pan-Arab and transnational satellite television and radio channels widened space for debate that was not subject to national-level restrictions and censorship. In addition, the ratification by many Arab governments of international conventions related to political and economic reforms and the abolition of all forms of discrimination against women has offered new leverage for change. Demographic trends (60 per cent of the population in these countries is under adult age) are giving added impetus to demands for further economic and political reform.

As a result, many reforms have been introduced in countries like Bahrain, the United Arab Emirates, Qatar and Kuwait, while political openness has been developing in Yemen. Advances continue in Jordan and Morocco, where reforms were already in progress.

The first United Nations Development Programme (UNDP) *Arab Human Development Report* (AHDR) (2002), prepared by Arab scholars and experts, identified the three most important development challenges facing the Arab world as deficits in knowledge, freedom, and women's empowerment. In the conclusions of the AHDR—echoed in the declarations of many Arab reformers and regional networks—the way forward in Arab countries is seen as lying through 'promoting good governance' and 'reforming the state institutions, and activating the voice of the people'. Emphasis was placed on:

- comprehensive political representation in effective legislatures that are based on free, honest, efficient and regular elections;
- legal and administrative procedures which guarantee citizens' rights and are compatible with fundamental human rights, particularly the rights to freedom of expression and freedom of association for all; and
- women's participation in political, economic and other societal institutions.

By focusing on electoral systems and processes, women's participation and political parties, IDEA's project on Democracy in the Arab World, as defined in the

second half of 2002, was directly related to these themes and to the reform agendas being elaborated in the three focus countries, Egypt, Yemen and Jordan.

The second AHDR (2003) has since focused on one of the three challenges identified in 2002—the building of a knowledge society. It acknowledges that since 2002 there has been some progress in the advancement of women and in some aspects of popular participation, ‘yet these bright spots, accompanied briefly by dawning awareness of the need for reform, were partly eclipsed by new setbacks in the area of freedom of opinion, expression and association’. The need for extensive dialogue and consensus building around agendas for political reform is more important than ever. It is hoped that the IDEA project can contribute to this process.

This report—*Building Democracy in Jordan*—is one of the most important outcomes of a project carried out by International IDEA, in cooperation with the Arab NGO Network for Development (ANND), aimed at discussing democratic reform in Egypt, Jordan and Yemen. The aim of the project has been to contribute comparative analysis and information on good practice so as to enrich debate on democratic reform in the three countries.

The project focused on three interconnected themes seen as entry points to help establish a reform-oriented agenda: electoral system reform, the political participation of women and the development of political parties. The challenges, opportunities and recommendations identified in the report are the result of the work of research teams in each of the three countries together with the contributions made during the regional meetings organized by the project.

At national level in the three focus countries, teams of experts were set up representing different viewpoints who carried out in-depth studies of electoral reform, gender in politics and the functioning of political parties, consulting various local stakeholders. The three expert teams were brought together at a workshop in Beirut in October 2003 to review the preliminary conclusions and help in drawing up the country reports.

The critical challenges facing democratization in the Arab world reflect themes that are central to IDEA’s work in general—the conduct of free and fair elections, the political inclusion of women, and the functioning of political parties. A regional perspective is crucial to understanding the trends in democracy in the Arab world. IDEA’s efforts aim to provide a forum for dialogue within and between Arab countries, seeking to identify and establish good democratic practice in the region. In this context, this report on *Building Democracy in Jordan* should be seen as a reflective contribution to the ongoing discussions about democracy, a basis for further dialogue.

We hope that this project contributes comparative analysis of and information on good practice in democratization in order to enrich debate about democratic reform in Egypt, Jordan, Yemen and beyond. The project has aimed to identify the main challenges and opportunities for reform that may also be valid for other Arab countries engaged in democratic transition or for the international community that



is interested in supporting the process of reform in the Arab world.

Regarding **electoral processes**, the findings of the project seem to suggest that government and national stakeholders promote greater independence and professionalism in election administration, systematic authorization for domestic election observation, the establishment of mechanisms for the resolution of electoral disputes, equal access to the media for political parties and some regulation of campaign financing. On electoral system design, the introduction of mixed electoral systems is suggested so as to improve representation and legitimacy. Continued broad national debate on electoral reform is an important way to achieve consensus on this and other matters.

To enhance the **political participation of women**, the report is proposing to government and national stakeholders that more serious consideration be given to the potential of electoral systems, as well as to affirmative measures and gender quotas for political parties and other institutions. Gender issues are best promoted through specific structures inside government as well as specific public institutions such as an ombudsperson on discrimination against women. Civil society should gender-mainstream its programmes, and regional networks and alliances should be built to support the gender dimension in democratization agendas.

On the **development of political parties** as effective actors in democratization, it is suggested that political party law should be modernized and stronger guarantees of freedom of association should be established. In the short term, parties should move to democratize themselves, whether or not legislation is used. Inter-party dialogue should be facilitated at regional and national levels.

Country studies prepared during the course of the project indicate three levels of engagement to create change and implement reforms.

- *The legal environment*: the amendment of or creation of new legislation that can promote women's participation, strengthen political parties and reform electoral processes. This level concerns mainly governments and parliaments, but it also concerns political parties, research centres and other civil society organizations that should create a dialogue space with governments in order to reach consensus on new laws and measures.
- *Internal governance and capacity*: political parties and women's organizations should develop strategies for change and create alliances in order to give an example that governments could follow. They need to be democratic and representative in order to gain credibility, build confidence and construct a strong public opinion base to support lobbying efforts.
- *The social, cultural and economic environment*: reforming and opening economic sectors in order to enable more women to join in productive activities; and changing educational curricula to raise awareness of women's roles, the importance of political parties, a citizenship culture, and freedom of choice and election. This level also concerns the media and information sectors. The media play a

major role in shaping people's minds. Any reform plan should be mirrored by independent and free media where different stakeholders present their views and people choose those who best reflect their interests and values.

IDEA and ANND consider that there are distinct opportunities for democratization in the region, but recognize that each country needs sufficient space and time to develop its own reform agenda and democratization strategy and to craft its own democratic institutions according to its particular cultural, political and historical circumstances. For a successful engagement in support of democratization, international actors need to develop credibility by establishing collaboration based on genuine dialogue and long-term commitment. Both IDEA and ANND hope to build on this first project and contribute in this way to a reform process that is nurtured and shaped by internal debate and dialogue with all interested parties.

Finally, we would like to extend our deepest gratitude to Ziad Majed, Martin Ängeby and Nadia Handal Zander for coordinating this ambitious and rewarding project, along with Ibtissam al-Attiyat, Musa Shteivi, Suleiman Sweiss and all other writers and thinkers that have helped in developing these reflections on building democracy in the Arab world.

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Introduction and Executive Summary

1. Political Conditions in Jordan

1.1. Participation in Public Life and Its Impact on Women in Jordan

Jordan has seen important achievements in recent years regarding women's rights and empowerment and the raising of their status in society. In addition to increasingly entering the workplace, education and politics, women have recently obtained a number of rights, represented in amendments to some laws, including a quota of seats for women in Parliament, and provisions related to divorce initiated by the wife, male polygamy, and the raising of the legal age of marriage. In addition, a gender perspective was incorporated in the five-year national development plan for 1999–2003 in various state institutions and government departments.

Women's participation in public life and politics became a central concern after the setting up in 1954 of the Arab Women's Union, whose role was focused on boosting women's political awareness, in addition to eradicating illiteracy and preparing women to exercise their rights. Among other things, the Union gathered signatures for a petition calling for women to be given the right to vote and stand for office and for this right to be granted to illiterate women, as illiterate men enjoyed these rights.

1.1.1. Women's Issues Drowned in the Political Chaos of the Region

Unfortunately, electoral activity was banned in Jordan in 1957 after martial law was declared, and implemented for some three decades, following major political upheavals in the region. After the 1967 defeat by Israel and the flight of many Palestinians to Arab countries, especially Jordan, women's activities began to appear as part of the general political mobilization that was under way. Thousands of women's demonstrations were organized, but this did not take place through specific

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organizations. Women's movements became part of the pan-Arab nationalist struggle, in which women's issues were considered less important.

Women's activism returned to the scene in an organized fashion at the beginning of the 1970s thanks to the United Nations (UN) Year of the Woman. All women received the right to vote and stand for office in 1974, although they were unable to exercise these rights under martial law. Thereafter, influenced by the international women's agenda, a broad group of specialized women's organizations began to appear. Through seminars, conferences and media campaigns, they organized their domestic agenda, raising issues such as violence, 'crimes of honour', and the need for legislation banning discrimination—all issues that are still being raised today. They have conducted intensive awareness and educational programmes, carried out training programmes for female voters and candidates, maintained contact with leading political and intellectual figures to open channels of dialogue with them, and built relationships with the media. There is today a considerable female presence (estimated at about 30,000) in voluntary and civil organizations.

Recently, the Jordan First initiative, launched by the state in 2002 prior to the elections that produced the current legislature, established a committee to deal with women's issues tasked with submitting proposals to boost female participation in public life. The royal family has also supported amendments to various laws, such as the Temporary Law on Personal Status and Passports, which gives women rights as a person or citizen.

1.1.2. Women and the Executive and Judicial Bodies and Political Parties

There has been some female participation in the executive branch of government, in positions that are filled by appointment. The first female Cabinet member was named in 1976. Six governments and eight years later, in 1984, a second woman was appointed minister, and another nine years passed before one more woman reached this status in 1993. Since 1997, of the four governments formed, three have had women members. Such representation has been basically symbolic (one female Cabinet member at most).

Participation in drafting government policies also involves the judicial corps, which in Jordan is not an independent body but affiliated with the Ministry of Justice. The number of female judges has risen to 16, or just 3.2 per cent of the kingdom's judges.

As for participation of women in political parties, there is no female presence worth mentioning in three out of 31 active parties, while the percentage of women in the remainder of the parties is only 8 per cent of the founding committee in the best of cases.

To encourage women to participate in local politics, the Cabinet appointed 99 women in 1994 to municipal committees that were formed to prepare for elections to municipal councils and mayors. As a result, an unprecedented 20 women stood in

the elections of 1995, one of them winning a mayor's seat and nine winning council seats. The number of female candidates has risen since, with varying results, and in 2003, 27 per cent (or 94) of the total appointed seats were granted to women in order to secure at least one female member in each municipal council.

1.1.3. . . . and in the Legislature

Such affirmative action is also present in the Election Law, which the government amended in 2003, to include a quota for women of six parliamentary seats (out of 110). In 2003, six female candidates secured parliamentary seats, none of them by securing enough votes, showing that affirmative action was necessary to ensure female participation.

The extensive politicization of women's issues of the past two decades has led the Islamist movement to develop its own female discourse, which differs from the patriarchal discourse in that it deals with women in terms not of morals but of rights.

1.2. The Political Parties

In Jordan, political parties go back to the founding of the state and experience with parties has undergone various phases. The constitution of 1952 stated the right of citizens to set up and join political parties, and this was confirmed by the Political Parties Law of 1955. In that period, Jordan had active parties and held parliamentary elections that led to a coalition government formed by the whole of the country's political spectrum. In 1957, martial law was declared and parties were banned for about three decades. A new Political Parties Law was issued in 1992 and life began to return to the old political parties, while new ones emerged. They have participated as such in three parliamentary elections since then (in 1993, 1997 and 2003) but have not been able to play their role in democratic transformation and political participation. As of June 2003, there were 31 licensed parties.

1.2.1. Political Parties and Regional Politics

In the beginning, political parties were a reflection of traditional social structures. Some had pan-Arab nationalist orientations. Others were Jordanian nationalist in orientation and sought to act as an active opposition to the governments of the day and against British influence in the country. Between 1928 and 1935, these parties held five national conferences, with wide representation of tribes as well as intellectuals, professionals, and religious and ethnic minorities. Laws were passed that limited their right to assembly and opposition figures were exiled or put under house arrest, which had a negative effect on political life in the next decade.

The post-World War II period saw new leaderships emerge, in particular that

of the Muslim Brotherhood, led by merchants and businessmen, and party life was much influenced by challenges in the region and the Arab world, such as the loss of Palestine, and issues such as freedom and liberation from imperialism, the emergence of the communist and socialist trend throughout the world, and Arab unity. Large segments of the population—the middle class, professionals, workers and members of tribes—joined these parties. After 1957, parties went underground.

After the 1967 war and Israel's occupation of the West Bank and the Gaza Strip, most parties' sole concern was to liberate Palestine. Parties being illegal, they remained active through legal and licensed organizations, such as labour unions and professional associations. Leftist and nationalist parties exercised a considerable degree of domination over these unions and associations, and their influence continues.

In the mid-1980s, Jordan experienced a severe economic crisis and the government began to implement a structural adjustment programme under the supervision of the World Bank. This led to a popular uprising, which began to demand democracy. The separation from the West Bank in 1988 helped prepare the domestic political and legal climate for a return to parliamentary life: parties and party members took part in the 1989 parliamentary elections.

Before the Political Parties Law of 1955, the executive branch controlled matters by registering political parties. After Jordan achieved independence in 1946, there were growing calls for party-related legislation. However, the Political Parties Law of 1955 gave the Cabinet the right to accept or reject applications for licensing and the right to dissolve a party, its decisions being final and not subject to appeal, giving the government the possibility of preventing parties from carrying out normal, free political activity.

1.2.2. The Current Political Parties Law

The current Political Parties Law (of 1992) grants the minister of the interior the power to announce the setting up of the party if he finds that the application has satisfied all the provisions of a law. It protects a party's headquarters and communications from surveillance and seizure, and sets down a number of strict controls on the activity of parties, including financial regulations, and relations with other states and foreign parties. In contrast to its predecessor, it gives parties the opportunity to resort to the judiciary to challenge a decision by the minister of the interior if he fails to announce the formation of any political party.

This law should be considered one of the benefits of the period of democratic openness, a transitional stage from an era in which the state completely dominated political life to an era of change towards a re-equilibration of the relationship between state and society in a democratic regime. In the prevailing political culture, the executive authorities are hostile to political parties, and in fact the Political Parties Law fails to stipulate the right of parties to participate in government or rotate in office, although there is nothing in the law to prevent them from doing so. On the

other hand, the legacy and culture of parties that were formed underground during the 30 years of martial law did not lead to a tradition of democratic practice of open, legitimate, and peaceful activity or develop a mechanism of transferring such activity to the spheres of Parliament, institutions and the public. The law can and should be improved to free it from the more excessive measures that reflect a lack of trust in the past and current position of the parties, and should also clarify the legal status of parties and the objective of democratic rotation in office.

In the period after the Political Parties Law was issued, ideological parties that had previously been illegal (Arab nationalist, leftist and Islamist) were licensed. After that, new parties arose, most of which do not have more than a few hundred members. The parties can be divided into four broad groups: Islamist, leftist, Arab nationalist, and centrist or Jordanian nationalist. Generally speaking, parties do not practise democracy internally, within the party structures themselves, and this casts some doubt on their commitment to the democratic process.

As for the political performance of parties, it is modest when it comes to getting their members elected to Parliament. Most members are independents or are elected on the basis of tribal ties. The majority of parties in fact do not declare their candidates, who stand as independents for fear that voters from tribal and rural areas will refrain from voting for them if they are seen as affiliated with a political party.

1.2.3. Political Parties and Tribal Politics

The weakness of the political parties in Jordan can be seen as largely due to their being banned for about 30 years. At the founding of the Jordanian kingdom, the tribe was the most important political and social organization, and played an important role in the formation of the new state. In the 1950s, the spread of pan-Arab nationalism, among other factors, reduced its role, especially regarding mass political action, but during the long interval of martial law the role of the tribe resurfaced. In the absence of political parties, the state dealt directly with society through its various segments, the tribes in particular. This situation meant that parties were not necessary as a channel for people to reach the authorities, as providers of services or to solve problems. While tribal organization adjusted and evolved to become a pillar of society in its dealings with the state, the parties were not allowed to do this and were left outside the process of political development, and today various segments of society do not see parties as a means to achieving their goals.

The Jordan First initiative and the committees set up as a result, including one on political parties, reflect the state's desire to improve political party life and its awareness of the importance of political parties in the democratic transformation, as well as its awareness that there is currently a problem that must be solved. The Committee on Political Parties has stated that there can be no democracy without effective political parties and made a number of recommendations, some addressed to the state and some to parties. The state has indicated a desire for national parties

to participate in the process of political development as part of Jordan's democratic transformation, and the king himself has proposed that parties merge into three or four parties based on specific political and ideological orientations.

1.3. Electoral Systems

The last four elections (in 1989, 1993, 1997 and 2003) produced various types of practices connected with the election process—a type of election culture. In the 1950s, candidates came mostly from the ranks of political or party activists, and parties enjoyed a reasonable degree of freedom. Today, after party activity was banned for over 30 years, a large number of candidacies for election to Parliament are on a tribal or individual, independent basis, which explains the very large number of candidates, some of whom gain only a few dozen or hundreds of votes, which indicates that there is no objective justification for their standing.

1.3.1. The Election Culture

Elections are occasions for very lively social activity on a local basis. Candidacies are often declared long before the campaign season, with future candidates working to build their presence in society and improve their ties to the public, for instance, by sending congratulations and gifts on occasions such as weddings and participating at public meetings, whatever their nature. Upon the official opening of the campaign, political, social and tribal groups select candidates and declare candidacies through newspapers, contacts or invitations to meetings. Within a number of tribes a preliminary vote takes place to select a candidate, or more than one if the tribe extends across more than one electoral district. Party candidates announce themselves as such, individually or as a group. Independent candidates simply declare that they have opened their electoral headquarters.

Campaign headquarters become meeting places for friends, relatives and supporters, sometimes until late at night, with much discussion, while sweets, coffee and cigarettes, and sometimes meals, are offered. The weeks leading up to the election feature rallies, banners with campaign slogans, and debates. The election process itself routinely involves accusations of voting fraud of all kinds. When the results are announced, the winning candidates' headquarters come alive with celebrations. In the days that follow, the newspapers print announcements congratulating the winners and statements by losing candidates.

Among the most important of the beliefs underlying this election culture is that elections are at heart a tribal affair. There is also the prevalent belief that the office of deputy allows its holder to provide services for people and to relay people's demands to government decision makers. However, in the popular consciousness 'deputy' also means a lack of credibility and failure to honour commitments and promises. The idea of the deputy as a representative of the entire people, exercising legislative authority

and able to hold the government accountable, is far from citizens' minds.

1.3.2. The Election Process

Promulgated in 1947, the first constitution of the newly independent Kingdom of Jordan granted the king exceptional powers. Legislative authority was vested in the National Legislature and the king. The legislature was made up of a Chamber of Notables and a Chamber of Deputies. A new constitution adopted in 1952 strengthened the power of the legislative and judicial authorities and introduced some controls on the executive, while clearly mentioning a large number of basic freedoms and rights for individuals.

In 1957, flying in the face of the constitution, all political parties were banned. The period up to 1993 saw great political turmoil due to the conflicts in the region, with many amendments to the constitution, executive authority recovering its absolute power, elections being suspended or delayed, and the election laws being amended and re-amended. Prior to the 1993 parliamentary election, the government issued a new amended version of the Election Law and introduced the Single Non-Transferable Vote (SNTV) system. This replaced earlier provisions that gave voters the right to select a number of candidates equal to or less than the number of seats in a given district with a new system that allowed them to vote for only one candidate. In addition to increasing the number of deputies to 104, the law set aside six seats for women, for a total of 110 deputies, representing one seat for every 47,109 people.

In practice, the Ministry of Interior runs the entire election process. The Higher Committee for Election Supervision, chaired by the minister of the interior, settles all issues relayed by the Central Election Committees in the various governorates. Finally, the minister forms a special committee, headed by an administrative governor, to follow up on the task of filling the additional seats designated for women.

1.3.3. Districting and the Electoral Law

There are 45 electoral districts. Districting is considered unfair because there is a lack of balance between population and the numbers of seats per district. The division of districts is claimed to guarantee representation for the 'less fortunate areas' and to prevent the capital, Amman, from taking the majority of seats, but is seen as fanning the spirit of tribal competition and strengthening the concept of the 'services deputy' who concentrates on his or her electoral district. Districting is also seen as intended to reduce the representation of areas heavily populated by Jordanians of Palestinian origin.

There are many legal infractions and gaps in the implementation of the Electoral Law. Examples in the most recent (2003) election include opposition figures being prevented from standing under weak legal pretexts and the authorities closing their eyes to phenomena such as vote-buying and allowing voters to vote twice through

falsification. The government's role in election supervision is seen as allowing it to move the elections in the direction it wants.

2. Obstacles to and Recommendations for a Political Reform Agenda for Jordan

Participation by women in public life, the life of political parties and the electoral system face a number of common obstacles.

2.1. A Difficult Historical Legacy

The first of these is the legacy of the over 30-year ban on political parties. Jordanians were deprived of the chance to exercise their constitutional right to party political activity, and society continues to suffer from very negative effects of this even a decade after the ban was lifted. For women in particular this is expressed by the fact that during that period there was no legal body through which their concerns could be submitted to the legislature. Moreover, in the absence of parties with national concerns, political activity was oriented to pan-Arab issues, which did not include gender concerns in any way. For the political parties, the ban resulted in a weakening of their potential to develop their position as representing concerns to be put before the legislature and to develop convincing political platforms. The ban also resulted in giving parties a negative image and in a popular fear of belonging to them, thereby strengthening tribal bonds at their expense, as seen above.

2.2. The Tribal Factor, the SNTV System, the 'Services Deputy' and Unfair Districting

Today, the tribal factor, the 'one-vote system', as it is called, the 'services deputy' phenomenon and unfair districting are all obstacles that reinforce each other, to the detriment of women, parties and the electoral system.

The tribe and its representatives are the actors most obstinately opposed to addressing women's issues and efforts to politicize women: female candidates have indicated that they have been subjected to criticism and ridicule by tribal leaders and elders. To retain the support of the tribe they represent, female candidates have to give up advocacy of women's issues. The tribal nature of the elections makes them seem more like family or social celebrations and gives the legislature a service-oriented aspect, which distances it from the wider political-ideological discourse and weakens the impact of political institutions. Because women have a limited presence in political positions and positions of influence, the belief that they can provide services is very limited as well. Similarly, the SNTV system gives tribes the strongest say in securing victories for their candidates, and tribes support male over female candidates. Furthermore, the SNTV system means voting for individuals, which ignores the role

of political parties, thus holding back the political development the country needs.

More marginally, but as in most countries, candidates' financial capacities play an essential role. Although the financial resources of parties are strictly monitored, candidates rarely stand on the basis of party platforms or funds. Much of the campaigning costs consists of expenses related to 'hosting' voters, which is not illegal, and (in too many instances) of vote-buying, which is illegal. Women are clearly at a disadvantage in this area. This too, along with the SNTV system, reinforces the tribal and clan phenomena and thus weakens the political parties.

2.3. Is the Quota System an Obstacle Or an Asset?

An evaluation of the quota system in this report turns up some contradictions. The electoral system uses quotas for regions and for religious and ethnic minorities, as well as for women. Supporters of the quota system praise it as a form of affirmative action without which women, in particular, would not have seats in the Chamber of Deputies or on municipal councils. It is criticized, however, because the mechanism used to determine the winners of the seats set aside for women in the legislature all but cancels out the chances of female candidates from large electoral districts. Another view is that the Chamber of Deputies is not a cake to be divided between tribes, sects, ethnic groups and women by means of quotas but an organization that comprises elected representatives of the citizenry, who in turn represent parties. One of the recommendations of the Committee on Political Parties is that the SNTV system in the Election Law should be amended by setting aside 20 per cent of the seats for party lists—that is, by introducing another quota. Another of its recommendations is that the quotas for women in the three branches of government should be raised to 20–30 per cent. According to some women's organizations, quotas have a negative impact on women, who represent 50 per cent of society and should not be represented as a minority, while the Jordanian Women's Document, produced after the 2003 elections by a number of human rights and women's organizations, states that no gender should be represented by less than 30 per cent of parliamentary seats.

2.4. A Few, or Rather Many, Recommendations

This report is rich in recommendations produced by government committees and civil society organizations, as well as by the authors of the research. While the diagnoses concur as to the problems that need to be faced and solved—except for the quota system—the recommendations are quite diverse and not always consistent with each other.

There seems to be agreement that, following the long ban on political parties, Jordan is currently in a transitional 'democratization' period that should lead to further and fundamental changes in the Political Parties Law and the Election Law, as well as the Publications Law, the law on public assemblies and the Social

Associations Law. Reform would definitely include a review of the SNTV system, the setting up of an independent national body for election supervision that would include representatives of political parties, and redistricting so that the number of seats allocated to a given district is in proportion to the size of the population. The 'services deputy' phenomenon could disappear if governments made sufficient effort to provide services on a fair basis to all regions, without the need for deputies as go-betweens. A stiffening of the punishments for electoral infractions and enforcement of the law would also support positive trends.

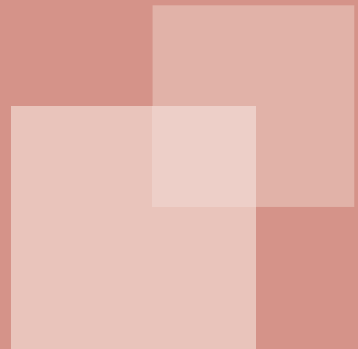
One recommendation suggests that another level should be introduced, which would give a voter two votes—one in the 'individual' electoral district and a second for a nationwide party list. This list would contain the names of female candidates, and Christian, Circassian, Chechen and Bedouin candidates, thus removing the need for quotas.

In any case, political development and democratic reform are urgent national tasks in which the ruling system, including educational institutions, civil society groups, political parties and the national legislature should all participate, along with popular forces. People must feel that the government's negative stance towards political parties has finally changed and that official constraints on civil society have definitely been lifted. The good news, as can be seen from the analyses and observations above, is that the country is ready for a broad national debate involving all actors, without exception, in a dialogue through which the concept of citizenship as the founding factor of democracy can be defined, promoted, and finally truly 'owned' by all participants, from the state to the individual. Much has been achieved, and much more can be done.



Chapter 1

Participation in Public Life and its Impact on Women in Jordan



Participation in Public Life and its Impact on Women in Jordan

1. Introduction

Recent decades have seen increasing interest in both women's issues and the nature and form of female participation in society. This interest has been reflected clearly on both the local and the international levels. Locally, Jordan has seen important achievements relating to women's rights and empowerment and raising women's status in society. This has been in keeping with developments in women's lives and their increasing entry into the workplace, education and politics. Women have recently obtained a number of rights, represented in amendments to a number of laws, such as the Parliamentary Election Law, which was amended in 2003 to provide a quota of seats for women, and the Personal Status Law, particularly those provisions related to divorce initiated by the wife, male polygamy, and the raising of the legal age of marriage. Another change, which is unprecedented in the Arab world, was the incorporation of a gender perspective in the five-year national development plan for 1999–2003 in various state institutions and government departments.

These recent achievements have crowned a decades-long struggle waged by Jordanian women through the women's movement, but the credit for them is due to several factors which have come to have an impact on women's lives and work for their betterment. One of the most important of these factors is the international efforts to guarantee more rights for women and combat discrimination against them, in all forms. At the international level, and especially the level of the United Nations (UN),

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thanks are due to the male and female activists in the field of human rights and women's rights, in the countries of both the North and the South, who have worked to ensure that women's issues are on the public agendas of states. Their efforts have taken place over an entire decade designated for women (1975–85); this was followed by various meetings and conferences organized for follow-up and evaluation. The work plan of the 1995 Fourth International Conference on Women in Beijing affirmed the need to adopt effective policies and strategies to reflect paragraph 86 of the International Strategy for Women's Progress, 2000, which stipulated that governments and political parties must intensify their efforts to guarantee and secure equal participation for women in all local, national and legislative bodies, and guarantee equality in appointments, selection and promotion to high office in the administrative, legislative and judicial apparatuses of these bodies, at the local level.

This chapter gives a general account of women's participation in Jordanian public life and its impact on the situation of women in society. It poses questions about the form and reality of women's participation, and expands on this to examine the passive dimensions of participation, such as voting in elections, and active participation in positions of decision making in civil society and the state. It also examines the role played by recent developments, such as the adoption of the quota system and the amendments to legislation governing the role of women and their general public image in society. In addition, the chapter aims to discuss and define the factors and developments that have affected the form and scope of female participation, as well as the obstacles to this participation.

To answer these questions, the chapter adopts a multifaceted methodology. In discussing quantitative issues, we have benefited from statistics issued by various parties, including the Interior Ministry, the Chamber of Deputies, the Ministry of Social Development and the Department of Statistics, regarding the gender distribution of public participation in elections, municipal councils and civil society groups. In analysing qualitative issues, this chapter evaluates interviews with female deputies and former deputies, and activists in women's rights and women's organizations, to study the relevant features of their efforts and political experience.

Sections 2 and 4 of this chapter discuss the form and scope of women's participation in public life in general, followed by an evaluation of the policies and efforts to improve their status and boost female political participation, and the role of the state and its institutions and civil society, especially women's organizations, in this regard. Section 5 discusses the obstacles and challenges, past and present, to female political participation and an effective role for women in public life. Section 6 provides a general evaluation of the impact of women's participation in public affairs, and the study concludes in section 7 with a number of proposals and recommendations that would help decision makers and those involved in women's issues in Jordan, providing them with the analytical material for a true picture of women's participation, which will enhance Jordan's democratic project and make it more sensitive to gender issues and relations.

2. Women's Participation in Public Life: General Background

Although public participation by women in general is of long standing in Jordan, going back to the 1940s,¹ concern about women's participation in public life and politics appeared relatively late on the agenda of the women's movement. Concern with these issues occupied a vital place after the setting up in 1954 of the Arab Women's Union, whose role was focused on boosting women's political awareness, in addition to eradicating illiteracy and preparing women to exercise their rights. The first memorandum requesting an amendment to the Election Law to allow women to vote in parliamentary and municipal elections was submitted to the government in 1954. The government submitted a draft amendment to the Election Law to the Parliament's Legal Affairs Committee, which recommended that political participation be allowed for educated women but not illiterate women.

These results were disappointing and required quick and effective action. The Arab Women's Union then organized high-profile political events, such as a celebration to which all leading politicians and representatives of political parties and unions were invited. At the celebration, signatures were gathered for a petition calling for women to be granted the right to vote and stand for office, and for this right to be granted to illiterate women, as illiterate men enjoyed these rights. The petition also contained the thumbprints of a number of illiterate women. This campaign, the government and the Union did not last long, for all political activity was banned in 1957, after the declaration of martial law following political upheavals in the region.

Women's rights-related activities then took on something of an emergency character and involved indirect action. After the defeat of 1967 and the flight of many Palestinians to Arab countries, especially Jordan, women's activities began to appear as part of the general political mobilization that was under way. Thousands of women took part in the women's demonstrations that were organized, but this did not take place openly through the medium of specific organizations, reflecting a women's struggle that was unclear and lacked stability, subject as it was to the ebb and flow of the time (Naffaa 2004).² In other words, the women's movement and women's organizations in general, as with most civil society organizations, became part of the pan-Arab nationalist struggle and political thought; this had a huge impact on the form and scope of women's political activities. Men who had pan-Arab orientations in fact set the priorities and strategies during this period, and women's issues were classified as being able to wait and thus considered less important (Naffaa 2004).

Women's activism returned to the scene in an organized fashion at the beginning of the 1970s, thanks to the United Nations Year of the Woman, in which Jordan opted to participate, and to top-level official concern with the country's image abroad. In this context, the Union of Jordanian Women was re-established in November 1974³ and all women received the right to vote and stand for office in 1974 (although they were unable to exercise these rights owing to the continuing imposition of martial law). A number of pioneering women who were familiar with

earlier voluntary women's activism gathered on the occasion of the celebration of the Year of the Woman, announced by the UN for 1975. They formed a committee to prepare for the celebration and announced the re-establishment of the Union of Jordanian Women on 17 November 1974.

Concern with women's issues quickly began to crystallize shortly after. A broad grouping of specialized women's organizations began to appear, taking it upon themselves to promote the status of women. They were also influenced by the international women's agenda, for which so many women had struggled at the UN; through the 1979 Convention on the Elimination of All Forms of Discrimination Against Women and other agreements they organized their domestic agenda, which began to raise 'taboo' issues which had not been raised or worked on until recently. Domestically, violence, crimes of honour and the need for legislation banning discrimination are issues that are all being raised today.

These developments regarding women's demands have been strengthened by other developments experienced by Jordan since the 1980s, such as the return of parliamentary life and the policy of democratization, which have prompted many civil society groups, including those concerned with women's issues, to appear and work on new agendas that are appropriate to the current situation. One of the most important recent political changes is the coming to power of a younger leadership, interested in pursuing political development, which specifically targets the relationship between state and society. An extremely important move of late has been the launch of the Jordan First initiative, which established the process of political development and called for the role of principal political players in the political arena, such as political parties and non-governmental organizations (NGOs), to be made effective.

The Jordan First initiative has involved the establishment of a Women's Committee, a body tasked with submitting proposals to boost female participation; it put forward a suggestion for a quota for seats for women in Parliament. The royal family has also intervened to see a number of amendments to various laws, such as the Temporary Law on Personal Status and Passports, which can be considered a first in the history of the kingdom, by giving women rights as a person or citizen.

The following sections discuss developments in the participation of women in detail, analysing their impact on the situation and status of women in society.

3. Women's Participation in Drafting and Implementing Government Policies

Participation in drafting state policies by taking part in government is an important indicator of the evolution of women's participation in public decision making, which in turn influences the lives of individuals, both men and women, in society. At this level, participation comprises being represented in the executive branch of government, through ministerial portfolios and positions in the state bureaucracy, in addition to holding public-service positions at various levels of government (it should

be noted that these positions are filled by appointment).

3.1. Participation by Women in the Executive Branch

Participation in the executive branch of government means assuming responsibility for various ministerial portfolios. In Jordan it is the custom for the king to appoint the prime minister, asking him to form a government that will later be presented to Parliament for a vote of confidence. The first female Cabinet member was named in 1976, when Inaam Mufti held the Social Development Ministry portfolio. A number of governments (six, to be exact) followed without a single female minister, and there was an eight-year wait until 1984, when Laila Sharaf was appointed minister of information. Another nine years passed before Rima Khalaf was appointed minister of industry and trade in 1993. The issue then became one of quasi-tradition, as governments thereafter rarely lacked a female minister. In 1994, a woman was assigned one of the most important ministerial portfolios, as minister of planning, and the same woman was named deputy prime minister in 1999, thus obtaining the highest position ever reached by a woman in the history of Jordan. However, since 1995 female representation has mainly focused on the Ministry of Social Development (there was a female minister in 1995, 2000, 2002, 2003). As for the current government, several women hold ministerial portfolios—in the Ministry of Tourism and Antiquities, in the Ministry of Municipal Affairs, as State Minister (as spokesperson of the government), and in the Ministry of Culture and the Ministry of Communications and Information Technology.

On the basis of this, we can make the following observations:

1. Female participation in the drafting and execution of government policies and in holding state positions has seen a noticeable increase. Since 1997, four governments have been formed, with women represented in all but one.

2. Participation by women has been confined to 'traditional' themes, namely the holding of the same ministerial portfolio of social development, with the exception of Rima Khalaf (industry and trade, and planning) and Laila Sharaf (information). No woman has held the post of minister of the interior, foreign minister or prime minister.

3. If we assume that most cabinets comprise 25–30 ministers, then the percentage of women in them has hovered at about 3 per cent, or one member, which is a very small percentage that cannot have a strong impact.

3.2. Participation in the Chamber of Notables

Seats in the Chamber of Notables, the upper house of the Jordanian Parliament, are among the highest political positions that are obtained by appointment; they involve political power and influence. Members of this body take part, along with members

of the elected Chamber of Deputies, in drafting and approving legislation in all domains. The king appoints members of the Chamber of Notables and the body forms one half of the national legislature, the other being the Chamber of Deputies. The 40 members of the upper house are selected on the basis of various criteria, the most important being political experience, while they should also be figures who are known on the Jordanian scene. Most of the chamber's members are former ministers and prime ministers or long-serving politicians.

In any case, female participation here does not appear to be better than it is in other areas, although a noticeable improvement has been seen since the return of parliamentary life after 1989. In 1989, one woman was appointed to the 40-member chamber, followed by two in 1993 and three in 1997—the number that is still maintained today in the 2003 chamber, meaning a level of 8 per cent representation.

3.3. High-Level State Positions

Participation in the executive branch also extends to implementing government policies by holding state positions and performing tasks at various levels of government. Here, the official indicators provided by the Jordanian National Commission for Women (JNCW)⁴ show that the percentage of women in the highest-ranking positions stands at 3.2 per cent and in Grade One is only 7.4 per cent (Jordanian National Commission for Women 2002).

3.4. The Judicial Corps

Participation in drafting government policies involves the judicial corps, which in Jordan is not an independent body, but affiliated with the Ministry of Justice. The judicial corps has seen an increase in female members, with the number of female judges rising to 17, or 3.6 per cent of the kingdom's judges. They work in the juvenile courts, the reconciliation courts, the major criminal courts and the courts of first instance. It should be noted here that a Jordanian female judge was elected by the General Assembly from among 35 candidates to the International Criminal Court in The Hague, the first Arab ever to reach an international criminal court (Hashemite Kingdom of Jordan, *Report on Eliminating All Types of Discrimination Against Women* 2003).

Women's participation in drafting public policies also includes an unprecedented initiative in the Arab world, represented by the incorporation of a gender perspective in the national five-year development plan (for 1999–2003). The JNCW has offered help and support to the government for this purpose; 51 female technical experts were appointed in sectoral committees, which helped to draft the plan. Whatever the success of this experiment and the specifics of its implementation at present, it is an achievement that sprang from attempts to incorporate a gender perspective in state institutions and departments, or those state institutions and department that are still in the process of carrying out gender analysis.⁵

4. The Level of Women's Participation in Civil Society Organizations

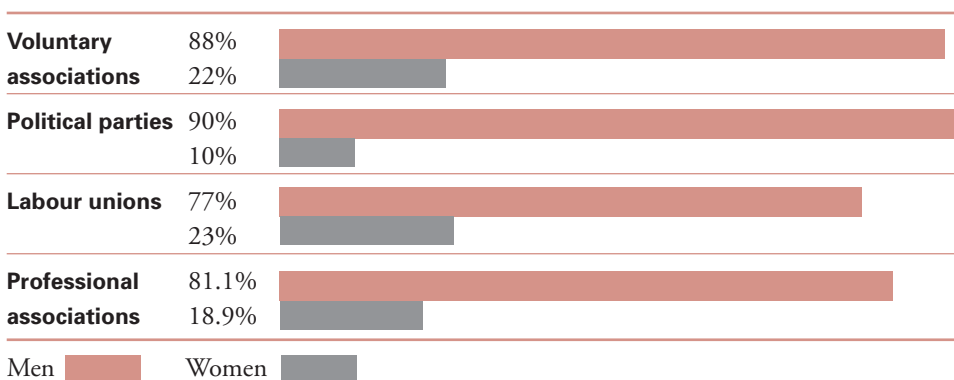
There have been various types of civil society organization since the state of Jordan was established and, although they have seen periods of ebb and flow, these organizations have clearly expressed the activities of political trends and voluntary groups in Jordan. From a gender perspective, we can say that a gender-based qualitative division in terms of the forms and types of activity of different civil society organizations continues to this day. Thus, there are still activities and organizations which say that they are concerned with women and concentrate on the framework of civil and voluntary work, focusing on women's issues from time to time, while there are men's organizations whose activities focus on economics and politics and comprise very few female members. There are voluntary and civil associations and organizations with the word 'women' in their titles, but their activities involve providing care and assistance, and they do not concentrate on women, even if things changed somewhat in the 1990s.

This brings us to the political circumstances experienced by Jordan during the period of formation of the state, followed by the Arab–Israeli conflict and the political and social repercussions of this, in addition to contemporary political developments, which have been mentioned above.

As a result of these factors, there is a considerable female presence in voluntary and civil organizations that do not have a political agenda. The Law of Associations and Voluntary Organizations (no. 33 of 1966), meanwhile, forbids these groups from practising politics or politicizing any issue as part of their work.

The number of women's organizations rose from three in the 1940s to more than 70 in the 1990s. The number of women members in these groups is estimated at about 30,000 (Naffaa 1999).

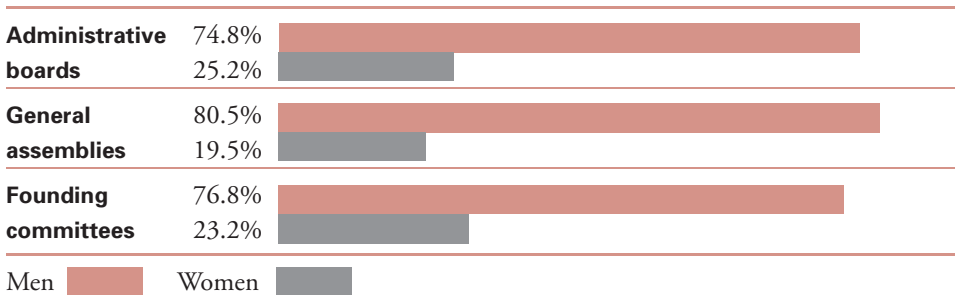
Figure 1.1: Participation by Women in Civil Society in Jordan



Source: Unifem, the Jordanian National Commission for Women and the Central Bureau of Statistics, 'A Report on the Status of Jordanian Women: Demographics, Economic and Social Participation and Violence Against Women', Amman, 2003.

Although female participation on the administrative boards of charitable associations is relatively low, it is higher than women's participation in civil society groups as a whole. As figure 1.1 shows, the highest level of female participation, after charitable associations, is in unions, both labour unions and professional associations (23 per cent and 18.9 per cent, respectively), because membership in such groups is practically compulsory. A different situation obtains in voluntary associations, where we find very low rates of female membership. Female participation in the general assemblies of voluntary associations registered with the Ministry of Social Development stands at 19.5 per cent, with 25.2 per cent in administrative boards and 23 per cent in founding committees, in groups located throughout the kingdom. The percentages drop in the countryside and the *Badiya* (community of Bedouin). Figure 1.2 shows the participation of women in administrative boards, general assemblies and founding committees of charitable associations as of 1999.

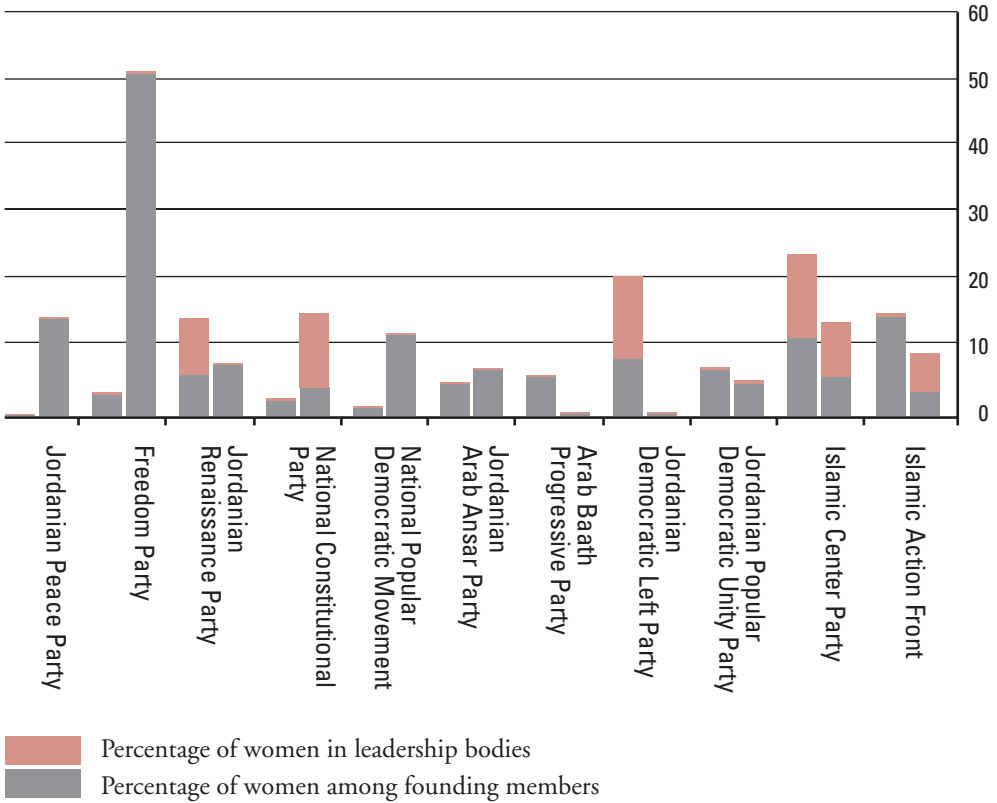
Figure 1.2: The Form and Scope of Women's Participation in Voluntary Associations in Jordan, 1999



Source: Ministry of Social Development.

In another important area, participation in political parties, we find very low percentages of women members (see figure 1.3). There is no female presence worth mentioning in three out of 31 active parties, while the presence of women in the remainder is merely symbolic, reaching 8 per cent of the founding committee in the best of cases, with the exception of the Freedom Party (Hizb al-Ahrar), where female membership reached 50.5 per cent.

Figure 1.3: Level and Type of Women’s Presence in Jordanian Political Parties



The picture becomes clearer when we examine female membership in qualitative terms, that is, in terms of leadership positions held by women. Here the figure does not exceed an average of 2.6 per cent. With the exception of the victory by three women in the Shura Council of the Islamic Action Front (Jabhat al-Amal al-Islami), which is considered a qualitative change for that party and a precedent for parties in general, the presence of women in leadership positions is symbolic in some cases—for instance, in the Jordanian Communist Party, the Democratic People’s Party (Hizb al-Shaab al-Dimuqrati) and the Islamic Center Party (Hizb al-Wasat al-Islami)—and practically non-existent in other parties, which suffer from a general weakness, reflected in their mass base and political programmes. The situation becomes worse if we look at the Freedom Party, where women are absent or kept absent from the party’s leadership body, although the number of women members (53) is one higher than the number of men (52).

4.1. Participation on Elected Councils and Organizations

Participation at this level includes participation on municipal councils, which are elected every two years, and in chambers of deputies, elected every four years.

4.1.1. Municipal Councils

In 1982, Jordanian women received the right to vote and stand for election in municipal and village elections. Since then, they have voted but refrained from standing for election.

Many efforts have been made to encourage women's positive participation in local politics, by encouraging them to stand in the governorates and municipalities, which until a short time ago were effectively closed 'men's clubs'. The year 1994 was an important turning point for female participation at this level. A number of initiatives were launched, the most important being that of Princess Basma Bint Talal (the representative of women with the UN and chair of the JNCW) in 1994; the Cabinet agreed to appoint 99 women to municipal committees that were set up to prepare for the elections of municipal councils and mayors. To supervise this process on a continuing basis, a women's organization was established, the Gathering of Jordanian Women's Committees, a voluntary NGO, under the supervision of the princess.⁶

In this climate, 20 women stood for the municipal elections of July 1995. They are considered a milestone in the history of Jordanian municipal elections. One of the 20 won a mayor's seat and nine others won council seats. Iman Fatimat took many people in Jordan by surprise when she became the first female mayor in a contest that saw her win in one of the most 'tribal' districts, although a small one, in Khirbat al-Wahadina, in Karak. This unprecedented victory led to the appointments mentioned above and helped to remove the constraints on women that had kept them from trying their hand in politics at this level (Abu al-Sumn 2003). The number of female candidates has risen since then, with 43 standing in 1999, and only eight winning, while 25 were appointed to seats by the Cabinet.

There were various ironies in the 2003 municipal elections. First, the elections saw a large-scale boycott, particularly by Islamists, in protest at an electoral law that allowed the government to appoint to 50 per cent of the seats. Some observers felt that this would weaken the effect of elected members. There were 46 female candidates in 305 municipalities, distributed over 12 governorates. The rate of success, like the voter turnout itself, was very low in some governorates: five women won seats (0.9 per cent of the total), and they came mainly from rural areas. Once again, we see the need to use means of affirmative action in order for female participation to have an impact: 94 women were appointed to seats by the government, or 27 per cent of the total number appointed (Ministry of Municipal Affairs 2003) in order to secure some female representation in each municipal council. A woman was appointed mayor of

one town in the southern governorate (al-Hasa); she has a degree in engineering and is fairly well known and popular in her area.

It should be noted that women candidates in larger towns and centres were relatively unsuccessful, going down to defeat in the capital, Amman, and in Madaba, Mafraq, Jarash and Kerak. These districts are relatively conservative, while the victory of a woman in the south of the country, where society is supposedly more conservative, can be attributed to the development projects being implemented there by many NGOs. These projects have helped to strengthen women politically by strengthening them economically. Many development projects in less fortunate rural areas have concentrated on engaging women in the development process; they are encouraged to take part in administering local society and its resources—activity that is often marginalized in larger towns and policies carried out there.

The low participation by women candidates can be attributed mainly to the nature of these local councils, which have been monopolized for decades by an elite of men who wield power and influence. The ‘services’ nature of these posts adds another challenge to women; their absence over the years has put them at a disadvantage when it comes to building the alliances, networks and personal relations required to do the work.

The impact of participation on women who have taken up municipal positions, whether by election or by appointment, has shown disparities. Thirteen women (ten elected and three appointed) expressed a wish not to stand again because of the patriarchal mentality that dominates the municipalities, involving as it does a lack of respect for the role of women at this level (Abu al-Sumn 2003). However, women’s participation in the election process was welcomed in other areas, and women there have expressed their desire to stand again, confident that they can avoid the mistakes of the previous election.

Table 1.1: Participation of Women in Municipal Councils

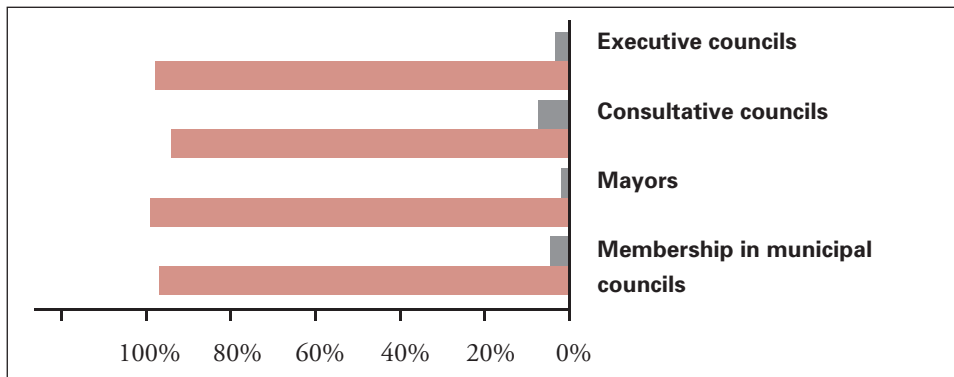
| Number of appointees | Winners | Number of candidates | Year of election/ appointment |
|-----------------------------|----------------|-----------------------------|--------------------------------------|
| 19 | 9* | 20 | 1995 |
| 20 | 3 | 10 | 1996 (complementary elections) |
| 25 | 8 | 43 | 1999 |
| 94 | 5 | 46 | 2003 |

*The tenth woman won the post of mayor.

Source: Ministry of Municipal Affairs.

Figure 1.4 illustrates a few issues regarding the level of women's participation on municipal councils. First, their participation as members remains very weak in a numerical sense: they constitute only 27 per cent of the appointees and only 9 per cent of elected members. Second, their participation in these councils at senior level is low, if we exclude their participation in consultative councils, which is around 5 per cent and is mainly due to appointment policies to these councils. Women's participation in the more effective executive municipal councils is very weak—only 3 per cent, and 1 per cent as head of municipal councils. In other words only one Jordanian woman has ever won a mayoral post and this was not repeated, with the exception of the appointment of a woman mayor for the Al Hasa municipality, in the south.⁷

Figure 1.4: Type of Female Participation in Municipal Councils



Men ■ Women ■

Source: Ministry of Municipal Affairs.

4.1.2. Participation in Parliamentary Elections and in the Chamber of Deputies

As mentioned above, women in Jordan received the right to vote and to stand for Parliament in 1974 as part of preparations for the United Nations Year of the Woman which was announced that same year, although they were unable to exercise it until 1984, when by-elections were held to fill eight vacant seats in the Chamber of Deputies, which was revived that year. There were no female candidates, so women's participation was limited to voting.

In subsequent elections the scope and type of female participation in parliamentary elections changed, as it did for other civil society actors. Jordanian women took part in the elections of 1989, 1993 and 1997 more effectively both as candidates and as voters. Female activism grew noticeably after the activists who had earlier sought to strengthen the role and quality of female participation laid the groundwork.

The 1984 By-Elections

There were no female candidates in these elections. Voter turnout among women was 56 per cent, slightly higher than that of men, which stood at 48 per cent. However, this high rate is misleading, as observers noted that in many districts, especially in rural and Bedouin areas, it did not reflect a true awareness of the importance of voting. Instead, women were mobilized by men in order to secure votes for a given candidate—one selected by the head of the household, or to be more precise, the head of the clan or tribe, without a real proof of the woman's wishes or conviction about this candidate (Shatwi and Daghestani 1996).

The 1989 Parliamentary Election

The 1989 parliamentary election was significant not only where political development in Jordan is concerned but also as regards the experience of women in particular. It followed the announcement that parliamentary life would return to the country, and political parties and civil society organizations were permitted to engage openly in political work. Twelve female candidates stood, but none won. They received between 150 and 4,000 votes. However, some received more votes than some male candidates in small districts or those set aside for regional or ethnic quotas. In District 3 in Amman and the Zarqa district, which are the most difficult districts in the country, women received respectable numbers of votes, more than they did in conservative or small districts (one candidate in Maan received only 155) (see appendix 1.2).

The 1993 Parliamentary Election

This election was held under a new election law and the Single Non-Transferable Vote (SNTV) electoral system, which replaced the Block Vote (where voters had as many votes as there were seats to be filled in each multi-member district) used in the 1989 elections. (On SNTV, see also chapter 3, section 3.2, in this report.) Only three women stood, in Amman's District 3 and Zarqa. Although women were not expected to win under the new law, Toujan Faisal proved the speculation wrong and became the first female member of the Chamber of Deputies in the country's history. (Her political experience and the reactions of the street and politicians to her activities are discussed below.) However, her victory was not due solely to competitive reasons, as she obtained the seat set aside for Circassians and Chechens in Amman's District 3, obtaining 1,885 votes, or only 4 per cent of the total cast in the district, and 46.4 per cent of the votes cast for the Circassian seat. Appendix 1.3 gives a clear picture of the number of votes women received in this election. They represented only 2.8 per cent of the total votes in both districts and 4.3 per cent of the total votes cast for seats in open competition.

The 1997 Parliamentary Election

Toujan Faisal's victory in the 1993 election encouraged a number of women to stand the next time and have greater hopes of success. Seventeen declared their candidacy

in 1997, despite the large-scale boycott by civil society, especially those opposed to the SNTV system (whose biggest victim was the Islamic Action Front, which lost more than one half of its representation in Parliament, along with other parties that were not able to get their candidates elected). Female candidates made up about 3.2 per cent of the total number of candidates and, although they obtained a total of 1.6 per cent of all votes (higher than the 0.48 per cent of the previous election), none managed to win and, worse, Toujan Faisal was unable to defend her seat.

The 2003 Parliamentary Election

This election took place after a two-year suspension of Parliament; elections had been suspended for domestic and external reasons (the outbreak of the second Palestinian Intifada (uprising) and the then looming war against Iraq); as well as international factors (the 'war on terrorism'). These events had their impact on the Jordanian street and political scene, providing a strong justification for the declaration of a state of emergency (although in the end this became a state of unofficial 'general alert'). Under these conditions, a number of changes affected the domestic political situation and helped to redraw the relationship between the political authorities and the people. Politically, the state launched a national campaign under the name of the Jordan First initiative, which saw the formation of various committees tasked with constructing a range of policies that would strengthen the political actors in the country. One of the most important committees concerned women and its goal was to support practical measures that would boost female participation in politics. Based on the various Jordan First committees' meetings, the government produced a new election law, raising the number of seats in the Chamber of Deputies from 80 to 110, with six set aside for women as part of a quota system (examined further below).

Under these conditions, the 2003 election ushered in a new, very important phase in the country's political life in various areas, the most important of which is that for the first time there was a quota for women's representation in Parliament, whose members are elected by the people (six out of 110 seats). Second, the election followed a two-year suspension of the legislature, during which time amendments were adopted to over 200 temporary laws (Schwedler 2002), among them laws dealing with women's affairs, such as the Personal Status Law, which adopted the principle of divorce initiated by the wife and raised the legal minimum age for marriage from 15 to 18. Laws on citizenship and retirement were also amended. Third, the newly elected legislature will decide during its mandate the fate of other amendments to temporary laws and those dealing with women's issues.

The election can be considered to have been fair and democratic in general, although some candidates complained of administrative problems which facilitated tampering with ballot papers in some districts. These cases, however, have not been proved. A total of 760 candidates, of whom 54 were women, stood in 2003, with voter turnout at 48 per cent. (The complete election results can be found at <<http://www.jordanelections2003.com.jo>>.)

4.1.3. *The Women's Quota*

A number of developments in Jordan and the region beginning in 2001 preceded the adoption of the women's quota, which was recommended by one of the Jordan First committees—that dealing with women's issues. The committee recommended that eight seats in the Parliament be set aside for women. The government then decided to allocate six seats only for this purpose. According to one female member, the committee suffered from internal divisions. Female members with a background in the women's movement demanded that 12 seats be set aside, and the opponents came up with the figure of eight, arguing that the government would not grant more than this number (Nasser 2003), while the government in the event reduced the figure to six. At the very end of 2002, the government decided to amend the Election Law to include this new quota, raising the number of seats from 80 to 110. (The amendments are listed in detail in appendix 1.1.)

The new law adopted the 'open quota' system, giving women in theory two chances to win seats. The first chance was in competition with the rest of the candidates for the seat in their district (the total number of districts is 45), whether on the Muslim seat in any of the districts or on a Christian, Circassian or Chechen seat in the districts in which these seats were allocated. The second chance would come when the votes cast for those women candidates who had not won seats were counted and the top six by number of votes cast were selected, regardless of district.

4.1.4. *The Consequences of the Women's Quota*

The curtain closed on the 2003 elections with 104 male candidates and six female candidates securing seats. Not one of the latter was able to win a seat by election. Also, the new female members of Parliament (MPs) were from small districts; women who stood in Amman and other heavily populated areas with high voter turnouts did not win high percentages of votes. This meant that the winning female candidates did not have previous experience in women-related activities or supporting women's rights. They had tribal backgrounds, and one was a member of the Islamic Action Front. Table 1.2 shows the results of the quota system and the percentages of votes secured by the winners.

Table 1.2: Female Winners of Seats under the Quota System, 2003**Seats allocated for women in the kingdom (six seats)**

| Governorate | Name | District | Percentage |
|-------------|--------------------------------------|----------|------------|
| Zarqa | Dr Hayat Husayn Ali al-Musaymi | First | 10.38% |
| Madaba | Falak Suleiman Mubarak Jumani | Second | 7.958% |
| Irbid | Nariman Zuhayr Ahmad Rusan | Fifth | 6.19% |
| Tafila | Insaf Ahmad Salama al-Khawalida | Second | 5.287% |
| Kerak | Zakiya Muhammad Suleimanal-Shamayila | First | 5.153% |
| Tafila | Adab Mubarak Salih al-Sa'ud | First | 5.13% |

Total: 6 seats

The winners

Dr Hayat al-Musaymi: The only woman on the Islamic Action Front list, and running in one of the toughest districts (District 1), she benefited from a great deal of interest on the part of voters in the Zarqa Governorate. Her campaign suggested that she would win the largest number of votes but, surprisingly, she finished in third place, only 52 votes short of victory. The quota system played a part in her losing, as voters were heard to say that victories for her and other 'winning' candidates were inevitable, so a voter's single vote should be saved for those who were competing freely (Nasser 2003). al-Musaymi's 7,133 votes secured her one of the quota seats.

Nariman Rusan: A lawyer who won in District 5/Liwa Bani Kinana in Irbid, she received 1,684 votes out of the 27,000 votes cast. The support she enjoyed from her tribe played a large part in her victory.

Adab al-Sa'ud: She stood in al-Tafila's District 1 and obtained 1,132 votes, or 5 per cent of total votes cast in the district.

Insaf al-Khawalida: Running in al-Tafila's District 2, she secured 365 votes, or 5 per cent of total votes cast in the district.

Falak Suleiman Mubarak Jumani: A candidate in Madaba's District 2, she received 1,048 votes, or 7.95 per cent of the total.

Zakiya Muhammad Suleimanal-Shamayila: Running in Kerak's District 1, she obtained 1,336 votes, or 5 per cent of the total.

The following five factors played a role in the wins and losses under the quota system.

1. *The tribal dimension.* This played a central role in supporting candidates, particularly the winning candidates. In discussions and meetings with successful candidates, most focused on their tribe's role in supporting their campaigns and securing

votes for them. As a result of the quota system, the tribe also had an additional political role, through the alliances with other, smaller tribes, which found the quota system a way to secure representation in Parliament. This came after a long period in which smaller tribes had felt disappointed by their alliances with larger tribes, believing that their interests were being largely marginalized.

2. *The religious dimension.* This, the second biggest factor in elections in Jordan, helped to bring women into Parliament as part of the quota system. The Islamist movements—the most important of which are the Muslim Brotherhood and its party, the Islamic Action Front—played a considerable political role during the campaign, supporting candidates through an organization that most other parties lacked and in some cases securing them resounding victories. The Front and the Brotherhood had earlier stated their objection to the quota system; nonetheless, they helped Hayat al-Musaymi get into Parliament, almost winning a seat for her outright. How is this to be explained?

The decision to participate in elections was a strategic one taken by the Front and the Brotherhood as early as 1989, when they participated through independent deputies, and in the 1993 election, when they fielded candidates. They believe in gradual change from within, so that becoming part of the domestic political system is the only way they can implement their political platform effectively. This is what happened when the party's members (who were deputies at the time) accepted two important ministerial portfolios, those for education and social development. As part of a whole range of policies, the ministers implemented policies designed to set up a framework of gender relations and to reorganize them in the public sector as an essential part of their political programme, which calls for the separation of the sexes in the workplace and educational institutions. Thus, the Muslim Brotherhood does not reject the participation of women in public life but rather wants to regulate this participation according to its political point of view. Its support for a female candidate was an attempt to exploit the situation and obtain another seat in the legislature, while securing a politicized Islamist viewpoint on women's issues through this candidate and preventing a victory by women with a background in the women's movement.

The religious discourse has reached women as a result of socio-economic changes that have imposed a new economic situation on Jordanian women of the lower and middle classes; new questions have arisen, mostly about getting out of the house and working in the public sector, and what this involves in terms of mixing with the other sex. This religious discourse, which does not reject women's having a public role, provides answers for both men and women equally regarding regulating this mixing in public, without impugning the authority of men.

3. *Public activity.* This also played an important, albeit secondary role, compared to the factors listed above. Most of the women who won seats attribute their victories, or their vote totals, to their relationships in local society, which they helped build through their daily activities.

4. *The election law and the method of determining winners.* Article 3 of the Election

Law defines the process for selecting the winners of quota seats: percentages of votes obtained within a given district are calculated and the winners are those candidates who have secured the top six percentages. This worked in favour of candidates from electoral districts that were relatively small in terms of population density, although these districts are for the most part marginalized in terms of political influence. This method of calculation was the main point of criticism of the quota system in its present form. (There is also another problem in the amended law, involving the method of filling a vacant quota seat. Article 45 of the law states that a vacancy should be filled by a candidate from the same district, and not by going back to the relative percentages obtained throughout the country.)

5. *Election campaigns.* Winning female candidates repeatedly confirmed that direct contact with people was the main effective means for securing their victory. For most of them, the campaign consisted of visits and meetings, usually inside homes, which was the easiest way in rural areas and small districts. This strategy is difficult in large districts, such as the capital, which may be one of the reasons why women in Amman, especially in heavily populated and politicized districts, were not able to win seats.

4.1.5. *Disappointment for Women in Amman*

As table 1.3 shows clearly, women in the capital, Amman, were unable to win seats. This caused considerable disappointment for many people, while it was welcomed by others. Candidates blamed each other for their own failure to win election, as well as blaming the electoral system and the voters. The most important elements of this exchange of blame can be summarized as follows.

From the point of view of the candidates, three factors played the biggest role in their losing: (a) insincere promises of votes by the public; (b) a late campaign, because the quota system was late in coming, and consequently women were late in announcing their candidacies; and (c) the unfairness of the current system. Observers see the matter differently, and say that (a) Amman's ten female candidates did not prepare themselves sufficiently seriously and failed to recognize that, in their society, they lacked a voter base broad enough to secure victory, (b) because of this lack of a support base among the voters they were distant from people's concerns, and (c) the candidates did not coordinate their efforts; they broke up voting blocs with the result that the level of competition in a given district (District 3, for example) increased.

How far are these arguments justified and genuinely indicative of the reasons for the failure of Amman's female candidates? Some are credible; the results matched the expectations of some that a woman would win in the south, where districts were small and voter turnout low. The percentages here would be more encouraging compared to the big, heavily populated districts.

Some women received more votes than some of the winning candidates, but the method of calculation prevented them from winning.

Table 1.3: Votes Obtained by a Selected Group of Female Candidates, Compared to the Voter Turnout in their Districts and the Percentages of Votes Secured by Winning Candidates (2003 election)

| Name of candidate | Governorate | District | Number of votes obtained | Number of votes in the district | Percentage | Ratio of the candidate's results compared to total votes for women |
|--|---------------------|----------|--------------------------|---------------------------------|------------|--|
| 1 Hayat Husayn Ali al-Musaymi | Zarqa | First | 7,133 | 66,790 | 10.680% | 19.606% |
| 2 Falak Suleiman Mubarak ak Jumani | Madaba | Second | 1,048 | 13,023 | 8.047% | 2.881% |
| 3 Nariman Zuhayr Ahmad Rusan | Irbid | Fifth | 1,684 | 27,143 | 6.204% | 4.629% |
| 4 Insaf Ahmad Salama al-Khawalida | Tafila | Second | 365 | 6,811 | 5.359% | 1.003% |
| 5 Zakiya Muhammad Suleiman al-Shamayila | Kerak | First | 1,336 | 25,580 | 5.223% | 3.672% |
| 6 Adab Mubarak Salih al-Sa'ud | Tafila | First | 1,132 | 21,743 | 5.206% | 3.111% |
| 7 Rifqa Muhammad Abdullah Dudin | Kerak | First | 1,159 | 25,580 | 4.531% | 3.186% |
| 8 Siham Hasan Muhammed Saleh | Jarash | | 1,404 | 46,979 | 2.989% | 3.859% |
| 9 Fatima Abul-Hamid Muhammad Khatib | Zarqa | First | 1,924 | 66,790 | 2.881% | 5.288% |
| 10 Amina Issa Khasawina | Irbid | First | 2,224 | 94,578 | 2.351% | 6.113% |
| 11 Fayiza Abd al-Karim Naji a-Zu'bi | Irbid | First | 1,943 | 94,578 | 2.053 | 5.338% |
| 12 Wujdan Muhammad Yasin Khalil al-Talhuni | The capital (Amman) | Third | 1,211 | 66,094 | 1.832% | 3.329% |
| 13 Nadia Husayn Ali Bashnaq | Zarqa | First | 1,171 | 66,790 | 1.753% | 3.219% |
| 14 Najah Abd al-Wali Muhammad Abu Hazim | Balqa' | First | 1,017 | 60,383 | 1.684% | 2.795% |

Total votes obtained by female candidates: 36,382

Source: <<http://www.jordanelections.jo>>.

4.2. Women's Participation in Parliament: General Evaluation

4.2.1. Women as Voters

Studies indicate that turnout by female voters in the last (2003) election, at 52 per cent, was very high compared to previous elections and higher than that of men. The increase was attributed to the law banning members of the army and security organizations—who are mostly men—from voting. This gave women more impact on the results from a quantitative point of view. The tribes were aware of this and encouraged women to vote, albeit in the way that would secure the interests of the tribe's candidate, who was usually a man.

4.2.2. Women as Candidates

Table 1.4 indicates the most important characteristics of active female electoral participation, showing numbers of female candidates standing and percentages of votes obtained, in addition to comparisons with men's candidacy.

Table 1.4: Distribution of Candidates in Parliamentary Elections, 1989, 1993, 1997 and 2003, Compared to Total Candidacies

| Election | Number of female candidates | Percentage of female candidates to total number of candidates | Percentage of votes obtained by female candidates | Number of winners | Percentage of total winners |
|----------|-----------------------------|---|---|-------------------|-----------------------------|
| 1989 | 12 | 1.86% | 1.01% | 0 | 0% |
| 1993 | 3 | 0.18% | 0.48% | 1 | 1.25% |
| 1997 | 17 | 3.24% | 1.6 % | — | — |
| 2003 | 54 | 7.06% | 2.658% | 6 | 6.5% |

Source: al-Quds Center for Political Studies, Information and Documentation Department.

The table shows that the percentages of female voters and candidates were highest in 2003, with the percentages of votes for women showing a noticeable improvement, reaching 2.7 per cent of the total. Excluding the 1993 election, the average for elections since 1989 is 1.44 per cent of all votes. The affirmative action represented by the quota system had a positive impact on female participation, since no female candidate in the 2003 election won office outside the quota system; no

female candidates were able to secure the minimum number of votes necessary to win a seat, although Dr Hayat al-Musaymi, candidate of the Islamic Action Front, came close to winning enough votes. In other words, without quotas there would have been no female parliamentary representation in the 2003 election.

4.2.3. Women as Politicians

Jordanian women have been active in politics in differing ways, but a general evaluation of their performance in Parliament, the political parties and the public sphere has yet to receive sufficient attention from researchers and analysts. However, women's political experience in Parliament has been closely evaluated, and in most cases there has been a focus on the negative aspects of this participation: it has been seen from a traditionalist moral viewpoint and has not been objectively evaluated, that is, taking into consideration both positive and negative points.

One of the most important examples here is the experience of Toujan Faisal, the first female MP. Her first public political speech in the early 1990s was a reaction to various articles by Islamists criticizing participation by women in politics. The writers of the articles had argued that women were unfit for politics because they lacked the required mental capabilities, and Faisal responded in provocative fashion, which became her stock-in-trade in dealing with women's issues and arguing against generalizations. Faisal did not receive a specific response to her article until she stood for Parliament in 1993, when she received threats and a suit was filed against her in the Sharia Court, which ruled that it was unable to decide on the matter. The issue gave people the opportunity to become acquainted with Faisal and her political programme, and the general public support she received helped her win a seat in 1993. She lost her bid for re-election in 1997 and continued to follow her old style of policies of attack as an opposition figure, but with a new goal this time, namely the government. However, an article in which she accused some Cabinet members of corruption earned her the government's wrath and an appearance before the Military Court, which found her guilty and ordered her to be imprisoned. After serving three months of the sentence she began a hunger strike, which became Jordan's biggest human rights case. The country's highest political authorities then intervened and she was released under a royal pardon, although her application to stand in the 2003 election was rejected.

Toujan Faisal's parliamentary experience and particularly her political experience have been closely evaluated. Most such evaluations have concentrated on the negative points and her strategy of attack, which was used as an example in evaluating the parliamentary experience of women in general. She was held up as an example of a female parliamentarian and as a woman who was not qualified to do such work. Although Faisal's experience is often cited in analyses of female political participation, the methods and mechanisms she employed as a politician are rarely evaluated. Public morals and stereotyped views of the nature of women and the behaviour expected of

and imposed on them have played a large part in evaluations of her performance and that of other new female MPs. However, the political work of women, such as female participation in political parties, where women have proved their capabilities, whether in the Islamic Action Front, leftist parties or even pan-Arab nationalist parties, was, as usual, absent from such evaluations.

4.3. Politicizing Women's Issues

Politicizing is taken here to mean participation by women in activities that aim to transfer women's issues from the private to the public realm and to regulate these issues, if possible. Politicized activities in Jordan concerning women's issues range from discussing the issues in public, through seminars, conferences and media campaigns (the most common form of political expression of these issues) to running national campaigns aimed at changes in the law and signing petitions in support of women's rights and public participation—a device that has become increasingly popular recently. Women's issues became politicized fairly early on, as mentioned above, with the demand for an amendment to the Election Law in 1956 as part of a national campaign that included petitions and writing memorandums. No similar women's activism followed until the 1990s, when a group of activists in human rights and women's issues launched a national campaign aimed at limiting crimes of honour and amending the relevant laws.

4.3.1. *The National Campaign to Limit the Phenomenon of Crimes of Honour*

Activists in women's rights and human rights and a large number of journalists and lawyers launched this campaign, demanding that Law no. 340 on Crimes of Honour be abolished. This law provides a mitigating circumstance for a man who kills a female relative if she is involved in an illicit sexual relationship. The campaign began with a number of articles in the press and public lectures which discussed the social and psychological repercussions of continuing honour killings and the fact that the law provided an excuse for these crimes, which could be exploited in such a way as to diminish women's rights. The organizers of the campaign then geared it up to gathering signatures and writing petitions, which were presented to the Chamber of Deputies and Chamber of Notables. The signature-gathering period of the campaign lasted for a considerable period of time, and about 15,000 signatures were obtained from around the country, before the Chamber of Deputies discussed the issue. Most MPs weighed in during what was at times a fierce debate on the repeal of Law no. 340. As expected, the Islamist and tribal deputies agreed that the law should be retained on the grounds that this would protect public morals and family cohesion. Many of them accused the organizers of the campaign of being tools of the West and Zionism, aiming to destroy the cohesive Jordanian family by destroying women's morals.

The enthusiasm of the campaign was spent in a relatively short time, but it was successful in raising the issue of the mitigating circumstances in crimes of honour and the lack of equality between men and women in the Penal Code.⁸ Although a change in the law was rejected, it was nonetheless registered as part of those laws that discriminate against women. This has helped and will help in increasing the chances of the issue being raised once again, as happened when the Legal Committee of the JNCW pointed to the law as one of a group of laws that should be amended or repealed entirely.

4.3.2. Women's Reaction to the Failure to Amend the Penal Code and Personal Status Laws

Jordan has recently made tangible progress in empowering women and boosting their participation in public life. A number of laws have been amended after these changes were put forward by the national campaign against crimes of honour and the legal committee of the JNCW. These include the Personal Status Law and women-initiated divorce, the legal age of marriage, the Civil Retirement Law and the Penal Code. The following were amended on a temporary basis.

1. Article 340 of the Penal Code on crimes of honour was amended in 2000 to include similar punishments for men and women.

2. Personal Status Law no. 34 of 1973 and Passport Law no. 2 of 1969 were amended to allow divorced women and widows to receive a family register booklet (*daftar al-'a'ila*) as the heads of households. If a man has married more than one woman, then each widow, with her children, is entitled to have a family register booklet. Also, women can add their children under the age of majority (under 16) to their passport without the father's approval, and Jordanian women can receive a family register booklet after marrying a foreign man. The amendments have recently affirmed the right of a wife to obtain a passport without her husband's permission.

3. The amendments have covered the Personal Status Law and provisions on divorce initiated by the wife, which for the first time give a woman the right to end a marriage if she waives the right to the husband's financial obligations, including alimony. The amendments also covered polygamy, recognizing the first wife's right based on Sharia law to be informed if her husband takes another wife, although her consent is not required. Another amendment raised the legal age of marriage to 18.

These amendments were adopted during a period when the Chamber of Deputies was absent. However, for the amendments to become law, both chambers of the national legislature (the Chamber of Deputies and the Chamber of Notables) had to approve them. When the newly elected legislature convened following the latest elections, the Legislature (with both chambers) dealt with these temporary laws and discussed the amendments, rejecting parts of them. The Chamber of Deputies opted

to discuss the proposed amendments early on, taking up the proposed changes to the Personal Status Law and the Penal Code at its third session and rejecting the amendments without even referring them to the Legal Affairs Committee, arguing as usual that they contradicted morals and religion. This rejection was met by reactions by women's movement activists, who acted both spontaneously and in more studied fashion, holding a sit-in at Parliament and organizing dialogue with decision makers in both chambers of the legislature.

4.3.3. Sit-ins in Front of Parliament

Women's organizations quickly learned of the legislature's rejection and decided to exploit the opportunity for getting the laws passed, namely that the Chamber of Notables still had to discuss the amendments. Around 100 people held a sit-in at Parliament, asking the Chamber of Deputies to reconsider. Some members of the chamber responded positively, including the chairman of the Legal Affairs Committee, promising that the house would reconsider the decision. Another member listened to their point of view, making the same promise (*Jordan Times* 11 August 2003).

4.3.4. The National Program of Action for Women: National Dialogue with Decision Makers

The Chamber of Deputies' discussions on amending these various laws related to women (especially the Personal Status Law regarding female-initiated divorce and the raising of the legal age of marriage) were not tense, and this appeared to reflect a kind of consensus on the issue. A number of MPs justified their rejection by saying that the amendments were an invitation to moral decline in society, and two newly elected female MPs also voted against, suggesting that the presence of women in the legislature had not changed the character of Jordan's legislative body, which is characterized to a great extent by patriarchy. The Chamber did not change its view regarding women's issues, which are still tied to personal morals, honour and the morals of society as a whole, for which women are held responsible. The same generalization can be made about Jordanian society as a whole.

The National Program of Action for Women came about as a reaction to the Chamber of Deputies' vote on the Personal Status Law, particularly that on female-initiated divorce. The JNCW organized a debate in cooperation with a group of women's organizations, represented by the General Federation of Jordanian Women,⁹ the JNCW and the Jordanian Coalition of Women's Committees, under the direct supervision of Princess Basma, the chair of the JNCW.

The National Action Program's work plan discussed beginning a dialogue with decision makers in the Chamber of Deputies and the Chamber of Notables. Although the implicit message of the dialogue centred on the Personal Status Law, the Coordinating Committee insisted, for strategic reasons, on entering into a general

discussion of women's issues and general developments in their situation. Discussion of the amendments came within this framework; and the Coordinating Committee took another strategic decision, namely to have religious authorities (officials affiliated with the Ministry of Awqaf (Islamic Affairs)) accompany them during their meetings in the governorates of the central, northern and southern areas, in addition to meetings with the Legal Affairs Committee of the Chamber of Notables and female MPs. The on-the-ground part of the National Action Program entailed dialogue with MPs, which took place during separate meetings around the country in which Princess Basma and representatives of local women's organizations took part.

The following were the most important points to come out of these meetings.

1. The meetings expressed the importance of dialogue between the women's movement and the conservative Chamber of Deputies; it was necessary to distinguish between women's issues and issues of public morals, especially since the proposed amendments were not anti-Islamic.

2. A number of MPs who rejected the amendments did so because they saw others doing so or because they merely wanted to oppose the government. For example, the amendment concerning passports was rejected not because it had to do with granting rights to women but because the draft contained other items, such as changing the procedures by which some MPs could receive diplomatic passports; the negative repercussions of the vote on women were not considered (Jordanian National Commission for Women 2003).

3. The launching of dialogue produced an atmosphere of harmony for the first time among different groups in the women's movement, especially the radical elements. Although not all of it was covered by the National Action Program, the movement appeared to be unified in its positions, particularly regarding these laws, and seemed to be able to work together under a single umbrella.

4. The meetings saw the movement break the self-imposed isolation from which it had suffered since its founding. Its policies and the issues it was defending allowed it to enter the realm of mainstream politics.

The dialogue initiative also reached the Chamber of Notables, and specifically its Legal Affairs Committee, where the meeting took the same form as that mentioned above, led by the princess and including religious figures and members of the Coordinating Committee. The positive results that were reached were represented by the Chamber of Notables' referring the law once again after approving it to the Chamber of Deputies, which in its turn referred it to its Legal Affairs Committee. This was considered a positive step, although the committee rejected amendments to the Penal Code.

4.4. Efforts Made to Improve the Situation of Jordanian Women and their Participation in Public Life

The number of women's organizations and unions has increased recently and their work has expanded to include a number of women's charity associations and specialized organizations, such as the General Federation of Jordanian Women, the Jordanian Women's Union, the Federation of Businesswomen and Female Professionals, the JNCW, the Association of Women's Committees and the Women's Rights Forum. A number of these groups' activities are characterized by wide geographic scope and the considerable support and participation of many women in them, which have made them effective organizations, especially in improving the condition of women. They have conducted intensive awareness and educational programmes covering all sectors in various regions, and particularly covering awareness of Jordanian women's rights contained in the country's laws, their duties, and the importance of women's participation in parliamentary life. They continue to carry out training programmes for women voters and candidates to get them acquainted with electoral procedures so that they can develop the basic skills necessary for the elections. They also maintain contact with leading political and intellectual figures in order to open channels of dialogue with them, convince them of the importance of female electoral participation, and therefore gain their support. They build relationships with the media in order to wield influence in this area, so that the public supports the idea of seeing women in decision-making positions and opposes policies that are against women.

Women's organizations are active in every parliamentary election, developing programmes, training sessions, workshops and lectures to prepare women for the elections and train them in using the mechanisms that will get them into Parliament. This involves training them in how to stand for election, fund election campaigns, locate networks of volunteers and administrative staff for their campaigns (including legal advisers, media officials and those responsible for volunteers) and deal with the media. Many women's organizations have taken part in such activities, including the Jordanian Gathering of Women's Committees, General Federation of Jordanian Women, and the Jordanian Women's Union.

However, the situation has not been satisfactory for Jordanian women activists, especially since some of them have stood for Parliament unsuccessfully. There is certainly a need to guarantee better representation for women in Parliament and in politics in general. Many Jordanian civil society groups have taken up the issue of the repeated failures of female candidates to win election; it has become *the* issue of the Jordanian cultural and female elite.

In the light of these disappointing results, it became necessary to look into practical alternatives for strengthening female political participation. A national debate was revived on the quota system and its importance in boosting women's participation. Opponents, who include members of the Islamic Action Front and a number of women's organizations, say that this will have a negative impact on

women, who represent 50 per cent of society and should not be represented as a minority. Supporters say that the quota system is the only way for women to win, as previous efforts have demonstrated.

The Coordinating Committee of Women's Organizations in Jordan, with the General Federation of Jordanian Women at its head, then became active and in 1998 prepared a preliminary agenda of women's priorities that stressed the need to set aside 20 per cent of parliamentary seats for women. Activists were able to gain at least 15,000 signatures supporting this idea.

4.4.1. The National Strategy for Women in Jordan

Prior to the National Strategy, there were no women's activities that involved planning, goals and continuity.¹⁰ The National Strategy (for 1993–9) arose as a result of efforts by a number of organizations that set themselves the task of identifying the priority issues for Jordanian women. For the first time, experts sat down to discuss the most important such issues and exchanged opinions with a large group of activists in women's issues and with representatives of government organizations and NGOs from all parts of the country, as well as different specializations. The National Strategy discussed women's issues in six domains: social, educational, health, economic, legislative and political. The most pressing political issues were identified as adopting policies of affirmative action, such as increasing the number of women appointed to decision-making positions. Although the strategy called for the parliamentary election law to be amended to include a quota for women, the work plan did not discuss how to go about doing this, nor did it define lobbying mechanisms and directions. In this regard the strategy remained somewhat abstract and removed from the idea of implementation.

4.4.2. The Jordanian Women's Document

The document was a reaction to the 2003 parliamentary election results, which were disappointing for many activists in women's issues. Produced by a number of human rights and women's rights activists, it contained specific demands and sought to gather signatures to boost the document's credibility. It contains the following demands and positions.

1. The SNTV electoral system should be abolished in favour of a List Proportional Representation (List PR) system, which will lead to representation that is more just and contributes to Jordan's political development.
2. Electoral district boundaries should be redrawn in a fair manner so that the number of seats corresponds to the size of the population.
3. No sex should be represented by less than 30 per cent of parliamentary seats, which is the figure Jordan has committed itself to internationally.

4. Restrictions on candidacy should be lifted so that an individual can stand for election in any district without regard to race, denomination, gender or origin, based on the concept of citizenship and the idea that discrimination contradicts principles of equality and human rights.

5. Voters should be enabled to vote in the district they choose, as long as they vote only once.

6. Jordanians residing abroad should be allowed to vote.

7. Appeals against judicial decisions on electoral challenges should be permitted.

8. The right of civil society groups to monitor the elections should be acknowledged and they should be encouraged to do this.

9. Comprehensive judicial supervision of the electoral process in all its stages should be ensured.

The document can be criticized for being too like previous memorandums and agendas, and it demonstrates that the reaction by women remains unplanned and lacks continuity. It was a reaction to the 2003 parliamentary election and the disappointment for women after the results were announced. Its discussion of women's issues follows a long introduction that discusses the broader challenges facing the Arab nation, as if the editors and signatories were telling their readers and lawmakers in Jordan that the Arab nation is facing critical issues and priorities, such as Iraq and Palestine, and that women do not forget this at all and do not consider their cause to be a priority. When will Jordanian women free themselves of the failure to consider their causes priorities? We should determine the level of priorities and not be ashamed to declare that the women's cause is a priority as well, with a historical dimension longer than political and nationalist issues.

4.4.3. The National Program to Support Women Candidates in the 2003 Elections

This was part of the many activities undertaken by women's organizations in preparation for the elections. Their activities before this election differed from previous activities in that they benefited from high-level coordination among a number of effective women's organizations with wide membership bases. The JNCW, the General Federation of Jordanian Women and the Women's Rights Forum began a national programme to support women in the elections, in cooperation with some universities, the European Union and the British Council. The programme comprised training sessions for candidates, and workshops and seminars oriented towards university students, to raise their awareness about the importance of female political participation.

This programme also constituted a qualitative leap for women's activism in the political participation issue: the fact that it reached out to the base and focused on female candidates should be considered points of strength of the programme. It lasted

18 months, which indicates awareness and planning, although it lasted a limited amount of time, being connected to the parliamentary elections, and was limited in its targets, focusing on female candidates and university students, not the wider groups of women or society at large. It was also concentrated in large towns, covering only Amman and Irbid, which denotes a limited geographical scope.

This discussion of the efforts made to empower women and boost their participation in public life brings us to the major obstacles that continue to stand in the way of these efforts.

5. Obstacles to Effective Female Participation in Public Affairs

Weak female participation in public affairs and the obstacles it faces have been discussed by observers and activists in Jordan and researched by a number of institutions, which have produced a group of studies on the issue. The study undertaken by the Center for Strategic Studies of the University of Jordan in 1996 found that Jordanian society continues to lack confidence in women's political and decision-making abilities (Shatwi and Daghestani 1996), while its survey of the socio-economic and political conditions of the inhabitants of Jordan found that a third of Jordanian men do not encourage the presence of women in decision-making positions (Hansen-Bauer, Pedersen and Tiltnes 1998). In addition, a number of workshops and conferences have discussed the impact of voting behaviour, tribalism and the weakness of election campaigns on the representation of women in Parliament and in politics in general.

The general conditions of women outlined so far reveal a number of factors that play an important role in limiting or obstructing effective female participation in public life, and may overlap with the results reached in the studies mentioned above. However, the factors we now examine are relevant to the current situation, which is influenced by women's political experience, and under the quota system.

5.1. Social Obstacles

As indicated above, the tribes, which exhibit a traditional type of culture, play an important role in Jordanian politics. They have succeeded in creating a framework, even though it is an 'external' one, that is modern and in harmony with the institutional development and modernization that effective public participation requires. Family leagues have been established and registered with the authorities (as charitable associations), which means that they have become institutionalized. Their internal regulations bear a considerable resemblance to the methods and mechanisms used by political parties and organizations, especially during election time. Tribes can put forward a certain candidate for whom everyone has agreed to mobilize votes, and they campaign among other tribes, especially the smaller ones, who do not have their own candidates.

Where the issue of women is concerned, tribalism continues to play an

important role. Some have given complete support to female candidates (especially small tribes). On the other hand, many female candidates have indicated that they have been subject to criticism and ridicule by tribal leaders and elders. The tribe has also played an effective role in determining the orientation of the female candidate in social and political terms, as has been seen in connection with the politicization of women's issues. Many female candidates (especially the winning one) believe that they represent the tribe, meaning that they give up support for women's issues so as not to abandon the tribe that supported them or besmirch the reputation of the tribe they represent (as if they represent the honour of men in entering Parliament).

In more general terms, tribalism is one of the areas in Jordanian life that have most steadfastly resisted change regarding women's issues. If the tribes are compared with the Islamist trend, there are tribes that reject any public role for women and prefer them to stay home and raise children, while the Islamist current, which enjoys stronger public support, does not reject a public female role so much as want to codify it.

This leads us to analyse another dimension of the social obstacles to female participation, namely religion, which is the most important element (along with tradition and custom) in gender culture in Jordan. As has already been said, the (moderate) Islamist trend in Jordan does not reject the public role of women so much as want to control and regulate it. The Islamists' policies on gender relations and the role of women are explained in their general programme; they call for the creation of a general framework that aims at regulating this presence by separating the sexes in the workplace and urging women to be more conservative in their dress and dealings, without making this compulsory. In this context, the misunderstandings about Islam's view of women and their public participation are a matter to which Islamists do not pay much attention.

5.2. Institutional Obstacles at the Level of the Election Law

5.2.1. The Election Law

The Election Law itself is considered to be one of the most important indicators of the existence of a degree of participation in power, but it does not always indicate the existence of democracy in a political regime. The current law has a number of weak points, especially when it comes to women's issues and female participation. First, it is based on the SNTV system, which reinforces tribalism, which in turn supports male over female candidates, regardless of their qualifications and competence. Second, the districting system is unfair, as the number of seats in a particular district does not match population density, while the SNTV system limits the candidate to his or her narrow electoral district, which reduces his or her political popularity. Third, the mechanism to determine winners of seats set aside for women is unfair: since the top six candidates in terms of percentage of actual votes to the total number of voters in

their district are declared winners, this provision has limited the chances of female candidates in large electoral districts gaining seats in Parliament.

5.2.2. Election Campaigns (Financial Capabilities of Candidates)

Jordanian election campaigns can be characterized by their rising costs, which begin with candidacy application fees and continue to funding the campaign, the staff and the related expenses of 'hosting' or hospitality in meetings with voters. Experience has shown that women have less financial resources and are less able to fund their campaigns. This is a real obstacle, especially in districts where campaign costs are high, and prevents women from reaching a broad base of voters.

5.3. Factors Related to Women Themselves, their Qualifications and Political Expertise

The historical weakness of female political and public participation has meant a weakness in their political expertise in general and electoral experience in particular, in addition to a weakness in producing an electoral platform and encouraging voter support for it. Moreover, Jordanian elections are based on services, a fact that again strengthens the tribal element of domestic politics. Because women have a limited presence in political positions and positions of influence, the belief that they can provide services is very limited as well. This works to the benefit of men, who through their work and political expertise benefit from a network of relationships that allow them to serve voters with ease, or at least convince them that they can.

6. General Evaluation: The Impact of Female Participation in Public Affairs

Many people have researched and analysed various aspects of the democratic transformation in Jordan and the return of parliamentary life, with political actors such as the government, political parties and civil society groups receiving a considerable share of attention in the process. However, these analyses have for the most part ignored a basic dimension of democracy, namely gender. There has been no analysis of these political actors' positions and policies as they relate to women's issues or impact women in society. Policies usually respond to the situation of men and women, their needs and demands. If politics ignores the important fact that men and women have differing demands and needs, and that the impact of policies on them differs, then the extent of political democracy is open to question.

The results of this study have provided a comprehensive view of the process of democratic transformation in terms of the gender factor, and also allow us to evaluate the performance of political actors in regard to their interaction with female public participation and the politicization of women's issues, which necessarily affect men's

issues, society as a whole, and the interaction of women's issues with both.

6.1. The Performance of the State

Governments are considered to be the executive arm of the country's higher political will. Because they are very concerned with Jordan's image abroad and committed to international charters, which they have ratified and worked to implement, governments are more responsive to any change or amendment for the cause of women and are easier to deal with than the Islamists and the tribes, who dominate the political scene. This study has shown that there is good coordination between the government and women's organizations in incorporating a gender-based perspective in the five-year development plan (for 1999–2003), which, if implemented, will be a real accomplishment and will secure new rights for women. Prior to this, the government was responsive with Princess Basma's initiative in 1994 to appoint 99 women to municipal council positions; she has worked to boost female participation in this sphere. This initiative proved to be a distinctive achievement which should be added to the government's record on women's issues. So should the quota system and the temporary amendments to legislation, which, had the legislature approved them, would have achieved a fairer outcome for over 800 pending cases of female-initiated divorce now before the courts.

The state's concern has also been manifested by the involvement of members of the royal family in activities and efforts regarding issues that concern women. It began with Princess Basma's chairing the national delegation to the 1995 Beijing Conference, which led to the initiative to form a number of women's organizations, such as the JNCW and the Jordanian Gathering of Women's Committees, and her participation in and patronage of their activities. Queen Rania has also been active recently through her patronage of the Sixth Regional Conference on Women, which convened in Amman in November 2002. She follows the activities that resulted from this gathering closely, and she announced the amendment of the laws on personal status, citizenship and passports at this conference.

This increasing concern and close involvement in women's issues and policies, despite some criticism that it represents indirect state involvement in the activities of civil society, has helped women's organizations to coordinate, which was not possible until a short time ago, and direct their efforts in a more specialized fashion, at the expense of other political issues. Many continue to question how far these organizations, which sprang up after the quasi-official initiative of the princess, represent the women's movement. They believe that the women's movement should be completely independent of the state in order to represent the public and hold the government accountable and monitor its performance, as is the case in an ideal democratic regime.

Although in the light of the analysis here the role of the state appears to be a positive one, it does continue to carry out some policies that observers believe limit the activities of civil society organizations and women's organizations. The Law on

Charitable Associations (no. 33 of 1966), under which most women's organizations are registered, is the basic framework for the activities of most of them. It is an old law that does not suit new women's groups and gives the authorities wide-ranging, if not absolute, powers to intervene in the activities, form and make-up of these organizations and to dissolve them if, in the opinion of the authorities, they are seen to have violated the very general provisions of this law, which are sometimes subject to random interpretations.

6.2. The Performance of Civil Society

This section will evaluate the role played by a wide group of political actors—Islamists, tribal organizations, the women's movement, political parties and organizations and so on. Jordanian civil society has diverse elements and the political expression of its make-up is equally diverse. However, observers have noticed recently that civil society groups have paid considerable attention to women's issues, and particularly political participation. The past decade has seen a number of workshops, programmes and activities directed at supporting female political participation, carried out by women's organizations and those not representing women alone, such as research and studies institutes, in coordination with or funded by some international organizations. There has been a surprising inclusion of women in decision-making positions, sometimes of a sensitive nature, in one of the most conservative Jordanian civil society organizations, namely the Islamist movement (which contains moderate groups, such as the Islamic Action Front), and more moderate groups, such as the Islamic Center Party, which came to the fore after splits within the Islamic Action Front prompted the formation of the new party by dissidents. Both parties have emphasized moderation and including women in the decision-making process as strategies. Women hold six posts on the Shura Council of the Islamic Action Front, and one of them, Hayat al-Musaymi, won a parliamentary seat under the quota system. There are three women on the Islamic Center Party's council.

However, is it sufficient to argue that internal divisions and the positions of the Islamic Action Front and the Muslim Brotherhood on political participation, the boycott of elections in protest against the Election Law, the image of Islamist movements after 11 September 2001 and the generalized definitions of terrorism are the main reasons for incorporating women in the Islamist movement? There are in fact two other reasons.

The first is connected to the large-scale politicization of women's issues, which has been under way for about two decades. A number of women's organizations are pressing for amendments to laws and social changes for the benefit of women. The Islamists, who have their own agenda on women's issues and their participation in public life, which is seen as a conservative one (separation of the sexes and limited participation for women in work, education and politics¹¹), seek to incorporate their own formula for female participation in public life. Their position is that, if there

are to be amendments to laws dealing with women, they should be introduced in the way the Islamists want and under their supervision. It has therefore become necessary to incorporate women in decision making so that they can, at a later date, implement or at least help implement the general vision of the party and the Muslim Brotherhood.

Female participation here has been unexpectedly positive. Although it is still early to generalize about the results, observers have seen a slow and gradual appearance of an Islamist female discourse¹² led by the politics of Islamist parties and female activists in the Islamist movement. The new discourse differs from the patriarchal discourse in that it has transformed the context in which women's issues are discussed in the Islamist discourse in Jordan in general, from a discourse of morals to one of rights. Activists in this framework derive women's rights from and tie women's issues to the Islamic vision, which determines rights and duties for both men and women. If this situation continues at this pace, it will require the crystallization of an Islamist female discourse that could considerably help remove misunderstandings regarding women, common among the public.

In any event, activity by civil society in general and women's organizations in particular directed towards supporting women and their political participation remains a discourse that is limited in time, place and the people involved. Although this generalization has gradually begun to lose its credibility, women's organizations should still be aware of the risk of activism that is separate from general political activity and of the importance of coordination and joint efforts with other government institutions and NGOs in order to achieve more effective results. They should also be aware of the importance of getting away from the centre (Amman) and heading towards other parts of the country, and avoid an elitist, one-sided discourse in favour of one that is more sensitive to and representative of women of differing social and economic backgrounds.

The institution of the tribe and its representatives are the political actors in civil society that are most obstinately opposed to women's issues and efforts to politicize them. The feature which Jordan's two legislative bodies have in common more than any other is their tribal nature, which is considered the most effective and active on the political scene when it comes to meeting people's interests. This in turn gives the legislature a service-oriented feature, which keeps the political-ideological discourse distant from the legislature and weakens the impact of political parties, which are the most important political institution in an ideal democratic context.

Women's organizations have been very dynamic in activities directed at women and different women's issues. However, these activities suffer from several problems, although this generalization too is gradually losing its credibility. They are ad hoc and limited in time, usually accompanying parliamentary elections (training for candidates before the election, and discussion and classification of the disappointing results afterwards), and limited in scope, since these organizations need to go beyond the capital and target the rest of the country in order to enhance their credibility

and their ability to represent Jordanian women. Another problem is the limited audience for conferences and workshops, which are usually confined to a certain elite framework of intellectuals and activists in the women's movement, sometimes going beyond this to human rights and civil society activists.

Credit for all this goes not so much to the women on the government's list as to some NGOs and quasi-governmental organizations, and it should not be forgotten that the work done here by the executive branch of government is easier than that of the legislative branch. Jordan's highest political authorities have long wanted to introduce radical changes to a number of temporary laws: the executive authorities have tried and continue to try to introduce and implement these changes, until the conservative Parliament rejected them.

7. General Recommendations

After this detailed presentation of the nature and form of female participation in public life, we arrive at two very central questions, namely, when will this participation have a true impact in society and in supporting women? and what roles should the various institutions have here? To answer these questions, we offer the following recommendations.

7.1. Recommendations for the Government

1. The six-seat quota for women should be increased to the level that is used internationally and ratified by Jordan. There must be a substantial minority of women (20–30 per cent) in the three branches of government so that their participation can help to change the prevailing culture regarding the role of women in society and their capabilities. This proportion is required in order to lobby for change. The six scattered female voices in Parliament today have perhaps worked against the interests of women instead of boosting their social and political situation and empowering them. In the executive and judicial branches, female participation remains weak and one of form only, despite the policies adopted by ministries and state institutions.

2. The SNTV system should be replaced by a more just system, since experience has shown that the current system has not benefited women.

3. Redistricting should be carried out in order to produce a more equitable result. While some favour a single, country-wide electoral district which would restore the lost political character of elections, there is still fear that this would deprive remote, non-politicized areas of the country of political representation and would turn them into marginalized areas. The political activity of civil society organizations is concentrated in Amman and a few large districts.

7.2. Recommendations to Make the Role of Civil Society and the Women's Movement More Effective

1. In democracies today, women's movements carry a double burden in that they must target two types of organization in lobbying for women's issues—the institutions of state and civil society groups. Women's organizations must coordinate with civil society groups to work on certain issues, but at the same time they must combat the traditional, if not patriarchal, nature of these groups. At the same time, they must combat the paternalism of state institutions and incorporate women's issues and interests into their policies. This can be done easily through well-planned work that is based on the idea that the state is ready to cooperate since it launched the process of political development, which targets civil society. However, state policies on women require parties that support and justify these policies and suggest mechanisms for achieving them, in addition to the best ways of seeing these policies achieve progress socially, so that they can continue. Thus it is important to coordinate programmes and policies that acknowledge the fact that Jordanian society is conservative and will respond more positively to policies and programmes that respect traditions and religion.

There is a single umbrella for women's activism, and programmes and policies within the framework of the JNCW are finding society responsive for various reasons, but if this framework of action can be exploited to politicize difficult issues relating to women through a single forum that expresses the variety of trends in the women's movement, then many programmes that go beyond this framework will succeed.

2. More work should be done to prepare female candidates before they stand for office and to prepare them politically, because women in Jordan generally lack political expertise, which can be gained by men over long periods of political or other participation. Women, meanwhile, have often avoided political work because it is 'purely men's work' or 'dirty' in some way and unsuitable for women. We should concentrate on mechanisms and ways to politicize women's issues, because female social and political activists lack the necessary know-how. These issues have not been priorities for a long time as they were lower priorities than many urgent domestic, national issues that have not gone away or will not go away.

3. Civil society organizations usually lack sensitivity to women's issues, and female participation in them is weak. In their continuing search for a more effective political role, these organizations ignore basic internal issues. They must create a specific mechanism, and affirmative action measures have proved successful at various levels, achieving qualitatively good and balanced representation, which will guarantee better democracy in form and practice.

Notes

¹ Public activity by women in Jordan has accompanied the sequence of political, social and economic developments that the country has experienced since it was founded. The first organized women's activity took place in the 1940s, when a number of women of mainly upper- and middle-class backgrounds and relatively high levels of education formed the Women's Solidarity Association. This organization, the first organized women's group, did not confine its attention to women's issues on a direct basis; its activities were general in nature, as it lacked sufficient awareness of relevant issues. It was dissolved when it joined the Women's Federation Association, formed later in 1945, under the influence of similar federations in neighbouring Arab countries, especially in Egypt, when activist Huda Shaarawi asked King Abdullah I for permission to form a women's federation in Jordan. Among its goals were women's representation and the organization of women-related activities. Women's activity at this time was within the framework of the state in one way or another. (For more details about the beginning of women's activities in Jordan, see al-Tall 1989; and al-Attiyat 2004.)

² Emily Naffaa is a former president of the Association of Arab Women in Jordan. See the interview published in al-Attiyat 2004.

³ There had previously been an Association of Arab Women in Jordan in the 1970s, which along with the Union of Jordanian Women was very active on women's issues, exposing both to harassment. The Union of Jordanian Women, established in 1974, was dissolved in 1981 by decision of the Ministry of Interior. The Union then came back to life in the early 1990s under the name of the Jordanian Women's Union. On 5 September 1981, the Social Development Ministry took the initiative to form a General Federation of Jordanian Women, to bring together all women's charitable associations. During the second half of the 1970s and the beginning of the 1980s, some female members of the elite formed a number of associations and clubs, such as the Businesswomen and Women Professionals' Club in 1976; and some leftist organizations formed affiliated women's leagues, such as the Jordanian Democratic Women's League, formed in 1983, and the Jordanian Women's League of 1985.

After 1981, the women's movement began to think about independent action and national organizations of different kinds. Each group thought that it had the goals and vision suitable to form an umbrella women's group in Jordanian society. In the 1990s, a new type of women's organization appeared, characterized by its strength and activism, especially as Princess Basma supervised such groups (al-Attiyat 2004).

⁴ The Jordanian National Commission for Women was formed in 1992 by a decision issued by the prime minister as part of the Beijing Charter, which called for such a committee to be established in all countries, to function in an advisory role to the government on everything relating to women's issues. The JNCW was not only tasked with supporting and reviewing government policies, laws and plans in order to achieve the advancement of women; its task was meant to go beyond that, to include coordination with government and non-government organizations active in this domain to achieve the goals set down by government and non-governmental actors in the National Strategy for Women in Jordan.

The JNCW is chaired by Princess Basma; its aims are to improve the situation of women in all areas and to engage women in national development. The committee developed a six-point National Strategy for Women in Jordan (see section 4.4.1 of this chapter). The section on politics advocates working to see women enter decision-making positions. A Coordinating Committee of Jordanian Women's NGOs grew out of the National Committee to coordinate efforts and programmes. The National Committee

recently produced an election guide booklet for women, containing information on electoral procedures and encouraging them to vote and stand for office.

⁵ Gender mainstreaming is a process of several stages, beginning with gender analysis, which includes thorough review of the situation in the institutions targeted and the level of female representation in decision-making positions.

⁶ The Jordanian Gathering of Women's Committees was formed in response to an initiative by Princess Basma, with the goal of gathering the energies of Jordanian women, organizing them and directing them to the effort to improve the situation of Jordanian women and making their role in society more effective.

⁷ An executive council represents all government departments in the governorate and is chaired by the governor. Its tasks include studying all issues related to the needs of the population in the area. A consultative council has the same tasks as the former and is also headed by the governor; it has no more than 25 members.

⁸ The Penal Code provides mitigating circumstances for the husband if he surprises his wife in an illicit situation in any place, while the equivalent mitigating circumstances for a wife who surprises her husband is restricted to the couple's home. For more detail on the Penal Code see Abu-Odeh 1996.

⁹ See note 3.

¹⁰ In general, women's reaction to their poor participation in public life has continued to be lacking where planning is concerned. A number of activities take place prior to or just after parliamentary elections, which are considered the central aspect of the activity, and no future-oriented planning takes place. For example, before the 1997 election, a women's agenda identified priorities following those identified by workshops organized by the Jordanian Women's General Federation. The agenda identified as priorities demands by Jordanian women for the period 1997–2001, the most important of which where political participation was concerned was the setting aside of parliamentary seats for women and amendments to the candidacy fee provisions in the electoral law.

¹¹ Their ministers' policies have shown this by requesting a separation of the sexes in workplaces at the Ministry of Social Development, which was headed by Yusuf al-Azm at the time. The minister of education (al-Akayli) asked schools affiliated with the ministry not to allow fathers to visit school activities put on by their daughters. For more details, see Tariki 1995.

¹² An example of the pioneers of this is Nawal al-Fa'uri, the first woman to win a seat in the Shura Council of the Islamic Action Front. She is a founding member of the Islamic Center Party, which split from the former group. She has been seen to pay great attention to the moderate Islamic viewpoint on difficult issues or those dealing with women, which are debated in public. She puts forward a moderate Islamist position by discussing the rights granted to women by Islam and getting rid of the ambiguity over women's issues that is usually linked to Islam.

Appendix 1.1. The Amended Election Law for the Chamber of Deputies 2003

The Law on Additional Seats Allocated for Women

Article 1: This law is called the Amended Election Law for the Chamber of Deputies for 2003 and is read with Law no. 34 of 2001, which will be termed the Original Law and amendments, as one law and will come into force upon publication in the *Official Gazette*.

Article 2: Article 2 of the Original Law is amended by adding the following definition after the definition of Electoral District Committee—Special Committee: Committee formed in the ministry by a decision by the minister according to provision 1 of paragraph C of article 24 of this law.

Article 3: Article 24 of the Original Law is amended by adding the following as paragraph C and re-numbering paragraph C so that it becomes paragraph D: 1- A special committee is formed in the ministry by a decision by the minister; it is chaired by an administrative governor and has as members a judge named by the minister of justice and a state employee of at least Grade Two civil service rank. This committee's task is to follow up filling the additional parliamentary seats designated for female candidates, as according to the statutes of the system for dividing electoral districts and allocating seats in them, and according to the provisions of paragraph C of article 45 of this law. The minister issues instructions he deems necessary to specify any other tasks that are required by the work of the committee. 2-The committee, in front of the minister, takes the oath that is stipulated by provision 1 of paragraph 7 of this article.

Article 4: Article 45, paragraph 1 of the Original Law is amended by adding the following as paragraphs 2, 3, 4 and 5: paragraph 2: After the vote counting and announcement of final results in all district are concluded and the results forwarded to the minister of interior by Central Election Committees, according to the statutes of article 44 of this law, the minister relays to the Special Committee the reports on these results. This is so that the Special Committee can check and review the number of votes received by female candidates who did not win seats in any districts. Paragraph 3: 1- The Special Committee determines the names of winning candidates for seats set aside for women based on the percentage of votes that each candidate receives from the total votes cast in the district in which she is a candidate. The candidates' percentages are compared and the winners are the ones who have received the highest percentages in all electoral districts, regardless of whether the candidate is Muslim, Christian, Circassian or Chechen, or a candidate in a closed Bedouin district. 2- In the event of a tie, the winning candidate is determined by drawing lots. Paragraph 4: The chairman of the Special Committee openly declares, in front of candidates or their delegates, the names of the winners of the seats set aside for women. Paragraph 5: The Special Committee prepares a report containing all of the measures taken to

arrive at the result, according to the statutes of paragraphs 3 and 4 of this article and refers it to the minister of interior. Paragraph 6: If a seat set aside for women becomes vacant, a by-election is held in the district of the member of the Chamber who held the seat, according to the statutes of this law and during a period no longer than 60 days from when the Chamber informs the prime minister of this vacancy; candidacies are limited to those females who fulfil the conditions of candidacy in that district.

Source: Jordanian News Agency, Petra <<http://www.petra.gov.jo>>.

Appendix 1.2. Female Participation in Parliamentary Elections, 1989

| Name | District | Seat | Number of Votes |
|--------------------|----------|--------------------|-----------------|
| Aisha al-Razim | Amman 1 | Muslim | 1,176 |
| Na'ila al-Rushdan | Amman 3 | Muslim | 1,046 |
| Hayfa al-Bashir | Amman 3 | Muslim | 365 |
| Jumla al-Nahar | Amman 5 | Muslim | 702 |
| Dam al-'Izz Shraym | Amman 5 | Muslim | 262 |
| Dr Ayda al-Mutlaq | Irbid | Muslim | 3,495 |
| Widad al-Shannawi | Maan | Muslim | 155 |
| Nadia Bashnaq | Al Zarqa | Muslim | 2,602 |
| Janette al-Mufti | Amman 3 | Circassian–Chechen | 2,604 |
| Toujan Faisal | Amman 5 | Circassian–Chechen | 1,328 |
| Dr Mufida Suwaydan | Irbid | Christian | 3,817 |
| Dr Huda Fakhuri | Balqa' | Christian | 2,987 |

Appendix 1.3. Female Participation in Parliamentary Elections, 1993

| Name | District | Seat | Number of Votes |
|------------------|----------|--------------------|-----------------|
| Toujan Faisal | Amman 3 | Circassian–Chechen | 1,885 |
| Janette al-Mufti | Amman 3 | Circassian–Chechen | 854 |
| Nadia Bashnaq | Zarqa | Muslim | 1,195 |

Appendix 1.4. Female Participation in Parliamentary Elections, 1997

| Name | District | Seat | Number of Votes |
|--------------------|------------------------|--------------------|-----------------|
| Aisha al-Razim | Amman 1 | Muslim | 774 |
| Fatima Hassuna | Amman 4 | Muslim | 656 |
| Firdaws al-Misri | Amman 5 | Muslim | 297 |
| Wisaf al-Ka'abina | Bedouin/Central | Muslim | 67 |
| Samiha al-Tall | Irbid | Muslim | 236 |
| Fatima Ubaydat | Ramtha and Bani Kinana | Muslim | 824 |
| Sabah al-'Anani | Zarqa | Muslim | 654 |
| Nawal al-Mu'mini | Ajloun | Muslim | 60 |
| 'Ajayib Hadiris | Balqa | Muslim | 369 |
| Hafiza al-Mu'ayata | Kerak | Muslim | 39 |
| Siham al-Bayayida | Kerak | Muslim | 452 |
| Da'ad Sultan | Al-Aqaba | Muslim | 142 |
| Toujan Faisal | Amman 3 | Circassian–Chechen | 4,227 |
| Hiyam Kalimat | Amman 5 | Circassian–Chechen | 867 |
| Layla Faisal | Amman 5 | Circassian–Chechen | 888 |
| Emily Naffaa | Amman 3 | Christian | 2,292 |
| Norma Shatara | Amman 3 | Christian | 243 |

Source: <<http://www.jordan elections.jo>>.

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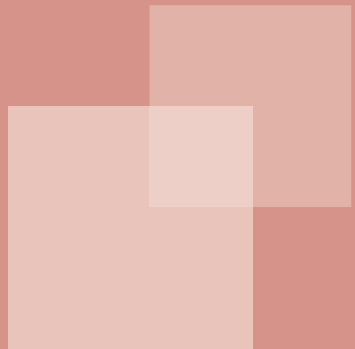
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Chapter 2

Political Parties in Jordan



Political Parties in Jordan

1. Introduction

In contemporary democratic systems, political parties are considered to be the fundamental mechanism for political participation, political pluralism, the rotation of power and the creation of political elites. Political parties have appeared as an expression of the social and economic interests of different groups in society based on the society's situation and historical evolution. Thus, the nature, make-up and number of parties differ from one state to another. On the other hand, no state enjoys a high degree of democracy without being governed by parties that rotate in office.

In Jordan, political parties go back to the founding of the state, and experience of parties has gone through various phases and turning points as different parties and political trends have taken their turn on the national scene. Political parties have been an expression of the country's social structure as well as regional and international conditions. At the beginning, they reflected traditional social structures. Then they became an extension of the pan-Arab national movement for independence, present throughout the Arab world during the Mandate period, in the colonial era, and after the Nakba (Catastrophe) in Palestine in 1948 and the unification of the East and West banks in 1950, when a new phase of political and national thought began. After the Israeli occupation of the West Bank in 1967 and the appearance of armed Palestinian action in Jordan, political parties entered a phase that saw an intersection of concern with ending the Israeli occupation and building the Jordanian state, as the

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agenda of liberating Palestine dominated party activity in Jordan. A clash finally took place between the Palestine Liberation Organization (PLO) and the Jordanian state, which led to the Palestinian resistance's leaving Jordan in 1971.

The Jordanian constitution of 1952 was the reference point for the general legal framework of the country's political system. It confirmed the right of citizens to set up and join political parties, and this right was embodied in the Political Parties Law, no. 15 of 1955. Parties began to be licensed and had their first parliamentary experience in 1956. During this period, Jordan saw active parties and parliamentary elections that led to a coalition government formed by the broadest grouping of the country's political spectrum.

The experience of political parties as a public phenomenon then ended with the imposition of martial law and parties were absent from organized political activity until 1989, when democratic life resumed. The Political Parties Law was issued in 1992 and life began to return to the old parties, while more than 30 new ones emerged, representing different ideological and political orientations. They have been allowed to participate in four parliamentary elections since 1989, after major political and economic transformations in Jordan, the region and the world. However, political parties have not played their required role in the democratic transformation and political participation. They continue to suffer from a number of problems that hinder their work and effective participation. This chapter will try to shed some light on these problems, beginning with a short overview of the development of political party life in Jordan, its social and political dimensions, and the effect of the current situation on the promotion and growth of party life.

2. The Evolution of Political Parties in Jordan

The experience of political parties has passed through several phases connected with the socio-economic situation of Jordanian society, the formation of the Jordanian state and regional conditions, particularly the Palestinian issue. We can divide these phases as follows.

2.1. Beginnings: 1921–50

Groups such as the Arab Youth Party (Hizb al-'Arabiyya al-Fatat), the Arab Independence Party (Hizb al-Istiqlal al-'Arabi), the Syria Covenant Party (Hizb al-'Ahd al-Suri), the Syrian Union Party (al-Ittihad al-Suri) and the Syrian National Party (al-Hizb al-Watani al-Suri) were present on the Jordanian scene before the creation of the emirate in 1921. At the time these groups were concerned with liberating Syrian territories and declaring an independent state. Jordan was therefore more an arena for these parties to pursue broader goals than a polity in which they sought a part in government, although they did wield political influence in the years that followed, especially after the creation of the emirate.

During this period there was no law regulating the activities of political parties, which were registered under the Ottoman law governing associations. Despite this, there were several political parties between 1921 and 1949 in Jordan, as table 2.1 shows.

Table 2.1: Jordanian Political Parties, 1921–50

| Name of Party | Year of Formation | Notes |
|--|-------------------|--|
| Mother of Villages Party (Umm al-Qura) | 1921 | Pro-government, set up to combat the Independence Party (Hizb al-Istiqlal) and continued until 1925 |
| Jordanian Freedom Party (Ahrar al-Urdun) | 1921 | Formed by Jordanian intellectuals under the slogan 'Jordan for the Jordanians' |
| Arab Covenant (al-Ahd al-'Arabi) | 1921 | Pan-Arab nationalists, competing with the Independence Party |
| Arab Levantine Association (Jam'iyyat al-Sharq al-'Arabi) | 1923 | A political association formed by leaders of the Liwa of Ajloun |
| People's Party (al-Sha'b) | 1927 | The first opposition political association springing from the local environment |
| Executive Committee of the National Conference (al-Lajna al-Tanfiziyya lil-Mu'tamar al-Watani) | 1928 | Formed after the first National Conference of Jordanian opposition to the treaty with Britain |
| Free Moderate Party (al-Hurr al-Mu'tadil) | 1930 | Included traditional leaders; set up to combat the opposition |
| Jordanian Freedom Party (Ahrar al-Urdun) | 1931 | Re-formation of older party |
| Jordanian Workers' Party (al-'Ummal al-Urduni) | 1931 | No information about its founders; licensing appears not to have been rejected; it was followed later by the formation of the Association to Aid Jordanian Workers (Jam'iyyat Musa'adat al-'Ummal al-Urduniyyin) |
| Jordanian Solidarity Party (al-Tadamon al-Urduni) | 1933 | Pro-government |

| | | |
|---|------|--|
| Association of Jordanian Intellectual National Youth (Jam'iyyat al-Shabab al-Watani al-Urduni al-Muthaqqaf) | 1933 | Youth organization, later led political opposition |
| Jordanian National Party (al-Watani al-Urduni) | 1936 | Opposition party established in exile (Damascus) |
| National Brotherhood Party (al-Akha' al-Watani) | 1937 | Pro-regime party comprising notables and tribal sheikhs |
| Executive Committee of the National Conference (al-Lajna al-Tanfiziyya lil-Mu'tamar al-Watani) | 1944 | Re-formation of older party, dissolved at the end of the year |
| Muslim Brotherhood (Jama'at al-Ikhwan al-Muslimin) | 1946 | Formed by a number of merchants, a branch of the mother party in Egypt |
| Jordanian Free Youth Association (Jama'at al-Shabab al-Ahrar al-Urduniyyin) | 1946 | Opposition group with headquarters in Damascus |
| Jordanian Arab Party (al-'Arabi al-Urduni) | 1946 | Opposition party comprising Jordanian intellectuals, but did not receive licensing from the government |
| Arab Renaissance Party (al-Nahda al-'Arabiyya) | 1947 | Pro-regime; set up to support Prince Abdullah's Greater Syria project |
| Jordanian People's Party (al-Sha'b al-Urduni) | 1947 | Opposition party dissolved after a number of months, on the pretext of extremism |

Sources: New Jordan Center for Studies 1995; and Hamarneh 1995.

These parties differed in a number of ways. Some had pan-Arab nationalist orientations and most shared the nationalist orientation of the Emir Abdullah. Others, especially after the First National Conference of 1928, were Jordanian nationalist in orientation and sought to form an active opposition to the governments of the day and against British influence in the country. These parties held five national conferences between 1928 and 1935, with broad representation of tribes as well as intellectuals, professionals, and religious and ethnic minorities. As a result, harsh measures were taken against these parties, and laws were passed that limited their right to assembly, exiled opposition figures and put them under house arrest, which had a negative affect on political life in the next decade. The post-World War II period saw the emergence of new leaderships, the most important of them being the Muslim Brotherhood. This group was led by merchants and businessmen, and conditions became ripe for

the emergence of nationalist and socialist political parties in the period that followed (al-Muhafaza 1992).

2.2. The Second Phase: 1950–67

This period began after the 1948 war and the establishment of the State of Israel, followed by the unification of the East and West banks into a single political entity. This led to changes in Jordan's demographic make-up in political, social and economic terms. This period also saw political reforms in the Jordanian political regime, a new constitution (in 1952) and the passing of the first Political Parties Law (in 1955). It also saw the birth of ideological, religious, nationalist and leftist trends and parties, which were considered, to a certain degree, to be extensions, whether in terms of thinking or of organization, of parties in other Arab countries. Most of the leftist and nationalist parties had actually emerged before the Political Parties Law of 1955 was passed, but a large number were not licensed to engage in party activity, even after the law was passed. Nonetheless, they enjoyed considerable mass support and an organizational presence on the political arena, exercising direct and indirect influence on public policies.

Table 2.2: Jordanian Political Parties, 1950–56

| |
|---|
| National Front (al-Jabha al-Wataniyya) |
| Jordanian Communist Party (al-Shiyu'i al-Urduni) |
| Arab Baath Party (al-Ba'ath al-'Arabi) |
| Liberation Party (al-Tahrir) |
| National Union Party (al-Ittihad al-Watani) |
| National Front (al-Jabha al-Wataniyya) |
| Arab Nationalist Party (al-Qawmiyya al-'Arabi) |
| Syrian Nationalist Party (al-Qawmi al-Suri) |
| National Socialist Party (al-Watani al-Ishtiraki) |
| National Party (al-Umma) |
| Arab Constitutional Party (al-'Arabi al-Dusturi) |

Source: Shteivi and Hawrani 1996.

The 1950s saw a considerable evolution in political and party life through interaction with challenges in the region and the Arab world, such as the loss of Palestine, the issues of freedom and liberation from colonialism, the emergence of the communist and socialist trend throughout the world, and the issue of Arab unity.

These parties secured their mass legitimacy and extensive public presence through programmes and demands relating to these issues. Large sections of the population joined them—the middle class, professionals, workers and members of tribes. The

political parties formed a parliamentary majority after the 1956 election, and this spurred King Hussein to ask the leader of the largest party (Suleiman al-Nabulsi), although he had not won a seat in the election, to form a broadly-based nationalist government. However, he did not last long because his programme collided with that of the state at the time. The government was dissolved a short time later, and, when the clash between the state and the parties reached its climax, the government dissolved all political parties and banned party activity in Jordan. The country entered on an unprecedented period of political repression, leading the parties to work in secret (Cohen 1988; Shteivi and Hawrani 1996; Hamarneh and Ibrahim 1995; al-Muhafaza 1992).

2.3. The Third Phase: 1971–89

This period began after the June War and Israel's occupation of the West Bank and Gaza Strip in 1967, the emergence of the Palestinian resistance in Jordan, and the entry of most parties into this movement, whose sole concern was to liberate Palestine. This was followed by the events of Black September in 1970, which saw the armed Palestinian resistance leave Jordan and opened the door to a new phase in Jordanian political life, characterized by the weakness or disappearance of political parties. Some Palestinian organizations did emerge alongside the Communist and Baath parties during the 1970s and 1980s and can be seen as a kind of extension or branch of Palestinian factions on the Jordanian arena.

Political parties continued to constitute the main body of the Jordanian opposition, even though their activities were banned. In this period political parties were active through legal and licensed organizations and frameworks, such as labour unions and professional associations, which became an arena for party activity. The agendas of the party and union/association in effect merged, but the parties, and especially the leftist and nationalist parties, exercised a considerable degree of domination over these unions and associations; their influence is still felt.

Political life was subject to martial law until 1989, the year when a new phase in political and party life in Jordan was ushered in (Hamarneh and Ibrahim 1995).

2.4. The Fourth Phase: 1989–2003

At the end of the 1980s, political, economic, regional and local developments led to the return of parliamentary life, followed by party political life. In the middle of the decade Jordan experienced a severe economic crisis which brought increased poverty and unemployment. The government began to implement a structural adjustment programme under the supervision of the World Bank, which led to a rise in fuel prices, followed by a popular uprising which began in the south of Jordan and spread to the rest of the country. This uprising's demands moved from protest about the economic situation to a demand for democracy. In addition, the separation from the West Bank in 1988 helped to prepare the domestic political and legal climate for a

return to parliamentary life.

In the parliamentary election of 1989, political parties and party members were allowed to take part. Afterwards, in 1992, a law on political parties was issued after difficult public parliamentary and party debates. Party activity was permitted once again, provided they were licensed. The 1990s saw a new start, as many new ideologically-based parties sprang up. Table 2.3 shows that, up to June 2003, there were 31 licensed parties. A quick look at these parties shows that they were made up of political and ideological parties that were already present in Jordan and were operating secretly, as well as an appreciable number that appeared for the first time after the return of democratic life. Except for a few cases, these parties can be considered the product of local, Jordanian conditions, and not the organizational or ideological extension of outside groups.

Table 2.3: Jordanian Political Parties, 1989–2003

| | Name of Party | Year of Formation |
|----|--|--------------------------|
| 1 | Jordanian Arab Baath Socialist Party (Hizb al-Ba'th al-'Arabi al-Ishtiraki al-Urduni) | 1993 |
| 2 | Jordanian Communist Party (al-Hizb al-Shiyu'i al-Urduni) | 1993 |
| 3 | Islamic Action Front (Jabhat al-'Amal al-Islami) | 1992 |
| 4 | Jordanian People's Democratic Party (Hizb al-Sha'b al-Dimuqrati al-Urduni) (Hashd) | 1993 |
| 5 | Future Party (Hizb al-Mustaqbal) | 1992 |
| 6 | Jordanian Popular Democratic Unity Party (Hizb al-Wahda al-Sha'biyya al-Dimuqrati al-Urduni) | 1993 |
| 7 | Progressive Party (al-Hizb al-Taqaddumi) | 1993 |
| 8 | Arab Baath Progressive Party (Hizb al-Ba'th al-'Arabi al-Taqaddumi) | 1993 |
| 9 | Arab Islamic Democratic Movement (al-Haraka al-'Arabiyya al-Islamiyya al-Dimuqratiyya) (Du'aa) | 1993 |
| 10 | National Action Party (Hizb al-'Amal al-Qawmi) (Haqq) | 1994 |
| 11 | Jordanian Constitutional Front (al-Jabha al-Urduniyya al-Dusturiyya) | 1994 |
| 12 | Freedom Party (Hizb al-Ahrar) | 1994 |
| 13 | Jordanian Democratic Left Party (Hizb al-Yasar al-Dimuqrati al-Urduni) | 1995 (year of merger) |

| | | |
|----|--|------|
| 14 | Jordanian Arab Ansar Party (Hizb al-Ansar al-'Arabi al-Urduni) | 1995 |
| 15 | Jordanian Peace Party (Hizb al-Salam al-Urduni) | 1996 |
| 16 | Nation Party (Hizb al-Umma) | 1996 |
| 17 | Arab Land Party (Hizb al-Ard al-'Arabiyya) | 1996 |
| 18 | National Constitutional Party (al-Hizb al-Watani al-Dusturi) | 1997 |
| 19 | National Popular Democratic Movement (al-Haraka al-Qawmiyya al-Dimuqratiyya al-Sha'biyya) | 1997 |
| 20 | Jordanian Labour Party (Hizb al-'Amal al-Urduni) | 1998 |
| 21 | Jordanian Generations Party (Hizb al-Ajyal al-Urduni) | 1999 |
| 22 | Jordanian Arab New Dawn Party (Hizb al-Fajr al-Jadid al-'Arabi al-Urduni) | 1999 |
| 23 | Jordanian Renaissance Party (Hizb al-Nahda al-Urduni) | 1999 |
| 24 | Jordanian Green Party (Hizb al-Khudr al-Urduni) | 2000 |
| 25 | Jordanian Citizens' Rights Movement (Harakat Huquq al-Muwatin al-Urduni) (Hama) | 2000 |
| 26 | Jordanian Communist Workers Party (Hizb al-Shaghila al-Shiyu'i al-Urduni) | 2001 |
| 27 | Jordanian People's Committees Movement (Harakat Lijan al-Sha'b al-Urduni) | 2001 |
| 28 | Jordanian Rafah Party (Hizb al-Rafah al-Urduni) | 2001 |
| 29 | Islamic Center Party (Hizb al-Wasat al-Islami) | 2001 |
| 30 | Jordanian Arab Party (Hizb al-'Arabi al-Urduni) | 2002 |
| 31 | Mission Party (Hizb al-Risala) | 2002 |

Source: Interior Ministry, Department of Political Parties, Jordan, 2003.

3. Legislation Related to Political Parties

Political party-related legislation plays an important role in the evolution of political and party life in general. Its importance lies in its constituting either a main obstacle to or an important facilitator of party activity. Party life and party legislation have gone through several important phases, which have had the greatest impact on Jordanian political parties, and these are examined in detail in this section.

3.1. The Evolution of Legislation Related to Political Parties

Political organizations and parties emerged in Jordan with the beginning of the formation of the emirate in the early 1920s, which coincided with the emergence of the Jordanian state, and even before this. Despite this early start of party life, legislation and laws regulating party activity appeared only in the mid-1950s. Political organizations were covered by the Ottoman law on associations, followed by the Jordanian Law on Associations; this meant that they were treated as equivalent to social, youth and sporting clubs and organizations. As a result, and in the absence of a political parties law, the executive branch (the government) controlled matters by registering political parties. This meant that licensing by the government was subject to changes in government, licensing being refused for opposition parties and granted to loyalists.

The lack of special legislation for political parties, despite their existence, weakened their role in political life. Along with other objective and subjective factors, this may have contributed to the country's failure to take the opportunity for a gradual evolution of party life and the transformation of parties into permanent political institutions capable of playing an effective role in the political life of Jordanian society. However, at the end of World War II, and with Jordan gaining independence in 1946, there was an increased call for special party-related legislation. The promulgation of the Jordanian constitution in 1952 helped to pave the way for the Political Parties Law, article 16 of which stated that: 'Jordanians have the right to form associations and political parties, provided that their goals are legitimate, their methods are peaceful and that their by-laws do not contravene the constitution'. Thus, the constitution prepared the legal environment for the emergence of the first Political Parties Law, in 1955.

The right to set up political parties was one of a group of rights mentioned in article 2, connected to the rights and duties of Jordanians, which confirmed the equality of Jordanians before the law and guaranteed their personal, religious and ideological freedoms, the freedom of expression within the law, and other rights.

The Political Parties' Law no. 15 of 1955 then followed, comprising 15 articles. It defined a political party as 'a group in which efforts are organized and unified in the political realm, according to the provisions of the law'. Article 3 confirmed the right of Jordanians to set up political parties provided their goals are legitimate, their methods are peaceful and their by-laws do not contravene the constitution. Article 4 considered a party, after registration, to be a legal entity with the right to file charges, defend itself and undertake any other act permitted by its own constitution. The law allowed ten or more people to register a party and submit a request to the Interior Ministry, whose minister would then forward the request to the prime minister. Article 5, paragraph 3 gave the Cabinet the right to accept or reject applications for licensing, and its decision was considered final. In addition, article 15 gave the Cabinet the right to dissolve a party if its goals were no longer considered legitimate,

or if it violated its constitution, presented false declarations, accepted financial or moral support from outside parties or violated the law. Article 11 considered the decisions of the Cabinet final and not subject to appeal (al-Muhafaza 1992).

It is interesting to note that the Cabinet's decisions had absolute authority and there was no appeal against them if it rejected applications or dissolved parties that were already licensed. It was also at the discretion of the Cabinet to interpret the articles of the law in order to determine the conditions under which a party could be dissolved; here also its decisions could not be reviewed by the judiciary and there was no appeal to a court. It is therefore fair to conclude that this law was a tool not to regulate party activity but to control and dominate the parties and prevent them from carrying out free political activity.

This may have been for two main reasons which are connected to the country's political life and to the nature, ideology and programmes of the parties dominant at the time. The first is that the law was passed against a background of increasing mass support for Arab nationalism, internationalism and liberation from imperialism, as a result of which the Jordanian arena was filled with mass political activity; this was in line with the spirit of the freedoms granted by the constitution. The second is that most opposition political parties were in conflict with the state and did not acknowledge the legitimacy of the political regime. Their programmes therefore centred on an alternative political system. This was even clearer with the Arab nationalist parties, which sought to create a pan-Arab political entity, precipitating a clash with existing states; the Jordanian state too was negative and hostile to these parties (Abu Rumman 1994).

The Political Parties Law did not stay in effect for long: it was frozen only two years later, in 1957, when the government decided to dissolve and ban all existing political parties, in what was supposed to be a temporary move but which lasted for about three decades.

3.2. The Current Law on Political Parties (1992)

Law no. 32 of 1992 was passed in September of that year and came into effect one month later. Article 28 deals with various issues, including the definition of a political party, measures by which they could be dissolved, and various other items. A reading of the most important provisions of the law is presented below.

3.2.1. The Definition of a Party

Article 3 defines a party as a 'political organization made up of a number of Jordanians, according to the constitution and statutes of the law regarding participation in political life, and which seeks to achieve defined goals connected with political, economic and social affairs, and which operates through legitimate and peaceful means'.

3.2.2. Requirements for Forming Parties and for Membership

Article 5 stipulates that there be at least 50 founding members of any political party; a founding member must have held Jordanian citizenship for at least ten years and must be at least 25 years of age; and he or she must enjoy all civil and legal rights and cannot have been convicted of any crime or misdemeanour that is harmful to public morals or honour or any other crime unless he or she has been rehabilitated. Founding members must be residents of the Hashemite Kingdom of Jordan, cannot hold other citizenship or enjoy foreign protection, and cannot be a member of another party or non-Jordanian political organization, or a member of the Jordanian armed forces, the intelligence services, the civil defence or the judiciary.

3.2.3. Membership

Article 16 stipulates that a member of a party be at least 18 years old and comply with the provisions of article 5, except paragraph A; article 5 sets out the criteria for a party's founding members, which are mentioned above.

3.2.4. The Party's Constitution

To be licensed, a party must have a published constitution, containing the following:

- a party name and emblem that do not resemble those of other parties;
- published addresses of its headquarters and branch offices, if applicable. All these premises must be within Jordanian territory and cannot exist with or in other entities such as private or public institutions, or educational, productive or charitable organizations;
- a list of its principles and goals and the means of implementing them;
- conditions for membership, which must conform to the provisions of the Jordanian constitution;
- a clear organizational structure, and methods of selecting leaders and of organizing the party, its members and its activities. All these measures and organizational structures must be democratic;
- the party's financial activities, financial and administrative rules, means of expenditure; it must have a regular budget;
- measures for dissolving the party or merging with another party; and measures for liquidating its assets; and
- a statement of its commitment to the principles and rules set down in the Political Parties Law.

3.2.5. Measures for Registering and Declaring the Existence of a Political Party

The law contains seven articles which set out in great detail the procedures for registering parties. The following are the most important aspects of them.

A request for permission to set up a party must be submitted to the minister of the interior. It must be signed by all the founding members and be accompanied by various documents and declarations, including three copies of the party's constitution, signed by the founding members, and a list of all their names and personal information. The minister has the right to request clarifications or other documents as he sees necessary to fulfil the law's provisions. Article 10, paragraph A grants the minister of the interior the power to announce the setting up of the party if he finds that the application satisfies all legal provisions; this he must do within one week from the end of a 60-day period following the submission of the application, or 15 days after receiving the clarifications and supporting documents, and the announcement is made in the *Official Gazette*. If there is no decision by the minister in the period stipulated, the party is considered to be legal and can begin to be active.

Moreover, article 17 gives the party the right to publish periodicals, according to the conditions set down in the Publications Law in force. Article 18 protects the party's headquarters and communications from surveillance and seizure: these measures can only be sanctioned by a judicial decision. Paragraph B of the same article forbids searches of the party's premises, except in the event of an offender being discovered in flagrante delicto, by order of the public prosecutor and in his presence, in addition to the presence of a representative of the party. If the latter refuses to be present, this is noted in the report made from the inspection, which must now take place with two witnesses present. If these provisions are violated, the law deems the search null and void, and the violators are still subject to prosecution. On the other hand, headquarters of political parties are exempt by the law from all taxes and customs duties on non-movable assets.

3.2.6. Constraints on and Rules Governing Party Life

Political Parties Law no. 32 of 1992 sets down a number of strict controls on the activity of political parties, some of them falling under the category of general policies and principles and others involving financial regulations, and relations with other states and foreign parties. Because these controls and proscriptions are important, they are discussed in detail below.

General political constraints and controls. The law repeats the principles and foundations specified in the National Covenant document of 1991, which were set down as a guideline for the parameters of party activity in Jordan. Article 21 stipulates that a party must adhere to the following principles in carrying out its activities and must

mention them clearly in its constitution:

- commitment to the provisions of the constitution and respect for the rule of law;
- commitment to the principle of political pluralism in thought, opinion and organization;
- commitment to the preservation of the country's independence and security, and national unity, disavowing violence of all types and not practising discrimination;
- commitment to achieving equal opportunity among all citizens when it assumes responsibility in a government or participates in one;
- commitment to have no organizational or financial ties to non-Jordanian parties and not to run its work on the basis of orders or directives from any foreign state or party;
- not to recruit or organize party activities within the ranks of the armed forces, the security services, the civil defence or the judiciary, or to establish any military or paramilitary organizations of any kind; and
- not to use state institutions or organizations or educational institutions for party organization, and to preserve the neutrality of these organizations in carrying out the party's mission.

The above points are unobjectionable and all appear in the National Covenant, which was approved by all party figures, intellectuals and politicians, except for paragraph F, which places all educational institutions in the category of places in which party activity is forbidden; we also find in article 21, paragraph F the addition, 'a call for the neutrality of all these institutions to be preserved in carrying out the missions of parties'.

The Chamber of Notables spent a considerable time on the issue of party activity in the educational system and returned the Political Parties Bill to the Chamber of Deputies because it lacked a clear text prohibiting party work there. Some of the members of the upper house, the Chamber of Notables, insisted on the incorporation of this restriction into the law.

Financial rules and constraints. Article 19 calls on parties to 'rely completely on financial resources from local Jordanian sources that are public, known and specified'. It gives them the right to 'accept gifts and donations' to a maximum annual amount from one person of 5,000 JOD (c. 7,000 USD). It gives the party the right to invest its money and resources inside the kingdom in ways that it sees fit as long as they are publicly known and legitimate, and as long as the goal is not to secure any advantage or personal interest for any of the party's members. This article also considers party money to be public money, and party leaders and employees are considered public employees; it stipulates that party leaders be subject to the statutes governing illicit gain, as mentioned in the Penal Code.

To guarantee that parties adhere to the provisions of article 19, article 20 obliges the party to provide the interior minister with ‘copies of its budget every year and a statement of financial resources, sources of financing and financial situation’, while also giving the minister or his delegate the right to check its accounts and audit its financial statements.

Article 24, paragraph B provides for a sentence of up to two years in prison or a fine of up to 2,000 JOD (c. 2,800 USD), or both, for anyone accepting money from non-Jordanian sources for the party; the money is to be seized for the Treasury.

Security-related constraints. Paragraph 2 of article 24 provides sanctions on any person who participates in a non-licensed or non/declared party, according to the provisions of the Political Parties Law, by imprisonment for up to six months or a fine of up to 500 JOD (c. 710 USD), or both, while article 5 provides sanctions on anyone who sets up a military or paramilitary organization, according to the provisions of the Penal Code.

Dissolving a political party. Political Parties Law no. 32 of 1992 provides for two ways of dissolving a party. One is voluntary. Article 23 stipulates that the party leadership must inform the minister of the interior in a letter deposited with the ministry’s secretariat of any decision by the party to dissolve itself, merge with another party, change its leadership, or make any change to its constitution, within ten days of the decision, measure or amendment. Paragraph 11 of article 7 of the law requires each party to set out in its constitution the measures for voluntary dissolution or merger with another party, how assets will be liquidated and which party which will take responsibility for these funds.

The other situation, of a party being dissolved by a decision by the Supreme Court, is provided for by article 25, paragraph A of which says that a party ‘may be dissolved by decision of the Court, upon a case being filed by the minister, if the party violates any of the provisions of paragraphs (2) and (3) of article 16 of the constitution, or violates any material provision of this law’.

This article also allows the court to suspend a party’s activities on the basis of a request submitted by the minister. However, ‘the decision to suspend the party shall be considered cancelled if, within a period of eight days from the date of service of that decision, the minister does not file a case requesting the dissolution of the party’. Thus, the article envisions two types of situation for decisions to dissolve a party. The first is a suit filed directly by the minister, requesting that the party be dissolved for the reasons in article 25, paragraph A. The second is a request for its dissolution after a request that its activities be suspended. This means that the decision to suspend its activities might be temporary if the minister does not follow up the request for a suspension with a request for dissolution; it is suspended for eight days, after which it can resume its operations. The decision to suspend the party’s activities might be the prelude to its dissolution if another decision is taken, based on a suit filed by the

minister before the court.

Paragraph 2 of the same article obliges the Supreme Court to base its final decision in any case on this article, no more than 60 days after the suit is registered.

Paragraph C of article 25 explains the prerogatives and measures of the minister in filing a suit to request the dissolution of the party or the suspension of its activities.

3.3. A Critical Reading of the Political Parties Law

As indicated above, the passing of Law no. 32 of 1992 was an important step in consolidating and legalizing political and party pluralism in Jordan. This law should be considered one of the benefits of the period of democratic openness, which is in all respects a transitional stage from an era in which the state completely dominated political life to an era of change towards a democratic regime and a re-equilibration of the relationship between state and society. It is a period in which all constitutional institutions should play their full role in political life, releasing the energies of society and its freedoms to organize, undertake activities and participate in politics.

In its historical context, the new law can be considered an advanced step compared to the previous period, when the legitimacy of political pluralism and parties was frozen. It is an improvement on the previous law, no. 15 of 1955, which gave the Cabinet absolute authority in licensing and dissolving parties without this authority being subject to review or challenge before any judicial authority. The 1992 Political Parties Law gave parties the opportunity to resort to the judiciary to challenge a decision by the interior minister if he fails to announce the setting up of any political party. The Supreme Court is the authority and decision maker when it comes to dissolving a party, and not the Cabinet, as it was in the previous law, no. 15 of 1955.

However, the general spirit of the law cannot be separated from the prevailing political culture or the general environment that has prevailed in Jordan for many decades. The prevailing culture is still very hostile to political parties and tends to consider them a threat to the country's security and stability. This is because the state, particularly the agencies of the executive branch, has dominated Jordanian society since the early 1920s; the agencies of the executive branch have played an extremely important role in the make-up of society itself. This historical evolution has reinforced a cautious position on the part of the Jordanian state and a conservative mentality regarding any political or social body that is outside the official state institutions. The long-standing history of clashes between the Jordanian state and other, surrounding Arab countries and political movements strengthened this feeling early on, with the formation of modern Jordan (before the 1948 war) and afterwards. This period also saw escalation by pan-Arab nationalist regimes to confront the Jordanian state; opposition parties allied themselves with these states to oppose the policies of the Jordanian state.

One thing to note from Jordan's political experience is that even though the

constitution acknowledges that Jordanian citizens have the right to form associations and political parties, and despite the issuing of the Political Parties Law in 1955, the historical evolution of the Jordanian political regime has had no fixed role for parties within its institutions. Most of what is contained in the constitution was inspired by universal human rights values and the aspirations of the period in which the constitution was promulgated. However, political parties have remained, in the view of the prevailing political culture, a dubious enterprise, if not deserving of the outright or covert hostility of the pillars of the executive authority.

Another very important point regarding the Political Parties Law is that it does not give political parties a role in the rotation of power or in participation. Its failure to stipulate the right of parties to participate in government or rotate in office is very important and an obstacle to the advancement of political parties and political life in general. However, there is nothing in the law or the constitution to prevent parties from forming or participating in governments.

On only one occasion in Jordan's political life did King Hussein resort to forming a government made up of political parties.

Thus, it was expected that the new Political Parties Law would be based on a mentality of supervised, controlled or 'constrained' democracy, through practical measures or legislation that would allow the Interior Ministry to monitor party activity, finances and foreign relations, as well as their compliance with the political parties law.

These control mechanisms are understandable, first, if they are seen as transitional measures which the country will move beyond through the development of the democratic process and the maturing of the political and party experience, and, second, if we take into consideration the legacy and culture of the parties that were formed 'underground' and have not developed a stable culture and tradition of democratic practice nor mastered the practice of open, legitimate and peaceful activity or the mechanism for transferring their activity to the spheres of Parliament, the institutions of state and the public.

The Political Parties Law can be seen as the result of negotiations and mutual pressure, agreed to in Parliament after a long series of debates that took place at various levels. That it is a compromise can be seen by the fact that it gives the interior minister the authority to announce the setting up of a party, with a guarantee of resort to the court if he declines to make such an announcement. Meanwhile, the party, once its setting up has been announced, cannot be dissolved by an administrative order, that is, one by the minister: the judiciary must be involved.

Finally, Political Parties Law no. 32 of 1992 has provided the opportunity to lay the ground for political party pluralism and building Jordanian party life on modern and democratic bases. However, it still requires improvements that would rid it of its complications and of the excessive measures that reflect a lack of trust in the past and current situation of parties. The law should also clarify the legal status of political parties and the principle of democratic rotation in office. These improvements can be

begun, under the impact of the evolution of Jordanian party life itself, and through its growing influence in Parliament and in various social and political aspects of life (al-Muhafaza 2001).

4. The State of Political Parties in Jordan

4.1. The Size and Make-up of Political Parties

Thirty-one political parties have been set up or licensed since the promulgation of the Political Parties Law in 1992, which means an annual average of about three parties per year (see table 2.3). In the period immediately following the issuing of the law, ideological parties which had previously been illegal (Arab nationalist, leftist and Islamist) were licensed; after that, what can be called ‘new parties’ arose—those that were not engaged in secret party activity prior to this period. There are no figures for or documents on the size and membership of political parties in Jordan but, so far as can be seen from earlier studies, most of them, with very few exceptions, do not have more than several hundred members. In some cases they have even fewer.

4.2. Political and Ideological Trends of Political Parties

Political parties are usually classified as being ideological, conservative, progressive or some other such designation. These terms usually hide the possibility of different intersections and differences between parties, or between their various positions, but it is useful to classify parties for analytical purposes, taking these intersections and differences into consideration. General intellectual and ideological orientations are used here as the basis for classification. The parties can be divided into four broad groups: Islamist, leftist, Arab nationalist, and centrist or Jordanian nationalist.

4.2.1. The Islamist Orientation

There are three parties with an Islamist character in Jordan.

The Islamic Action Front

The front is considered to be the backbone of the Islamist trend and the country’s biggest party. Observers agree that it is the political arm of the Muslim Brotherhood in Jordan. Before the Political Parties Law, the front used to engage in political and other activities in direct fashion. It should be noted that the Brotherhood was the only organization to operate openly, without interruption, while other parties were illegal and resorted to operating in secret. The Islamic Action Front’s ranks include independent Islamist individuals who have no organizational ties to the Muslim Brotherhood. Its chief principles are based on the implementation of Sharia law in Jordan but in a peaceful and gradual way. The front has called for this in order to

combat usurious lending and the licensing of alcohol, and made other demands. It is considered to be the party with the broadest popular base and the strongest on the political scene. Except for 1997 it has participated in parliamentary elections and its members have had a strong presence in these elections.

The Arab Islamic Democratic Movement (Du'aa)

Formed in 1993, the movement presents itself as a modern Islamic alternative and an open-minded one in the sense of its combining the Arab nationalist orientation with Islam. It believes that there is no contradiction between the two, rather that they support each other. Du'aa considers itself the representative of the rational and moderate Islamist trend, but it does not have a wide popular reach; its participation in political life is weak and limited. The movement has Christians within its ranks, putting forward the slogan 'Come and learn how we can differ'.

The Islamic Center Party

Founded in 2001, it groups a number of former members of the Islamic Action Front and a number of independent Islamists and deputies who have occupied government posts in the past. This party is considered to be more moderate than the Islamic Action Front on the basis of its political and ideological positions. It believes in dialogue as the basis of political activity within the party and in political and ideological pluralism. However, because it is relatively new, it is difficult to predict its future role.

4.2.2. Leftist Orientations

In this group are a good number of leftist parties, most of which were active and present on the political scene in the 1950s and 1960s. They operated secretly before 1988.

The Jordanian Communist Party

The Jordanian Community Party (JCP) is considered to be a continuation of the Communist Party set up in 1951. The party suffered from being illegal and from being hunted down by the security organizations during the period of martial law. The Law on Combating Communism, from the 1940s, was used against it. After the collapse of the Soviet Union, the JCP called for a democratic Jordan and it is a staunch critic of economic 'openness' and of normalization of relations with Israel. It has suffered from splits within its ranks several times. For that reason and others, its influence has waned considerably compared to its position on the scene prior to 1989.

The Democratic Socialist Party

This party split from the JCP and the slogans it announced at the time of the split involved the need to be open to different types of school of Marxism and move

away from ‘dogma’. It has representatives of various Marxist trends, from liberal to Trotskyist; it has a weak presence and the split did not lead to the emergence of a moderate leftist–socialist trend.

The Jordanian People’s Democratic Party (Hashd)

This party grew out of the Democratic Front for the Liberation of Palestine (DFLP), which was present on the Jordanian scene but unable to continue political activity there after the Political Parties Law of 1992. The conviction therefore grew that the special characteristics of Jordanian society and the programme for struggle in Jordan required a new form. However, Hashd did not cut its ties with the DFLP. Its principles are based on Marxism and scientific socialism. Bassam Hadadin represented the party in Parliament before leaving the group.

The Jordanian Popular Democratic Unity Party

This party split from the Popular Front for the Liberation of Palestine (PFLP) and believes in Marxism–Leninism. It rejects the peace process and opposes the programme of economic openness. It had representation in Parliament in 1989 but has suffered from a series of resignations of members.

The Jordanian Progressive Party

This party developed out of Hashd and reflected a split in the DFLP, headed by Yasser Abd Rabbo in Palestine. Its slogans at the time involved renewal, democracy and a complete break with the DFLP. It supports the peace process and opposes economic openness in Jordan.

The Jordanian Democratic Left Party

This party emerged in 1994 as a result of the merger of three parties—the Democratic Socialist Party (Hizb al-Dimuqrati al-Ishtiraki), the Arab Democratic Party (Hizb al-Arabi al-Dimuqrati), and the Progressive Democratic Party (al-Hizb al-Taquaddumi al-Dimuqrati)—and a wing of a leftist party that had split off in 1995. It includes leftist groups favouring renewal, as well as pan-Arabists and liberal Jordanian nationalists.

The Jordanian Workers Party

This group split from the JCP, led by Yaqub Zayadin (formerly a long-serving secretary-general of the JCP). At the time of the split it called for ‘no dictatorship and ideological rigidity’; it opposed the peace process and the policy of economic openness.

4.2.3. Pan-Arabist Orientations

This group is represented by approximately eight parties with ideological roots which go back to the pan-Arab nationalist parties, to the parties that emerged in the 1950s;

they have ties to the Syrian Baath Party, the Iraqi Baath Party and the Nasserist trend in Egypt.

They include the Jordanian Arab Baath Socialist Party, which was established in the 1950s and was re-formed in 1993; it considers democracy a basis for forming the state and the party, while it remains a pan-Arab party, which believes in Arab nationalism as a fixed principle. It had a deputy in the 1997 Parliament. There is also the Arab Baath Progressive Party, which also believes in Arab nationalism and achieving it through democratic struggle. It sees policies in individual Arab states only in relation to the higher Arab interest and believes in socialism and social justice. It opposed the peace process and the programme of economic openness. The National Action Party (Haqq) was established in 1994 and seeks to achieve Arab unity and the establishment of a single Arab state, as well as the liberation of all occupied parts of the Arab nations, with Palestine at the forefront. It also believes in social justice and opposes the peace process and the economic reform programme. The Jordanian Constitutional Front's principles include deepening democracy as a means of governance, deepening solidarity and cooperation among the countries in the Bilad al-Sham region (the Levantine) and their unification, and rejection of the occupation of Arab lands; it was an opponent of the peace process. The Arab Land Party, set up in 1996, believes in Arab unity and the Arab character of Palestine, political, intellectual and cultural pluralism, and economic integration. It had one member in the 1997 Parliament. The Jordanian Arab Ansar Party believes in Islam as the doctrine of the Umma—the community of Muslims—and as the programme of the sons and daughters of the Umma, as well as consolidating democracy and the principle of political pluralism. The National Popular Democratic Movement, established in 1997, also believes in pan-Arab nationalism and Arab unity. It has suffered from a number of splits, which have weakened it; it has close ties with the Libyan regime. Finally, the Jordanian Arab Party, licensed in 2002, considers Jordan the 'beating heart' of the Arab nation, the beacon of freedom and a centre of true democracy. One of its most important principles is protecting the economic and social rights of citizens.

4.2.4. Centrist and Conservative Orientations

This trend emerged after the democratic transformation in 1989 and includes a broad spectrum of parties that have appeared on the scene. They have experienced splits and mergers in recent years. Although most of them consider themselves centrist, this is difficult to concur with. The orientations of some of them are liberal, centrist or conservative, depending on particular issues; a given party might be conservative on one issue and centrist on another. What distinguishes them from other historical, ideological parties is their philosophy and ideological orientation, which is based on Jordanian nationalism, and their lack of roots in the well-known ideological and political trends (Assaf 1988). In their ideological orientations they tend towards

Western liberalism, especially in political and economic matters. A number of them have had deputies in Parliament from their beginnings, but these deputies have been more linked to tribes and dependent on personal ties than representatives of the parties. The most important of them are National Constitutional Party, the Future Party, the Jordanian Arab Constitutional Front and the Jordanian Peace Party.

4.3. Internal Relations within the Political Parties

Democracy within political parties is one basis for evaluating their commitment to the democratic process. It also indicates the importance of democratic means in the development of parties' policies, goals and aspirations. It is difficult to describe the internal structure of parties briefly, but some long-standing parties, such as the Islamic Action Front and the JCP, adhere to democratic mechanisms in their decision making. The adoption of the principle of pluralism and acceptance of differences within parties are another indicator of the extent to which democracy exists within parties.

It is difficult to evaluate this point, but it is clear that there are disparities in the degree of transparency of parties' internal arrangements (although most ideological parties have the structure of the traditional single-party system, namely a secretary general, a political bureau and a central committee, each with defined prerogatives). In actual practice, parties may be affected by other factors which weaken their exercise of democracy internally. Nonetheless, a few conclusions can be drawn about the internal practice of the parties.

1. There has been continuity in their top leaderships for long periods of time (except in the Islamic Action Front, whose internal regulations forbid the secretary general from serving more than two consecutive terms) (Suleiman 2003).

2. Schisms have emerged, particularly between top leaders, which could indicate that splitting off to form a new party is the only way for members to express themselves and achieve change.

3. The method of operating (elections, decisions and so on) of these political parties in most cases is not public and takes place via non-official networks, the results being announced in an official setting.

4.4. The Performance of Political Parties

A number of indicators should be used in evaluating a party's performance, but we will confine ourselves here to using the role of parties in parliamentary elections and gaining seats in the legislature. There have been four elections since 1989, and the presence of parties in the Chamber of Deputies can be used as an indicator of political performance. From this electoral participation, the following conclusions can be drawn.

1. In general, their performance has been modest in the sense of getting their members elected. The majority of deputies are independents or are elected on the basis of tribal ties, the exception being the Islamic Action Front (Dabbas 1998).

2. On top of this, there was a further setback for all parties in the 2003 election, albeit at different levels.

3. Most parties do not declare their candidates; this is mainly due to a fear that voters from tribal and rural areas will refrain from voting for them if they are seen as affiliated with a political party.

4.5. *The Parties and the Executive Authority*

The relationship between parties and the executive authority can be described as suffering from a general lack of trust, which from time to time can become a state of collision. Each side views the other with suspicion and fear. The executive branch of government believes that parties are unconcerned with the national interest, failing to give it top priority on their agendas and having organizational ties to parties outside the country. The parties, meanwhile, see successive governments as carrying out political and economic programmes that are against the national interest, cracking down on political freedoms and doing all they can to weaken political parties by ignoring their existence and opinions. At some times, this relationship has seen considerable tension; at others the two sides have seen some thawing of relations and dialogue on specific issues, but these discussions and calls for dialogue have failed to do away with the negative views that prevail and transform the relationship into one of partnership.

It should be noted that political parties always insist that the government take their opinions into account, even if they are not represented in Parliament. In fact, it is proper to see parties express themselves within Parliament, and perhaps there is no need to listen to those that are not represented in Parliament (Ziyadin 1979.)

4.6. *The Parties and Society*

The relationships between parties and society are governed by historical circumstances as much as by the way in which the political regime and political participation have evolved in Jordan.

One basic observation about the relationship of the state to society in Jordan is that the state has preferred to deal directly with society, connect with it through different segments of society, listen to their concerns and problems, and try to deal with them. The state had this prerogative as it was established before civil society had developed, and therefore had the decisive hand when it came to setting the policy of interaction, while society was unable to impose its own method of action or mechanisms in this regard. Meanwhile, society itself preferred dealing directly with the state to tackle its issues and problems.

In this context, the tribe, as a traditional organization, played a decisive role. Political parties were not needed to help people approach the authorities, provide services or solve problems; neither the state nor society needed parties in their relationship in order to achieve their common interests. Moreover, the long period of clandestine party work, oppression, the harassment of party members and the resulting consequences for their personal lives led to a negative image of political parties and fear of belonging to them; the parties' activities were not desired and had a bad reputation as being against the national interest.

Opinion polls back this view. They indicate that membership in political parties is very low—not more than 0.8 per cent of the population in 2002, a drop from 1993, when the figure was 1.4 per cent. Roughly the same figures are to be seen when it comes to people's opinions about membership in a political party; only 0.9 per cent saw it as desirable in 2002. The survey also indicated a low level of knowledge of political parties as only 10 per cent of those surveyed said that parties represent their aspirations, and none of them could name ten of the registered parties. These surveys indicate that the popular influence of parties in Jordan is weak or non-existent (Center for Strategic Studies 2003).

In discussing the relationship of parties to society, one aspect to be examined is the tribal dimension in Jordanian political life. Certainly, this has its roots in the beginning of the formation of the political regime, even if its importance has differed at various stages in the evolution of Jordan's society and state.

When the Emirate of Transjordan was established at the beginning of the 20th century, the tribes, and particularly the large ones, dominated the country's local authorities, at a time when the majority of Jordanians worked either in agriculture or in pastoral occupations. The tribe (*ashira*) was the most important political and social organization, if not the only one, at the founding of the emirate. King Abdullah I, the founder of the Hashemite Kingdom of Jordan, had come from the Hijaz (the region of Saudi Arabia comprising the cities of Mecca, Medina, Jedda and At Ta'if) as part of the Arab Revolt's efforts to establish a greater Arab state in the Bilad al-Sham region. The state resorted to dealing with the existing tribal organizations on two levels: the first involved co-opting, subsidizing and supporting the tribes in order to buttress the legitimacy of the regime and build the Jordanian state, and the second involved gradually reining in tribal authority to spread the sovereignty and influence of the new Jordanian state. This formula led to the tribes playing an important role in the formation of the new state, and in defending and preserving it. The state continued to deal with traditional structures in direct fashion in various periods of its formation, and the tribe continued to play an important role in Jordan's political life.

As for the relationship between the tribes and the political parties, the tribe was the main source of party action from the founding of the state until the 1950s, when its role shrank noticeably in party life, especially with the spread of pan-Arab nationalism and religious and universalist ideologies after the establishment of the State of Israel, the national struggle against colonialism, and the unification of the East and West

banks. Parties in this period were able to go beyond the tribal organization and weaken its role, especially in mass political action. However, after the ban on parties and party activities, the halting of parliamentary life after the occupation of the West Bank, the clash between the state and the PLO in Jordan in 1970, and the decline of Jordanian parties, the role of the tribe resurfaced. People were ill-disposed to political parties, and the parties lost their mass credibility, especially on the East Bank. The tribe began to occupy an important political position and to form a connecting link between the state and Jordanian society.

In addition, the parties failed in the previous period and until the return of party life in 1992 to construct a national Jordanian political agenda. Thus, they were unable to go beyond the tribe and present a credible alternative, either to the tribe or to the government's programmes. Meanwhile the tribes, and especially the larger ones, became accustomed to democracy and changed their methods of political action, supplying an important source of organization in political, and particularly parliamentary, work, as well as a source of human support. In successive parliamentary elections a number of tribes have used a 'democratic' style to choose their representatives for candidacy by holding preliminary polls within the tribe to select them.

The tribe also has an important role in political organizations, particularly those newly set up. A number of party leaders have resorted to the tribes for 'deeper' backing and tribal status in order to receive support and continue in the leadership positions.

To summarize, there are internal reasons for the weakness of Jordanian parties, connected to their organizational and ideological make-up. However, there is also the issue of their ability to compete against the state in its relationship with the tribe. Likewise, the Jordanian tribes have been unwilling to give up the political status that they have gained through their historical relationship with the state.

One indication of the tribe's importance in contemporary political life is that tribal affiliation remains the most important factor in choosing representatives to Parliament.

However, we can consider this period a transitional one, produced by the experience of decades of political action in Jordan, and it can be transcended in future through fundamental changes in the Political Parties Law and the Election Law.

5. Conclusions and Recommendations

This chapter has surveyed the entire situation of political parties in Jordan, in their legal, historical, political and social aspects. The final section will outline the most salient features of political parties and the political environment in which they work. It will discuss obstacles to the evolution of party work in Jordan and, in the section on recommendations, present the most important ideas put forward for improving politics in general and parties in particular.

5.1. Summary and Conclusions

Although parties have existed for a long time on the Jordanian scene, their impact on political life has remained limited. Some argue that their impact was greater when they were forbidden to engage in open political work than during the period of democratic openness: with their work now being public, parties have been forced to confront the authorities, the state and the people at the same time. Moreover, the same observers say that this confrontation has considerably exposed parties' inability to play the dynamic role required and expected of them. In most cases they have remained the prisoners of the ideas, means of action and orientation that have ruled them for a long time. As for new political parties, they have been a front or means for some former politicians (party members and state bureaucrats) to re-enter political life instead of being (or in addition to being) a means for participating in the improvement of political life and representing and defending the basic rights of various social groups. This also applies to the ideological parties, with a few exceptions; they have been the prisoners of elite intellectual and political salons.

A number of objective criteria (related to legal, political and social factors) and others (related to parties themselves) may have led to this situation. Some are listed below.

1. The legal environment in which parties appeared can be described as more of a hindrance than a help to party work. From the founding of the emirate and until the mid-1950s (when they were banned until the late 1980s), the parties worked under laws that defined how they could be set up, function and pursue their activities. This legal and political environment with its negative attitude to parties and party work (and there may have been justifications for this) had a negative impact on the parties' ideological and organizational abilities, as well as on their relationship with both the society and the state. Here we can point to the example of the Muslim Brotherhood and later the Islamic Action Front, springing from the Brotherhood and tied to it, as proof of this conclusion. Since it was founded in the mid-1940s, the Brotherhood has continued to carry out its social, cultural and political work without interruption, because it is registered as a charitable association and was therefore not affected by the ban on political parties, to which the other parties were subject. It was able to build a strong relationship with society and the state, while also developing its organizational structure considerably. This left it undisputedly the biggest and most important contemporary Jordanian political party.

2. Most ideological parties (Arab nationalist, leftist and Islamist) and those which sprang from the PLO later on did not use their ideology or political programmes to help build the Jordanian state. Rather, most of them and most of their programmes sought to make the state a bridge by which other, supra-nationalist goals could be achieved. The Arab nationalists wanted to build an Arab state and the Islamists an Islamic state, while the communists (until the end of the 1970s) and other leftist

groups emerging from the PLO wanted to liberate Palestine and establish a socialist state. Regardless of the reasons and justifications for this, this behaviour meant an implicit rejection of the state's legitimacy and a search for an alternative to it. This led to a relationship of hostility and lack of trust between the state and society. It was difficult for the state to accept such orientations, which meant that the opportunity (or opportunities) to build a nation state was lost. This also led to the state getting involved in building the state apparatus (various organizations, including security organizations, were involved), guaranteeing its survival and going past the parties to build a direct relationship with society, at the expense of involvement in building a nation state. The parties were left outside the process of political development and this problem did not cease (at least in theory) until the 1991 National Covenant. The Charter was a type of new social contract that saw parties recognize the legitimacy of the state in return for the state's accepting the legitimacy of parties within a legal framework, which was consecrated by the Political Parties Law of 1992.

3. As for the new parties that appeared after 1992, most of their founders are from the former state bureaucratic elite. Some of them attempted to create 'pro-state parties' and thus use them to promote a return to state institutions under democratic conditions. Thus, some of these parties retained an elitist character, as membership would allow members to secure their personal interests, and this rendered them unable to present themselves as parties interested in strengthening democracy and political participation. Lacking a clear ideology, these parties' programmes reflected a mixture of political positions and issues that lacked ideological consistency. The majority of members from these parties did not take part in elections as party members but as independents, candidates backed by tribes, or both. The seriousness, credibility and effectiveness of these parties on the Jordanian street were therefore reduced and they were unable to participate effectively in Jordanian political life.

4. The large number of political parties is not necessarily a healthy sign insofar as it reflects fragmentation and schisms, which is an indication of weakness, not strength. It is not the result of important developments on the Jordanian political arena. A brief look at parties' political programmes indicates that there is little to distinguish one from another, particularly if they are in the same general group of parties.

5. Most political parties and all political trends suffer from the weakness and general nature of their programmes. More importantly, they also lack mechanisms to carry out these programmes; parties often become active during specific 'seasons' such as parliamentary elections or domestic and regional crises and do not pursue their activities on a continuous basis, in terms of organization and voter awareness.

6. With some exceptions, parties lack a democratic internal structure. Internal democracy can indicate the extent of a party's commitment to democracy and its ability to renew itself and achieve change. This type of internal structure is extremely important in building a democratic society. If political parties themselves are not democratic, it is difficult for them to achieve democracy and accept its principles.

7. Although there is a Political Parties Law, other laws connected to the democratic

process do not encourage effective party participation. There are two important points here. The first involves the Election Law and the second is connected to rotation in office. The Election Law was prepared on a non-party, individual or candidate-centred system, which promotes group clannishness and does not promote organized party work. As for rotation in office, there is no constitutional text about the need for parties with a parliamentary majority or plurality to form governments. In the past five years, it has been customary for governments to be formed from outside Parliament and this weakens the parties' participation in political life. In other words, various segments of society do not see parties as a means to achieving their goals; they will search for other ways to exercise their rights and participate in the political process.

8. From the prevailing political climate in Jordan, it appears that both the state and the political parties realize that the democratic transformation is in crisis. At the same time, each side is content to blame the other, without trying to examine the role of each in the crisis. The government blames the parties' political programmes and weakness as a principal reason for the crisis, while the parties blame the government's positions, measures and laws as a hindrance to the process of democratic transformation.

5.2. Recommendations

The political arena has seen and continues to see exhaustive discussion and dialogue about political development in Jordan, and especially the role of parties in this process. A special Cabinet portfolio for political development was recently formed by Faisal Fayezi. Perhaps the Jordan First initiative (which preceded the formation of the Cabinet) and the committees created as a result (including one on political parties) reflect the state's desire to improve political party life in order to help the general process of political development. This initiative was taken in the awareness that political parties are important in the democratic transformation, as well as the awareness that there is currently a problem that must be solved. After studying and discussing the experience with parties in Jordan, the Committee on Political Parties asserted that there can be no democracy without effective political parties, and summarized its findings into recommendations, some of which were directed at the government and others to the parties. Below are some of the most important of these recommendations.

5.2.1. Recommendations and Proposals for the Government

1. The Political Parties Law now in force should be amended to correct some of the elements of imbalance in party activity. One of the most important suggestions involves giving ten people the right to set up a political party by informing the interior minister of this and submitting a request for licensing within a year. The committee recommended that at least 200 members be required to form a party, distributed over

half of the country's governorates and including at least 10 per cent women members. It also recommended simplifying the procedures for setting up political parties, and outlined basic principles for regulating political party work, such as:

- Parties should not collect money from the public under any pretext that is outside the party's programme.
- Parties must not use *zakat* and donations designated for social and humanitarian ends.
- The current Election Law, which is based on SNTV, should be amended by increasing the party lists by 20 per cent. The additional seats to be added to the Chamber of Deputies (Lower House of Parliament).
- An annual subsidy for parties should be allocated in the state budget, under the principle that all political parties receive subsidies, followed later by the establishing of specific criteria.
- The union laws should be amended by enhancing the unions' professionalism and keeping them out of direct political work.
- A school and university curriculum should be adopted that focuses on politics and civic duties and presents a positive image of party work, encouraging people to involve themselves in political parties.
- The laws governing public service, public freedoms, publishing, and general social policies should be reviewed to facilitate the work of parties. The committee recommended that parties be given the right to express their policies and positions through various state media.
- Dialogue between the government and parties should be institutionalized, given the need to make the laws effective, especially regarding the violations committed by some political parties.

5.2.2. Recommendations and Proposals for the Parties

1. Parties must not be based on any sectarian, regional or group basis.
2. Parties which violate the law must reform so that they can participate in improving Jordan's democratic experiment.
3. Parties must try to find ways to merge groups that are close on political or ideological grounds in order to overcome the crisis of fragmentation and division.
4. Parties must place national priorities at the top of their agendas and stay away from financial or organizational ties to parties abroad, whoever they might be. Parties should celebrate national occasions in a way that strengthens the sense of national belonging of their members and the public, putting the Jordanian flag before party flags (al-Khatib 2003).

5.2.3. *Observations on the Jordan First initiative*

The recommendations by the Committee on Political Parties contain a number of important ideas, proposals and details, especially because the committee also produced specific recommendations for both the government and the parties. The suggestions should be the subject of public debate between the executive branch and all segments of civil society, including parties, as well as Parliament (the Jordan First initiative was released prior to the elections that brought in the current legislature). The goal of such a dialogue should be a consensus about the priorities and specific measures for making party work more effective, identifying the role of each side.

The state, at the highest levels, has indicated a desire for national parties to participate in the process of political development, as part of Jordan's democratic transformation. King Abdullah II has proposed that parties merge into three or four parties on the basis of their specific political and ideological orientations. It is strange that the parties themselves have not engaged in internal dialogue on this point; they appear to be waiting for the government to engage in dialogue and undertake the process of change. This negative position reflects the actuality of party life in Jordan and is part of the problem and not the solution.

However, the question remains: Can parties have an important role in the political process without participating in government through the formation of government and rotation of power? The answer involves various considerations which are connected to the social and political make-up of Jordanian society. The constitution does not clearly mention the right of parties to form a government if they win a majority of votes in an election, or under any other circumstance, while no provision forbids this. The only precedent took place in the mid-1950s, when King Hussein asked Suleiman al-Nabulsi, the leader of the National Socialist Party, to form a coalition government, which did not last long after it clashed with the crown over regional policies, leading to the government's resignation and the dissolution of parties afterwards.

The participation of parties in the executive branch of government, under certain constraints and recognizing the principle of the rotation in office between parties, is a guarantee that the situation of parties in Jordan can be altered. However, it does not seem that this will be possible in the foreseeable future; change will therefore be confined to the suggestions above.

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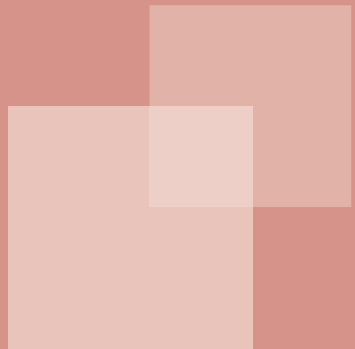
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Chapter 3

Electoral Systems in Jordan



Electoral Systems in Jordan

1. Introduction

The electoral system is considered to be one of the most important pillars of the democratic structure in any state. It may take on a certain political orientation in a given state or era, but all electoral systems that claim to produce the representation of the people must respect certain fixed principles. To begin with, the goal of elections is the selection of representatives who truly reflect the will of citizens. However, the path to this goal might deviate or end up in perverting the will of the people, as a number of cases confirm; examination of the conditions for ‘free and fair’ elections can reveal the ‘quality’ of the elections.

Guaranteeing an environment in which human rights and basic freedoms are respected are among these conditions. Others are the right to free expression and opinion, the right to form associations and assemble peaceably, and freedom from intimidation and threats. Finally, all these rights must be available to people on an equal basis, without discrimination of any kind. Some add that the chances for true political democracy to survive are low and that stability is difficult to achieve without a minimum level of social justice.

Jordanians have experienced elections since the 1920s and, although the Election Law has been amended many times, the legislation has yet to satisfy the conditions listed above, even after the most recent changes in 2001.

This study of Jordan’s electoral systems not only discusses their different aspects

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and stages of evolution but also treats the major political and other obstacles to democracy in the country. It will show that many of these obstacles can be overcome if the political will to do so exists.

This chapter considers electoral systems as follows. Section 2 examines the electoral culture and practice; section 3 the electoral laws and legislation; section 4 the administration and supervision of elections; and section 5 the role of money and the media in campaigns. Section 6 examines the question why people vote, and section 7 concludes with a summary of the present electoral situation and suggestions as to how to improve the electoral law and electoral practice.

The study may take on greater salience with the resumption of debate about the Election Law and the need to amend it only weeks after the end of the 2003 parliamentary election. This debate is part of a continuing campaign by civil society targeting the law, and is taking place in the framework of the official, public directives regarding the need to achieve 'political development'. Experience has confirmed that, in our modern world, economic development cannot be achieved without political development.

2. Electoral Culture and Practice

In the past 15 years, the parliamentary elections 'season' has come to be filled with excitement, concern and interest for large parts of the society, and particularly the tribes. The past four elections (in 1989, 1993, 1997 and 2003) produced various types of practice and ritual connected with the election process—a type of election culture—and have begun to leave their mark on contemporary Jordanian society. The process can be summarized as candidates trying to attract voters and convince the voters to vote for them on election day: these attempts can go so far as pleading for votes in the final days before the election.

The process begins openly, as some individuals, especially candidates who start from zero or close to zero, prefer to declare their candidacies months or even years before the election campaign begins. They begin to work to intensify their presence in society and improve their links with the public, especially by making visits of condolence and presenting congratulations and perhaps gifts at occasions such as weddings. The 'candidate' begins to show concern by attending and participating in public meetings, whether of a political, religious, cultural or sporting nature. Perhaps he or she donates money to a club or association in his constituency. Some 'candidates' already enjoy a political and social presence as they are known and active in various arenas. If they do already have such a presence, they pay more attention to contacting citizens and participating in public activities.

It may be worthwhile to compare the candidates of today to those of the past. In the 1950s, candidates came mostly from the ranks of political or party activists, when parties enjoyed a reasonable degree of freedom (Shuqayr 1994). Today, party activity having been banned for some three decades from 1957, a large number of

candidates stand on a tribal or individual basis; this explains the very large number of candidates, some of whom gain only dozens or hundreds of votes, meaning that there is no objective justification for their standing.

There are several factors at play in the timing of launching a campaign. Some candidates delay declaring their candidacy for tactical reasons, to learn who the other candidates are and gauge their weight and political orientation. This does not prevent those who intend to declare their candidacies from contacting people and urging them to obtain their election cards early or renew their identity papers, to facilitate voting.

Upon the official announcement that the campaign has begun, political, social and tribal groups begin the process of selecting candidates and declaring candidacies. This often begins with an invitation, through the newspapers or through contacts, to a 'general meeting' for a certain tribe, for example, from 'your brother X', who might be the person who is seeking to stand. The invitation states the reason for the meeting—'For discussion of parliamentary election issues' or 'By a gracious initiative of . . .' some members of the clan/tribe. In other cases, there may be an announcement that a meeting attended by tribal representatives has taken place and those present agreed that 'X should be the candidate in district Y'. The announcement carries the candidate's picture beneath slogans such as 'Support', 'Thanks and Gratitude', or simply 'Declaration of Candidacy'. With the evolution in the structure of tribal organization, the announcement is sometimes made in the name of 'The Coordinating Committee for the Parliamentary Elections of Tribe X'. Perhaps it mentions that the candidate received the majority of votes of the committee in a poll of names of prospective candidates. Thus, a kind of preliminary vote takes place within a number of tribes to select a candidate for the tribe, or more than one candidate if the tribe extends across more than one electoral district. 'Tribal democracy' has come so far that, in early May 2003, prior to the latest election, an 'executive committee' of a tribe in northern Jordan declared that 'It has been decided to hold the elections of the tribe to select its candidate for the 2003 parliamentary elections on X date, from 9 a.m. to 7 p.m.' in designated voting areas, while noting that 'the following names will be voted on and the winner will be adopted as the candidate of the tribe', with the names of seven candidates included in the announcement (*al-Rai* May 2003).

Party candidates announce their candidacies individually or as a group. In the latest elections, the Islamic Action Front (Jabhat al-Amal al-Islami) announced a list of 30 candidates and a female candidate, as a group, while another list was announced in the name of candidates from National Democratic Current (al-Tayyar al-Watani al-Dimuqrati), a group of leftist and Arab nationalist parties. Individual candidates simply declare that they have opened their electoral headquarters and ask for support from the public; naturally, each candidate lists the address of his headquarters and telephone numbers.

If a candidate has the consensus support of his or her tribe, its headquarters serves as the election headquarters for the candidate and centre of his or her activities. If he

or she is a member of a political party, the party's headquarters in the area functions as a headquarters and a meeting place for supporters. In other cases, a candidate may rent a headquarters or turn their residence into an election headquarters if their financial situation is not strong.

The candidate's relatives, friends and supporters meet at the headquarters throughout the campaign, especially in the afternoons and evenings; some stay until late at night. Some people might visit the headquarters as a courtesy call without this meaning that they will vote for the candidate. At the headquarters, news, and sometimes rumour, is exchanged on the candidate, his opponents and the public's reactions to platforms and slogans. Naturally, those present discuss how to boost support for the candidate and the possibility of setting up meetings with new groups of people. The demands, concerns and problems of the constituency are sometimes raised, along with national issues and the issues of the day in general. Sweets, coffee and cigarettes are distributed at the headquarters. During the last election, it was noticed that a number of candidates, especially those with average or good financial resources, resorted to inviting their constituents to lunch or dinner, which is usually *mansaf*, the national dish, on the basis of the idea that 'Feed him and he'll be in your debt', as the popular saying goes.¹

Candidates, meanwhile, spend some time in the headquarters but are often obliged to leave to visit tribal or clan groups to explain the electoral programme and secure support. There is a 'campaign committee', headed by a director, and this group, with the help of others, has many tasks, among them seeking and getting the backing of 'electoral keys'. These 'keys' might be urban notables, tribal sheikhs, influential party officials or religious, tribal, social or political figures who can influence dozens or hundreds of voters to vote for a particular candidate. At the end of the visit, the candidate expresses his or her hope for support from the family or group. The answer might come in the usual generalities, without making a clear statement, such as 'No problem', 'Trust in God' or 'We'll do our part for you'. If the matter is settled, which is rare, then the statement will be a clear one. Female supporters are used to meet women voters to secure their support, as local customs and traditions, especially in rural areas and conservative circles in towns, prevent candidates from meeting women directly.

Visits and small meetings are not the only way to meet voters: during the official election campaign, which lasts three weeks, the candidate might organize rallies, the time and place of which are announced in the press or by leaflet. The candidates' supporters put up banners with slogans and pictures in various places, especially on roads and public squares within the district. Sometimes a rival candidate's supporters rip up the posters and pictures—a crime punishable under the Election Law.

Campaign slogans cover various issues; they can include promises of a better life, working for a democratic Jordan, and a commitment to fighting the normalization of relations with Zionism and demanding the abolition of the Israel–Jordan Peace Treaty. They can be about the problems of poverty, unemployment, the environment

and comprehensive health care, or they can announce a commitment to establishing a public-sector teachers' union, strengthening the role of Parliament and so on. Some candidates use only one slogan during the campaign, as during the recent election, such as 'Telling the Truth, No Matter What the Cost' and 'The Dignity of the Citizen, First and Last'. Some might focus on the candidate's record of service in public affairs or probity, for instance, 'Yes to a Clean Hand, Pure Heart and Honest Tongue'. However, slogans, like campaign platforms, play only a limited role in determining the voter's stance vis-à-vis a candidate, especially in rural areas and small towns.

From the moment an individual announces his or her candidacy, he or she becomes a 'public person' in the eyes of the voters and is dealt with on this basis. The candidate is a prospective deputy, depending on his or her success or failure in the election. Many voters begin to follow news on the candidate to become acquainted with his or her positions. With the growing interest in public affairs, some clubs and associations have organized debates for candidates in a district in order to hear their points of view and positions on different issues that concern the public, especially local issues.

With the approach of the election, some voters begin to monitor the situation to discover who is the strongest candidate and tend to favour the one with the best chance of victory. This has been the case especially after the adoption of the Single Non-Transferable Vote (SNTV) system in 1993. The candidates begin to review their situation and might make deals and alliances and hold further election meetings.

A few days before voting day, election fever reaches its peak for the candidates and some voters; contacts with supporters increase and each candidate chooses delegates to man the polling stations. Supporters of some rich candidates prepare to secure transport for voters (those in rural areas and the *Badiya*) 'so that they can exercise their constitutional right'. Notables, sheikhs and other 'election keys' are reminded of their promises for the last time, and the candidate begins the long day of visiting polling stations to check on the situation and encourage people to vote for him or her, often holding a mobile phone to his or her ear.

The election process usually involves accusations of 'voting fraud', the 'transfer' of election cards and (in previous years) family registration booklets, tampering with identity cards, vote-buying and other practices. Sometimes allegations of fraud are checked and the accused referred for investigation, although a media blackout is imposed and the results of investigations are not known.

The final, most exciting stage begins when voting ends in the evening and vote counting and the announcement of the results begin. Late at night, the winning candidates' headquarters come alive with singing, dancing and celebration, and in the following days the newspapers print announcements congratulating the winners. There are also statements by losing candidates, 'thanking everyone who stood with us and voted for us'.

These practices, along with the current level of political and social awareness, have created a widespread 'election culture'. Some aspects of this are expressed openly

while others are invisible or not always public, but nonetheless present in people's consciousness. Among the most important of these beliefs, or this election culture, is that elections are at heart a 'tribal affair' and the candidate who lacks a tribal base has a hard time winning unless he or she is backed by a strong party, such as the Islamic Action Front. In the 2003 election, the tribe demonstrated that it was the most vital and active institution in following election affairs, outperforming most political parties in many cases. Ironically, some candidates hid their party affiliation and resorted to the 'tribal vote' as part of their campaign strategy.

The belief is also prevalent that the office of deputy allows its holder to provide 'services' for people in an electoral district and to relay people's demands to government decision makers. A deputy also benefits from office by improving his own situation and perhaps becoming a minister; thus the expressions 'services deputy' and 'deputy–future minister' have become common in the media, especially in journalists' commentaries. However, in the popular consciousness 'deputy' also means a lack of credibility and failure to honour commitments and promises. A candidate may make promises freely and, upon winning election, forget them, whether gradually or all at once. The idea of the deputy as a representative of the entire people, exercising legislative authority and able to hold the government accountable and remove it from office, is still distant from the minds of citizens, although the constitution does not exclude these powers.

Buttressing this is the view strongly held by many people that 'our situation will not be changed by having or not having a Parliament'. This is confirmed by an opinion poll carried out by the Center for Strategic Studies at the University of Jordan and published in July 2003. It found that 64.3 per cent of the sample of people interviewed believed that the 'absence of Parliament for two years had neither a negative nor a positive effect'. In a poll by the same centre in September 2002, roughly one-half of the respondents identified reasons for their lack of desire to participate in the forthcoming election—'lack of trust in the candidates' (35.6 per cent) or the 'uselessness of elections' (12.93 per cent).² In an earlier poll, in September 2001, 65.6 per cent of respondents said that their lack of interest in participating stemmed from the 'lack of trust in deputies'.

The 'national democratic wedding celebrations'—the parliamentary elections, which the executive authority always confirms are free and fair—do not always produce a positive response among voters. Most people hold the view that 'the government can tamper with the election results' when it wants to and has the means to do so without leaving evidence of its actions.³ This belief is built on long historical experience (see section 3 below), and people often ask in private, 'What is the use of a Parliament that can be dissolved by the king with a stroke of the pen?'.

3. Election Laws and Legislation

3.1. *The Period of the Emirate*

Two years after the establishment of the Emirate of Transjordan and the imposition of the League of Nations Mandate in 1921, Jordanian nationalists put forward the first Election Law but were unsuccessful in seeing it implemented when the mandatory authorities rejected it. On 20 February 1928, the Jordanian–British Treaty was concluded, and article 2 of the treaty set down a ‘basic law’ for the emirate, creating state institutions and defining their prerogatives. This law was published in the *Official Gazette* on 16 April 1928, giving Emir Abdullah and his descendents executive power (article 16). Articles 25–41 stipulated that a legislative council would be formed. The first Election Law was issued on 17 June 1928, guaranteeing representation for minorities, but opposition nationalists strongly rejected it on the grounds that it violated ‘the right of sound and legal representation’, and they boycotted the election. The government insisted that the election must take place, which is how the first legislative council in Transjordan came into being.

During the period of the emirate (1929–46), five legislative councils were elected, most of which suffered from tampering and state intervention in the elections (*New Jordan* December 1984), in addition to the opposition boycotting most of these councils. ‘Exceptional circumstances’ were the norm and opposition figures were arrested. Legislative councils at this period were distinguished by certain families monopolizing representation, which gave the body a tribal character and meant that it was representative of traditional and tribal leaders; its role was limited because it was on the margin of the important events taking place in the country (al-Muhafaza 1989). Meanwhile, national conferences called for by the opposition and public figures took place, and they were more truly representative of the goals and aspirations of the people than the legislative council could be.

3.2. *The Independence Era*

In March 1946, the United Kingdom and Jordan concluded a new treaty. It abolished the Mandate and the 1928 treaty, and recognized the independence of the Hashemite Kingdom of Jordan—the new name of the state—on 25 May of that year. The Legislative Council approved a new constitution, which was promulgated in February 1947, granting the king exceptional powers. Legislative authority was vested in the National Legislature (Majlis al-Umma) and the king. The legislature was to be made up of a 10-member Chamber of Notables (Majlis al-A’yan) and a 20-member Chamber of Deputies (Majlis al-Nuwwab).

After the new constitution was adopted, a new Election Law was passed, dividing the country into nine districts, and the first election held on this basis took place at the end of 1947.

In the wake of the first Arab–Israeli War in 1948, the West Bank became part of the Kingdom of Jordan and the Election Law was amended (in 1949), doubling the number of deputies so that the West Bank could be represented. At the beginning of 1952 a new constitution was adopted after a succession of upheavals, such as the assassination of King Abdullah I in 1951 and the accession of King Talal, whose reign did not last long because of illness. King Hussein succeeded in May 1953. The new constitution strengthened the power of the legislative and judicial authorities and introduced some controls on the executive authority, while clearly mentioning a large number of basic freedoms and rights for individuals. The prime minister and ministers became jointly responsible with the Chamber of Deputies for public policies, and each minister became responsible to the chamber for the actions of his ministry. If the chamber voted to withdraw its confidence in the government with an absolute majority, the Cabinet was obliged to resign.

In April 1957, a government decision banned all political parties, although this contravened article 16, paragraph 2 of the constitution. Martial law was then imposed for a year and a half.

In August 1958, the Election Law was amended, a few weeks after the collapse of the Iraqi–Jordanian Hashemite Union, as a result of the military coup of 14 July of that year in Iraq. The new law increased the number of deputies from 40 to 50 and the number of notables from 20 to 25 (Musa and Madi 1988). In 1960, the fifth Election Law was issued, as a temporary law. It increased the number of deputies to 60, divided between the East and West banks.

After the occupation of the West Bank by Israeli forces in 1967 and the end of the legislature's mandate in 1971, a constitutional amendment was passed extending its mandate by one year. It was later extended for another two years, until the decisions of the Seventh Arab Summit in Rabat, October 1974, after which the constitution was amended again, making it possible for the king to dissolve both chambers under the pretext of 'reorganizing state institutions'. At the beginning of February 1976, King Hussein convened the old Parliament (the Chamber of Deputies, which had been dissolved a year earlier, and the Chamber of Notables) to pass a number of new amendments to the constitution which would give the executive authority the right to delay elections in the East Bank if it saw that it was not possible for them to take place (Chamber of Deputies 1986: 32). After the amendments were endorsed, the king dissolved the Chamber of Deputies once again.

It should be noted that the country at this time was under martial law, which was imposed in 1957, then lifted briefly, and reinstated in 1958, lasting for over a quarter of a century. Basic articles of the constitution relating to a number of important public freedoms and human rights were also suspended during this period.

From 1978 until the end of 1983, a council was formed at the request of the king, called the National Consultative Council (al-Majlis al-Watani al-Istishari). The king appointed its members and it was presented as an alternative to the elected legislative authority. However, political opposition, popular organizations and public figures

demanded a return to constitutional parliamentary life and the lifting of martial law; meanwhile, there was a fear of a constitutional impasse because a number of deputies in the old legislature (elected in 1967) had died. These factors prompted the rulers to reconstitute the old legislature, and by-elections took place on 12 March 1984.

In 1986, the country's sixth Election Law was issued (no. 22 of 1986). It was amended in 1988, 1989, 1993 and 1997.

When the law was issued in 1986 its provisions covered the East and West banks and gave women the right to vote and stand as candidates in the Chamber of Deputies, incorporating an amendment to the constitution of 1974. On 30 July 1988, Jordan decided to sever its legal and administrative ties to the occupied West Bank, and as a result amended its electoral districts and the number of deputies to correspond to the East Bank only. Amendments to the law in 1988 and 1989 changed the number of seats in the Chamber of Deputies to 80, representing 20 districts, all in the East Bank.

Before the 1993 parliamentary election and after the dissolution of the 11th Parliament, in August 1993, the government amended Law no. 22 of 1986 and introduced the SNTV system. This replaced earlier provisions, which gave voters the right to select a number of candidates equal to or less than the number of seats in a given district, with a system that allowed voters to vote for only one candidate. In 1997, a 'temporary election law' was passed dealing with voting by illiterate persons.

3.3. Today's Election Law

Temporary Law no. 34 of 2001 and its amendments constitute the law that was used in the last election, on 17 June 2003. In addition to increasing the number of deputies from 80 to 104, an amendment introduced in February 2003 set aside six seats for women, for the first time in the country's history, which meant that the chamber had a total of 110 deputies.

3.3.1. Eligibility to Vote

The new law and its amendments gave the right to vote to any Jordanian of 18 years of age or above if his or her name is registered in the final voter lists and he or she has obtained a personal identity card issued by the Civil Affairs and Passports Department in a given electoral district. Under article 3 of the law, members of the armed forces and the general security, civil defence and intelligence organizations lose the right to vote during their period of service. Also ineligible to vote are people who are declared bankrupt and have not been rehabilitated, those who do not enjoy full civil rights or are under interdiction for any other reason, those who have been sentenced to a year or more in prison for a non-political crime and are not covered by the general amnesty, and those who are not of sound mind.

Articles 5 and 6 of the Law no. 34 of 2001 detail the preparation of the voter

lists, the submission of complaints, the means of settling them and the issuing of final voter lists. The personal identity card issued by the Civil Affairs and Passports Department and bearing a national number is the only document used in elections. Article 5 allows anyone to register in an electoral district other than that in which they are resident after submitting a written request to the Civil Affairs Department, along with supporting documents. This allows residents of Amman, for example, to vote in another city where the tribe to which they belong has a presence.

3.3.2. Eligibility for Candidacy

Articles 7–16 of the Election Law set down the conditions for declaring candidacy for membership in the Chamber of Deputies: the individual submitting an application for candidacy must have been a Jordanian citizen for at least 10 years and hold no other citizenship; and he or she must be registered in the final voter lists and be at least 30 years of age. The same conditions of ineligibility that apply to voting (bankruptcy, insanity and so on) apply for candidacy as well. Article 8 states that the candidate cannot enjoy a material advantage from a government department and must be of sound mind. He or she cannot be a relative of the king, belong to any non-Jordanian political organization, or stand in more than one electoral district (article 10).

Article 9 of the law stipulates that the following individuals must resign from their posts prior to the official candidacy period if they wish to stand in elections: employees in government departments and other government and state institutions; employees with Arab, regional or international organizations; the governor (*amin*) of Amman, and members and employees of the governing council (*amana*) of Amman; mayors and municipal council members; and municipal employees.

Candidacies are accepted over a period of three days starting 30 days before voting day. The applicant must pay 500 JOD (*c.* 710 USD) to the head of the Financial Department at the Election Department; this is a non-refundable payment to the Treasury. If the Central Election Committee in the governorate rejects the application for candidacy, an individual can challenge the decision with the competent court of first instance in the particular electoral district within three days of the decision being issued. The court must rule within three days of receiving the petition and its decision is final and not subject to appeal.

The head of the Central Election Committee issues a list of candidates in at least two local newspapers. Voters can challenge the candidacies in their districts with the competent Court of Appeals, and a candidate can withdraw his candidacy at the latest 72 hours before the election.

The number of candidates in the past four parliamentary elections—an indication of participation—has risen: in 1989, there were 647, in 1993 there were 534 and in 1997 the figure rose by 10. In the 2003 election, 765 people declared their candidacies (including 54 women) after the introduction of the amendment on a quota for women in the Election Law.

4. The Administration and Supervision of Elections

Elections for the Chamber of Deputies take place when the king issues an order in line with the provisions of article 34, paragraph 1 of the constitution. The Cabinet then sets the date of the election, the prime minister announces it and the announcement is published in the *Official Gazette*. However, the political, media, administrative, organizational and technical preparations for the election, both at the official level and for the public, begin at least several weeks before that date.

The principal state organizations, and especially the Interior Ministry and the security organizations, enter an (unannounced) state of general alert at different periods of the election, setting up operations rooms, cancelling leave and raising the level of alert at various departments. The Interior Ministry describes its role in elections as ‘procedural and awareness-raising, political and developmental’ (*al-Rai* 11 June 2003). During the campaign, officials pay close attention to the election at the political and media levels, affirming continuously that they are ‘free and fair’. Those concerned with the process follow up developments on the ground directly and intervene to make decisions when necessary.

4.1. The Supervising Body

In practice, the Interior Ministry runs the election process and dominates it from beginning to end. It provides the necessary technical equipment and administrative teams, and spends funds for this purpose. For example, in 2003, 40,000 state employees were deployed to run the election, which involved 1,417 vote-counting centres and 4,104 ballot boxes. Two thousand cars were made ready for use during the elections, and 1,000 temporary telephone lines were set up in polling stations, vote-counting centres and operations rooms in all the country’s governorates, along with 260 computers for vote counting. The government allocated 6.9 million JOD (c. 9.8 million USD) for the election (*al-Arab al-Yawm* 7 July 2003).

The body which supervises elections is the Higher Committee for Election Supervision, which settles all the issues referred to it by the central election committees in the various governorates.

The Higher Committee for Election Supervision is chaired by the interior minister and comprises the secretary-general of the ministry, the director-general of the Civil Affairs and Passports Department, a high-ranking judge named by the chairman of the Judicial Council, and the head of the relevant department at the Interior Ministry.

In each governorate, the interior minister forms a committee called the Central Committee, headed by the governor. In each electoral district, the governor forms a committee headed by an administrative governor to supervise all aspects of the electoral process. There are a judge and a civil affairs employee on each committee. Finally, the minister forms a special committee, headed by an administrative governor,

to follow up the task of filling the additional seats designated for women.

Before the committees begin their work, their members take an oath before the minister of interior or the governor that they will carry out their duties ‘honestly and fairly and in complete neutrality’. In order for the public to know where the polling stations are, the head of each electoral district publishes the decision on dividing electoral districts into subdistricts and the location of polling stations and vote-counting centres⁴ in each subdistrict, specifying the number of ballot boxes in each and their location. This is published in at least two local newspapers or in any place the head of the district sees fit.⁵

The Electoral District Committee appoints voting and vote tabulation committees, each being made up of a chairman of at least Grade Two civil service rank, two members and a secretary—all state employees. None may be related to a candidate to the third degree or closer. These committees handle complaints lodged by candidates or their delegates regarding the implementation of the rules of voting and vote tabulation; their decisions are final.

4.2. The Delimitation of Electoral District Boundaries

The Kingdom of Jordan is divided into 12 governorates and three areas for Bedouin. Under Law no. 42 of 2001, there are 45 electoral districts. The table in appendix 3.1 lists the districts and the number of seats in each governorate, in addition to the seats designated for women and Bedouin. Appendix 3.2 also indicates the population of each governorate and areas of the *Badiya*, based on the Department of Statistics’ figures for 2001.

This system designates in detail the areas in each district and the numbers of deputies, as well as naming the Bedouin tribes and their branches of (‘Bedouin of the north’, ‘Bedouin of the centre’ and ‘Bedouin of the south’).

Although there have been fewer complaints about the SNTV system in recent years, there have been increased complaints about the lack of balance between the size of the population and the numbers of seats in different districts. For many years, many people have felt that the distribution of seats according to population has not been fair and does not treat all people equally, as stipulated by article 6, paragraph 1 of the constitution.

On the basis of the latest official statistics, for 2001 (Department of Statistics, *Statistics 2001*), the population of the kingdom is 5,182,000. Under the Election Law now in force there are 110 seats, so that the average population per seat represented by a single deputy is 47,109. This figure drops to about one-half in areas like Maan, Tafila, Balqa, Karak, Madaba, Jarash and Ajloun and in parts of the *Badiya*; these are inhabited mostly by East Jordanians. Meanwhile, roughly twice as many people or even more are represented by a single seat in the governorates of Amman and Zarqa, where the large concentrations of population are located. These two areas also have a large percentage of those who arrived as refugees from Palestine. In the city of Tafila,

19,691 people are represented by one seat, but in Amman one seat represents 85,728 people, in Zarqa one seat represents 81,513 people, in the governorate of Karak the figure is 20,832, and in the governorate of Irbid it is 57,779. This lack of balance is apparent within a single governorate as well. A deputy in Amman's District 7 (Liwa Naour) represents 53,155 people and 55,607 in District 6, while these figures are 164,253 in the capital's District 2 and 101,242 in District 1.⁶

It is also felt that there has been a decline in equality and justice in political representation for large sections of the population, especially among those of Palestinian descent. This is based on the factors mentioned above and other elements which this study will not go into. This issue is raised from time to time in various forums and in the press, especially during election campaigns (see, e.g., Mansour June 2003). For years a number of civil society groups have been asking the state to correct the situation and submitted various proposals to improve the electoral system, whether in districting or procedure or regarding the need for comprehensive judicial supervision of elections instead of the supervision of the Interior Ministry, which is seen as a party to elections and not a neutral body.

While the state has demonstrated some flexibility about these demands—for instance, simplifying voter registration procedures, allowing the use of the personal identity card to vote and counting votes in the same place as the polling stations (this was incorporated in the new law, no. 34 of 2001)—it has been less than enthusiastic about the call for a fundamental review of districting. The new law doubled the number of electoral districts, from 21 to 45, but the lack of equality remains. The new division of districts fanned the spirit of tribal competition and increased the fragmentation of tribes, strengthening the phenomenon of the 'services deputy' who concentrates his or her concern on his or her electoral district. Moreover, some deputies who won as few as 1,200—sometimes as few as 850—votes, could hardly be considered as obtaining enough votes to represent their electoral districts.

Some defend the division into electoral districts on the ground that it guarantees representation of 'less fortunate areas', safeguards the share of some areas in economic development, or prevents the capital and surrounding towns from taking the majority of seats, but it is clear that politics is also behind the motives for arguing for a reduction of the representation of areas heavily populated by Jordanians of Palestinian origin. The issue is connected to the Palestinian issue, the fate of the Palestinian people and developments in the Israeli–Palestinian conflict. As long as the outlines of a final solution have not been agreed—as they will not be for the foreseeable future—the Jordanian political regime would prefer to maintain the current arrangements. Amending the law to create a more equitable distribution of districts might produce a huge increase in the representation of Jordanians of Palestinian origin, which might in time threaten the identity of the Jordanian state. The pillars of the political regime believe that such a development would confirm the stance of Israeli right-wingers who reject the Palestinian people's right to establish an independent state in the West Bank and Gaza Strip, as called for by United Nations resolutions, under the pretext

that 'the Palestinian state already exists on the East Bank of the Jordan River'.

Whatever the strength of this and its connection to the issues of equitable and balanced representation for all people, it must be taken into consideration when studying possible future reforms of the system. This problem can be considered a 'special characteristic' of Jordan, for which a solution should be sought so that a balance can be achieved between the requirements of safeguarding the rights of the Palestinian people in their homeland, especially the right of return, the requirements of fair and equal representation, and protecting the identity of the Jordanian state in the future.

4.3. Training in Election Administration

There is no training for this task in the strict sense of the word. Since the electoral process depends entirely on government employees, who are selected for various committees, training is confined to meetings between them and senior state employees a few days before voting day. These meetings involve the communicating of directives which remain 'internal'—meaning that the public does not know about them—and which might include details that could impair the freeness and fairness of the elections in practice. The ministry also carries out training exercises for the elections in some districts to test the state of readiness and the soundness of the process in an administrative and technical sense.

On the other hand, in 1997 and in the 2003 elections the government rejected electoral monitoring by international organizations, considering it an infringement on national sovereignty (*al-Dustur* 17 June 2003). However, it did not object to limited monitoring in 1997 by Jordanian civil society groups, especially those connected with human rights.

4.4. Voting

Voting is universal, secret and direct. The lowering of the voting age from 19 to 18 in the most recent law meant that thousands more young people were able to vote in the 2003 election. Other positive points in the law include measures to make voting easier, as a voter can now vote from any polling station in his or her electoral district. This has saved the voters the time previously wasted searching for the only polling station in which they were allowed to vote, which sometimes discouraged people from voting. The new law also improved the mechanism for illiterate voters, preserving the principle of the secret ballot and punishing those who misrepresented themselves as illiterate voters.⁷

Voting begins at 7 a.m. and ends at 7 p.m. A decision by the head of the Central Election Committee can extend the voting period for up to two hours if required. Voting takes place using a special form produced by the minister and before the voting begins the head of the Electoral District Committee must show the public

(and the campaign delegates) that the ballot box is empty. It is then locked and this is recorded in a report signed by committee members in front of candidates or their delegates.

The voter must produce their personal identity card at the polling station and register their name before receiving a ballot paper from the head of the committee. He or she then goes behind the curtain, writes in the name of the candidate, deposits the ballot paper in the ballot box and receives his or her identity card from the head of the committee after it has been stamped.

4.5. Vote counting and the Announcement of the Results

After voting ends, the Electoral District Committee prepares a report for each ballot box, in two copies, signed by the head of the committee and its members and any candidates who wish to do so. This report must contain the number of actual voters, the number of ballot papers used and the number declared invalid.

After this, the ballot box is opened by the committee, which counts the ballots and records the votes for the different candidates on a board, in front of those present. The results are invalidated if it is found later that there is a difference of more than 5 per cent between the number of ballot papers issued and the number of votes recorded. After this, a second report is drawn up, in two copies and signed by all the committee members, detailing the number of voters, the number of votes obtained by each candidate and the number of invalid ballots. The vote totals of each candidate are computed openly in front of the campaign delegates present. The winner is the candidate who receives the most votes for each seat, and in the case of a tie a run-off election is held on a day set by the interior minister, within seven days of the election.

The committee then delivers the report and other papers to the head of the electoral district, who announces the final results for the district. After this, the final statements, signed by the Electoral District Committee, are delivered to the head of the Central Election Committee for the governorate, who in turn sends them to the Higher Committee for Election Supervision. This is followed by the interior minister's announcing the results for the entire kingdom.

The seats designated for women are filled after vote counting has been concluded and the results announced. A Special Committee charged with this task examines the results to determine the female candidates who gained the highest percentages of votes (on the basis of actual votes cast) in a given district and who did not win seats in the election. Those securing the top six percentages win seats, whether the candidate is Muslim, Christian, Circassian or Chechen or from the closed Bedouin districts. In the case of a tie, lots are drawn to determine the winner. The head of the Special Committee then announces the results to those present.

4.6. The 2003 Election: Gaps and Mistakes in Implementing the Law

Despite repeated official assurances that it was ‘free, fair and transparent’, and despite high-level preparations for it, the 2003 election resulted, like previous elections, in new problems concerning infractions of the law and unprecedented gaps in the process.

After the results were announced, angry demonstrations and protests broke out in a number of areas, interspersed with acts of violence and rioting, and slogans decrying the ‘cheating, manipulation and falsification’.⁸ Some dozen challenges to winning candidates were filed (*al-Dustur* 24 June 2003; *al-Mar’a al-Ushbu’iyya* 13 August 2003). Some of the protests may have been the reactions of losing candidates and their supporters, which would quickly pass, but a number of incidents took place during the campaign and on voting day, as reported by newspapers and documented in investigations (*al-Yawm al-Sabi’* 23 June 2003; *al-Rai* 31 May 2003; *al-Dustur* 24 June 2003; *al-Arab al-Yawm* 20 June 2003), which indicated that there were strong justifications for some protests and that the election did not meet the expected criteria of freeness, fairness and transparency.

The greatest number of accusations of tampering on this occasion were directed at voters and candidates. Accusations aimed at the authorities and doubts about their fairness were less widespread than in previous elections. This could be a reflection of King Abdullah II’s desire that nothing should blemish parliamentary elections held during his rule. Nevertheless, the government bore some of the responsibility for the unsatisfactory aspects of the election. Opposition figures such as Toujan Faisal and Hakim Fayez were prevented from standing on the basis of weak legal pretexts. A female candidate in Irbid was forced to withdraw her candidacy when threatened with imprisonment.⁹ In the 1997 election, the government resorted to another type of tactic against an opposition candidate, announcing during the campaign that his son had been arrested on drug trafficking charges. However, many electors ‘understood the game being played’ and voted for the candidate, securing him victory.¹⁰

When the government produced the Temporary Election Law of 2001 it sought to facilitate the electoral process through a number of measures (such as using the personal identity card and stamping it after a vote is cast). However, this weakened the ability of state bodies to control attempts at falsification, for instance, by using a card to vote at another ballot box after ‘ironing out’ traces of the stamp. A question that raises itself is why is not each polling station equipped with a computer that holds the district’s voter lists so that each person who has voted can be recorded? If a voter attempted to vote a second time, this could then be prevented. Punching the identity card instead of using a stamp could also prevent falsification. Another problem involves the authorities’ indifference to vote-buying; the police were informed of a number of cases but apparently took no legal measures against the practice.

The Interior Ministry also failed to provide candidates with voter lists, as had been done in previous elections. This issue was raised after it became apparent that

the ministry had secretly supplied some candidates with lists copied from CDs and refused to provide these to other candidates. Nothing in the law either permits or forbids this.

These shortcomings and mistakes prompted a number of civil society organizations to renew their call for a 'modern and democratic' election law that permits fair and true representation and improves procedural matters so as to reduce the incidence of tampering and limit the government's role in overseeing elections. For example, a statement by the Jordanian Human Rights Association after the 2003 election dealt with a number of the incidents mentioned above and observed that the 'election law itself does not allow the true representation of the will of the citizens' because of the SNTV system and the failure to re-evaluate the unfair districting system. 'Moreover, it allows the Interior Ministry to move an election in the direction that it wants (see appendix 3.3 for the full text of the statement).

5. The Role of Money and the Media in Campaigns

5.1. *The Level of Democracy and Media Freedom*

Jordanians live under 'constrained democracy' (al-Muhafaza 2001¹¹), and the constraints are heavy at times. The constitution endorses an important number of basic individual rights and freedoms, but many of its provisions, especially those regarding rights, have only been implemented to a limited extent, and rights have been abridged or constrained by legal provisions set down by successive governments (Hourani, Abu Rumman and Yasin 2000: 21). The way in which these laws are implemented reveals the wide gulf between the constitutional texts on laws and the practice on the ground (Bakr 1995).¹² Despite repeated demands for the establishment of a constitutional court that would monitor the constitutionality of laws and the text providing for such a court in Jordan's National Covenant of 1991, it has not been set up (Khudr 1997: 107). Making the situation worse is the executive authority's resorting, at different stages, to issuing temporary laws that do not meet the conditions set down in article 94 of the constitution (Hammuri 2003). Researchers have long warned about the danger of the 'ugly exploitation' of this article (e.g., Hayari 1972: 676–82), and during the two years from 17 June 2001 to 17 June 2003 (when Parliament was dissolved), for example, the government issued a total of 214 temporary laws.

This is on top of the many, repeated cases of Parliament being dissolved whenever it opposes the government (*New Jordan* December 1984). What is more dangerous is that 14 amendments were introduced to the constitution in past decades, strengthening the power of the executive authority over various issues and reducing many of the supervisory powers that belonged to the Chamber of Deputies.¹³

In a situation such as this it is not surprising that, as an opinion poll conducted regularly by the Center for Strategic Studies at the University of Jordan reveals, a majority of people believe that 'Jordan has reached a crossroads when it comes to

democracy'.¹⁴ The same 'conviction' was revealed in earlier opinion polls. Some explain this by saying that Jordanian democracy is in 'crisis', and some features of this crisis appeared in the 2003 parliamentary election, which demonstrated a considerable political vacuum and an absence of debate or dialogue between the political platforms or about political issues (Hourani 2003; *al-arab al-Yawm* 21 May 2003). Moreover, officials maintain that encouraging 'political development' is a priority on the national agenda.

The legacy of the past continues to affect the current situation in society. Political parties were forbidden in the country for more than three decades (as of 1957) and were subject to all kinds of oppression and persecution. Although parties returned to public and legitimate activity over ten years ago, they remain weak and their influence among people is limited, except for the Islamic Action Front.¹⁵ The same weakness applies to civil society groups in general. On the other hand, the influence of the tribes has grown; they have become the prime moving force in elections since the adoption of SNTV in 1993 and have the strongest say in supporting candidates and securing victory for them.

The freedom of the press, media and expression has been affected by the laws and by this climate of 'constrained democracy' or 'crisis democracy'. With the exception of a few opposition papers (independent and party-affiliated) which have very small circulations, the government media dominate the Jordanian media scene to a very great extent. Radio, television and the official Petra news agency are all under direct government supervision. The large daily newspapers¹⁶ adhere to the broad outlines of the government's policy and respect this framework, but they have a relative amount of freedom to express 'the other opinion' as long as they stay away from forbidden issues, or 'red lines'. A study on the Jordanian media concluded that the sector enjoys 'partial freedom' (Sweiss 2000: 354).

5.2. Election Advertising and the Law

Election advertising is 'free' under the Temporary Election Law of 2001 and any candidate may engage in it once his or her candidacy is accepted, namely 28 days before voting day. The candidate must meet a number of conditions, such as adhering to the statutes of the constitution and respecting the rule of law and freedom of opinion and thought. The candidate must be committed to preserving national unity, the security and stability of the nation, and non-discrimination. He or she cannot advertise in government departments or ministries and cannot interfere with advertising by other candidates. Universities, educational institutions, buildings occupied by government departments and houses of worship cannot be used for electoral meetings or speeches, and loudspeakers cannot be used for election advertising outside meeting halls or on public transport.

Candidates can use advertising and manifestoes containing their electoral platforms and goals, and these are exempted from fees. The official emblem of the

state cannot be used in election advertising, and public spaces such as walls, telephone and electricity poles cannot be used to put up advertising. Propaganda must not attack other candidates or stir up tribal, regional or sectarian strife, and assemblies cannot be held near polling stations or vote-counting stations. State and municipal employees are barred from campaigning for any candidate in their places of work. Finally, no candidate may present gifts, donations or assistance in money or kind or other benefits to a moral and natural person, whether directly or indirectly. It is also forbidden for candidates to promise such items or for people to request such items.

5.3. Election Advertising and Money in Election Campaigns

In modern democratic societies, election campaigns are important points at which political programmes are reviewed and government policies discussed. A political struggle takes place among different political parties and blocs in order to gain the highest level of support for particular candidates and secure them victory. The political element is prevalent, if not dominant, in each campaign, as each party or bloc tries to distinguish itself from others in its positions and its solutions for different problems, including challenges faced by the state.

In the last three elections in Jordan this atmosphere has been lacking. To a great extent the political character of the election campaign has been absent. In 1993 and 1997, large segments of the public were not engaged by the campaign. With the exception of two or three lists,¹⁷ political slogans were general and not exceptional. In fact, many candidates did not have platforms at all and discussion of political affairs did not account for a great part of their campaigns. Since many candidates stand on a tribal basis, the elections are more like family or social celebrations than the exercise of politics. The weakness of the Chamber of Deputies and of the political parties, in addition to the widespread feeling that ‘constrained democracy’ does not allow for fundamental political goals to be achieved, leads candidates to feel that political platforms are a kind of ‘accessory’ needed for a campaign.

Nonetheless, a significant number of candidates do take advantage of the election advertising the law permits, despite their conviction that support is gained through meetings, social relations and visits to the voter base rather than through banners, handing out printed manifestoes, advertising and putting up posters. The printing sector, advertising in the print media and shops which make banners receive a palpable boost during election campaigns, as do restaurants, pastry and sweet shops, coffee sellers and firms that rent out chairs and cars.¹⁸ A number of candidates resort to such businesses, especially if they have financial resources. The 2003 election saw the emergence of ‘companies’ to support candidates (*al-Rai* 10 June 2003). In 1997, the consensus candidates of some tribes, especially in the middle of the country, received mass support from their tribes; the cost of the campaign was spread out among the tribe and not borne by the candidate alone (Jrayba’ 2002: 275).

As an alternative to the political convictions embodied in party platforms, records

of public service or probity, some rich or even not-so-rich candidates try to buy votes, although this is illegal. This phenomenon was clearly noticeable in 2003,¹⁹ although confined to the realm of rumours and accusations, as no official or unofficial investigation took place to determine the scope of the problem or accuse a specific party of vote-buying.

Another dangerous phenomenon that surfaced, especially in 2003, involved the role of money in securing victory for some candidates. A number of financiers and businessmen who stood for office did so with the support of their personal wealth and not their records in the political or social arenas.

5.4. The Media and Election Campaigns

The Jordanian Election Law lacks a clear provision permitting candidates to use the state media (radio and television). In the 1997 election, state television ran paid advertising for candidates but there was a very low response, because of the high price of the advertisements and the station's insistence that it monitor content prior to transmission. The role of the media during the 1989, 1993, 1997 and 2003 elections can be evaluated by examining state radio and television, followed by the print media. The 2003 election saw the introduction of the Internet, although it is too early to assess its impact.

5.4.1. Radio and Television

These two mass media try to play a role in civic education; they call on the public to participate in elections, without being biased to a specific party, and broadcast official statements and announcements on procedural issues connected with the elections, politics and the media. If there are any issues that give rise to debate regarding the elections, these media try to avoid such issues, repeating official statements by officials about any divisive topic such as forgery, vote-buying and objections to the rejection of candidacies. During the campaign, they broadcast articles of the Election Law and highlight the importance of electoral participation, as it is a 'national duty'; this also takes place via advertising spots. In the most recent campaign, state television took an important step in activating the debate between candidates and voters by running a daily programme called Election 2003 for such a dialogue. In addition, other weekly talk shows were directed to focus on the elections.

The relatively advanced role of state television and radio in 2003 may have played an important role in increasing voter turnout. It was clear that state television and radio received official instructions to do their utmost to encourage people to take part in the election, for political reasons. In reality, government circles prepare early on when it comes to the media, and, as proof of this, a media 'spokesperson' for the election is appointed and a media centre equipped with everything required by journalists is set up at the end of the campaign. Right after the polling stations close,

state television and radio run ‘election evening’ programmes to follow the counting of the votes and the announcement of the results, with experts and commentators invited to discuss the situation.

5.4.2. *The Print Media*

Although the government owns significant amounts of shares in *al-Rai* and *al-Dustur*—through the National Social Security Institution²⁰—the daily and weekly newspapers can be considered to belong to the private sector, and they try to merge the media and advertising functions. Parliamentary elections are a reporting topic that an important segment of readers wants to follow; thus, the daily newspapers begin early on to run special columns and pages on election issues in each district. During the first phase of the campaign they try to find out who is being touted for candidacy, and this is followed by monitoring the ‘rising election fever’ and following the ‘election map in district X’ and the rising or falling ‘shares’ of this group or that.

When the campaign begins officially, the newspapers follow candidates’ news or read the ‘unclear electoral situation’, without this involving bias towards a given candidate. Because of the sensitivity of the topic, news reports about the election situation in a given district are run without mentioning the names of candidates or political orientations involved. The weekly journals exploit the situation to run news and advertisements about a given candidate (advertisements are paid for, of course). The dailies also run advertising for candidates and make considerable profits.

It is difficult to speak of a role for the press in ‘monitoring’ elections, perhaps due to technical considerations specific to the press. The press reports the various violations of the law, such as forgery, manipulation, vote-buying and the confiscation of identity cards, but has always been careful not to mention the names of the districts involved or those accused of such violations. Monitoring on election day itself is particularly difficult because this requires the presence of a large number of journalists and correspondents. The Ministry of Information issues permits allowing journalists to visit polling stations. It also sets up a special media centre which provides journalists with the latest information and results.

However, because the elections lack a political character, the press coverage, like that of television and radio, remains weak and does not satisfy the curiosity of anyone who wants more than generalities.

5.4.3. *The Internet*

In April 2003, for the first time, a journalist established a web site about the election containing information and legal texts to let voters know about the electoral process and encourage them to vote, especially women. It is too early to evaluate the impact of this web site.

6. Why Do People Vote?

It is difficult to answer such a question, as various factors are involved in determining the motives for voting, and for voting for one candidate rather than another. The socio-political regime plays a part, as well as the prevailing environment, the presence of political parties and civil society organizations in general, the conditions surrounding elections and the Election Law, the level of awareness of an individual, his or her social class or position, and his or her social relations with others. All these factors affect the citizen's desire or inclination to participate in politics and select representatives in the legislative authority.

In the case of Jordan, as in a number of other Arab states, society is still in a transitional period marked by a lack of stability. The country has experienced circumstances that stunted its political, social and economic development in a number of ways. For more than three decades, Jordanians were deprived of their constitutional right to political party activity, which had very negative effects that the society, and especially the political parties, continue to suffer from, even a decade after the ban on setting up political parties was lifted. In a 2002 opinion poll on democracy in Jordan, the results of which were published in September of that year, 8 per cent of all respondents said that they had belonged to a political party at any time, compared to 2.1 per cent in a similar poll taken in September 2001. When the 1,348 respondents were asked about the specific political trend that would gain their vote, 5.28 per cent said 'No trend', 4.26 per cent said 'Don't know', 9.16 per cent favoured the Islamist trend, 7.2 per cent indicated the Arab nationalist trend, and 6.9 per cent said that they did not have a specific trend in mind²¹ (Center for Strategic Studies 2002: 20, table 32). In the last election, the winning candidates and those belonging to parties received only 2.15 per cent of the total number of votes (Abu Rumman 2003: 12).

If we examine the results of the opinion poll which the University of Jordan's Center for Strategic Studies has carried out once or twice a year since 1993, in addition to other studies, it is clear that most of the 31 political parties have not been able to attract more than a limited number of Jordanian voters, ranging from 20 to 25 per cent.

The strengthening of tribal bonds and affiliation among many people has been the result of the long ban on political parties, the fear of belonging to a party, the current parties' lack of convincing political platforms, and the weakness of civil society groups.

It is true that these ties are 'traditional-social and continue to form part of the objective Jordanian situation' (*Dirasat fil-Intikhabat al-Niyabiyya al-Urduniyya* 1997, 2002: 159), but the SNTV law passed in 1993 gave them a major boost. Ten years later, tribalism has taken hold on the political behaviour of a large segment of Jordanian voters.

Even so, the large-scale spread of tribalism does not completely explain the electoral motives of Jordanians. An opinion poll carried out by the Center for Strategic Studies

after the 2003 election showed that the majority of people (90.2 per cent) believe that voting in elections is a national duty, while 84.1 per cent believe that general elections help to root democracy more deeply (Center for Strategic Studies 2003: 8). However, the voter turnout on 18 June 2003 stood at only 58.9 per cent. Why?

An answer to this question is found in the opinion poll mentioned above, as it notes the many motives for Jordanian voters. Around 33.8 per cent of those polled said that the main reason for their voting was that voting is a national duty and a constitutional right, with the tribal–kinship factor coming second, at 20.9 per cent. Coming in at third place was ‘putting the right person in the right place’, (13.3 per cent), followed by participation as a strengthening of democracy (9.3 per cent). Some 7.2 per cent of those who responded said that the candidate had provided or would provide services to the voter (Center for Strategic Studies 2003).

In searching for the answer to why people vote, other important indicators shed light on the reason or reasons for electoral participation. One study showed that ‘the largest groups represented in the 13th chamber are former military men or ministers, doctors, and investors, in that order. They form a total of 64 per cent of the chamber’s total members’ (Hayajina 2002: 103). The 14th Chamber of Deputies does not differ much in its make-up from its predecessor. The deputies described as independent are in fact retired officers and former ministers and state employees; most are elected on the basis of loyalty to the tribe, regime, region, sect or ethnic minority. In general, people vote on the basis of who will serve their interests best, and tend to elect candidates of the tribe and candidates who have wealth, considerable political influence and extensive social relationships.

7. The Electoral Situation and Suggestions to Improve the Election Law and Electoral Practice

7.1. The Current Electoral Situation

After the 2003 election, the conviction grew among various circles, among both officials and the public, that Jordanian democracy was in crisis. This was not only because the election had been lacking in political character and voter turnout experienced a drop²² but also because of the weakness of Parliament’s legislative and political role over the previous decade. This weakened the credibility of the Chamber of Deputies and the election in general in the eyes of significant numbers of the public. For example, 48 per cent of participants in an opinion poll defined the reasons for their not participating in the parliamentary election as twofold—lack of trust in candidates and the uselessness of elections (Center for Strategic Studies 2002, table 34). In earlier opinion polls, more than 50 per cent of participants expressed dissatisfaction with Parliament’s accomplishments and the performance of deputies from their districts (Center for Strategic Studies 1999, 2000 and 2001).

If there are historical reasons for the weakness of the Chamber of Deputies, as

described above in this study, one of the principal ones is the system by which the legislature is elected. A significant number of Jordanians believes that the electoral regime does not allow for them to be truly and fairly represented. Since the introduction of the SNTV system and the retention of other drawbacks of the Election Law, most people tend to see the law, in its current form, as the main obstacle to the country's democratic development and as preventing the 'political development' that has been so much discussed and advocated in recent years, by both officials and the general public, especially since the 2003 election.²³

While the 2001 Election Law did solve some of the procedural problems in the electoral process, it retained the principal drawbacks, which are responsible for producing the current situation. The most important of these is the distribution of districts according to population, which does not meet the criteria of fairness and equality. The current system is also based on voting for individuals, which ignores the role of political parties. Candidacy takes place on an individual basis, even for those candidates who belong to political parties. Under the current situation, the electoral process produces representatives of tribes and the state bureaucracy (civilian and military); lately, a new group of deputies has also entered the legislature, on the strength of their financial power, without their having a clear party or political background. Although the Election Law allowed the representation of the Islamic Action Front with 17 representatives in the last election, it is the exception that proves the rule (the explanation for this was mentioned above).

Among the reasons for re-evaluating the electoral system is the continuing use of quotas for regions and religious and ethnic minorities, with the latest quota being one for women. The use of quotas gives the impression there is no single Jordanian civic identity, but rather various identities that must be taken into consideration. Who can deny that the election regime may decide that Muslims deserve a quota, even though they are the majority?

One issue that must be tackled in order to bring about political development and democratic reform is the tribal issue. There are also the constraints on election advertising, the media's limited 'political' role in the campaign, the supervision of elections being restricted to the Interior Ministry, the inability of non-residents to vote, the ban on voting by the military, and the settlement of election challenges by the new Chamber of Deputies. All of these are urgent and dangerous challenges which Jordanian democracy must meet if it is to pull itself out of its current crisis and create the political development that is sorely needed, according to both officials and the public.

The Committee on Political Parties, formed from the higher committee of the Jordan First initiative, produced recommendations to reflect the consensus on this issue. One called for the Election Law to be amended and a mixed system (individuals and nationwide party lists) to be used, while another called for the state to provide financial subsidies to political parties.²⁴

The path leading to political reform in Jordan (or political development, as

officials call it) must involve fundamental amendments to laws organizing basic freedoms and participation in public affairs: the Election Law, the Political Parties Law, the Publications Law, the Public Assembly Law and the Social Associations Law. This path must see an improvement in the practices associated with political work in general and election campaigns in particular.

For reasons connected with this study, we will focus on the aspects related to the electoral law and electoral practice.

7.2. Suggested Amendments to the Election Law

During the past decade, no issue has sparked debate as much as the Election Law; dozens of seminars and debates have been organized about it, it has been discussed in many studies and articles, and civil society groups, and especially political parties, have sent many memoranda to officials about amending it. Since the latest Election Law (no. 34 of 2001) is a temporary law, it is still possible to introduce amendments to it and discuss them in the legislature in the coming period.

To meet minimum international standards of human rights regarding elections, and in order for Jordanian society to take basic steps towards political development, it has become clear that this law must be amended in the following ways and areas.

7.2.1. Re-districting

A review of the electoral districts is urgently needed so that the number of seats in a district is proportional to the size of the population. This means establishing a basis for demarcating electoral districts that respects the provisions of the constitution, particularly those of justice and equality. There will undoubtedly be obstacles when reviewing the districting plan because of the geographical and demographic distribution of regions and each region's role in economic development, and there are other particulars that also must be taken into consideration, but these obstacles can be overcome by completing the required technical, administrative and organizational studies of various areas. A future districting system must secure the approval of the majority of the people.

7.2.2. Adoption of a Mixed Electoral System

There is now a widespread conviction, even in official circles, that the mixed system must be adopted to improve the country's political life. This means retaining the SNTV system of the current law while instituting another level, which would give a voter two votes—one in the 'individual' electoral district, and the second for a nationwide party-political list. This list would contain the names of female candidates and Christian, Circassian, Chechen and Bedouin candidates, to represent minorities. Thus, there would be no need for a 'quota' as used in the current law.

This method would take into consideration the transitional period that Jordanian society is experiencing and meet society's democratic, political and social needs. It would safeguard the existing situation while at the same time aiming to develop society politically by encouraging voters and accustoming them gradually to voting on a political basis. This would in turn encourage the political parties to improve their performance and to put forward platforms that are more in tune with the concerns and hopes of the public.²⁵

7.2.3. Giving Candidates Access to the State Media

Any new election law should stipulate access by candidates to the state media (particularly radio and television) to declare their platforms and positions free of charge. Sufficient time should be allocated for broadcasting information to keep the public informed about the course of the election, in its political and legal aspects, and debates and dialogue with representatives of the different political trends and blocs should be encouraged. Voting on party political lists and the amendment of the Election Law would reduce the number of candidates, helping to overcome the problem of equal time for the several hundred candidates. Under new arrangements, priority would be given to representatives of parties and political blocs, which would be expected to constitute a reasonable number. The constraints on electoral advertising should also be reviewed, and it should be easy for candidates to explain their platforms in public places to the voters instead of meeting in homes and the headquarters of family associations.

Achieving this policy of media openness would also require a lifting of the constraints on the freedom of the press, expression, thought and opinion, and a re-evaluation of the Publications Law, the Public Assembly Law and the Social Associations Law, so that the public can exercise their freedoms more easily. Constraints that have to do with national security and public morals can be retained, as stipulated in international human rights agreements.

Finally, there is an urgent need for a campaign spending limit.

7.2.4. Electoral Supervision

Many proposals from different sides have found it imperative that electoral supervision be performed by an 'independent national body', formed by the royal court, of figures with a political and judicial background and popular appeal, with representatives of political parties. This amendment can be introduced into the Election Law.

7.2.5. Improving Procedural Aspects

A number of amendments introduced to Temporary Law no. 34, regarding procedural aspects, helped to facilitate the election process and make it more transparent.

However, it retained some of the drawbacks of the former law, the most important of which is the separation between a voter's place of residence and the district in which he or she votes. Improving both the electoral process and democracy requires that this be abolished by linking firmly voters to their place of permanent residence. There are other provisions related to this, such as issuing an election card that is stamped when a person has voted and marking the voter lists to prevent double voting, and other measures that would reduce the possibility of fraud to the minimum. There may also be a case for more detailed provisions for the prevention of bribery and vote-buying, which happened on a large scale during the most recent election.

7.2.6. Voting by the Army and Jordanians outside the Country

Important groups of citizens are still denied the right to participate in the electoral process, and at the forefront of these are those in the armed forces, the security organizations and civil defence. Although they are only denied the right to vote while 'actually in service', public criticism of this provision has begun to be heard, based on the idea that these individuals are citizens as well and should not be denied one of their civic rights, especially since they perform their duties like other citizens. Allowing them to vote does not necessarily mean seeing political and party activity move inside the ranks of these organizations.

Some opposition groups are fearful of such a move, expecting that the majority of those in the armed forces will vote for pro-government candidates. However, this conviction springs from political considerations and not from the idea of affirming that all citizens should have the right to vote. In addition, the armed forces are no longer closed off and unaware of what is taking place around them, as they were in previous decades. Army and intelligence personnel have become more open to the political and socio-economic issues in Jordan; some of them deal with these issues daily and are directly affected by them.

Another important segment of society that has begun to demand the right to vote (*al-Arab al-Yawm* 12 August 2003) are Jordanians living abroad. Their number is estimated at some 500,000. The law should be amended to allow Jordanians residing outside the country for reasons of work or study to vote. This is their right, and if there are logistical or administrative obstacles they should be overcome. Many countries open their embassies for voting by nationals living abroad; such a move would dispel a common belief about the state's position on Jordanians residing abroad, namely that it sees them only as a source of income and not as citizens with rights.

Finally, during the last election awareness grew of the problem that employees busy with supervising the elections (some 40,000 individuals) were unable to vote as they were often outside the district in which they were eligible to vote. This problem should be overcome by placing special ballot boxes outside the district for these employees or by some other means.

7.2.7. Election Challenges

In the last election, 54 official electoral challenges were filed with Parliament, and special committees were set up to investigate them. In reality, there has been long-standing criticism about the way in which these challenges are dealt with. According to article 71 of the constitution, the newly elected Parliament is entrusted with the authority to decide on them. The Election Law obliges the legislature to set up special committees to investigate the challenges and then vote on the recommendations that result. There has never been a vote in favour of a challenge, and this weakens the credibility and objectivity of the Chamber's decisions.

This could be handled by referring the challenges to the judiciary. This would be the optimal solution and would be consistent with the principle of the separation of powers. However, this solution faces a big obstacle in that the constitution would have to be amended. Until this happens, the Election Law should be amended to ensure that the Chamber's decision will be objective: the investigation of challenges should be referred to a judicial committee, instead of allowing the Chamber to investigate itself, while the decision would remain with the Chamber of Deputies. The vote on a deputy's membership of the Chamber would then at least be based on an opinion expressed by a specialized party (Hourani, Abu Rumman and Yasin 2000: 141).

7.2.8. Election Monitoring

In a country like Jordan, where in many cases doubts surround the fairness and neutrality of elections, it is important to allow independent bodies to monitor them.²⁶ Officials should rid themselves of their fears and abandon the negative stances they have repeatedly taken on this issue. Allowing election monitoring will benefit the country by improving its reputation and its political regime, giving more credibility to official statements about the freedom and fairness of elections.

7.3. Improving Electoral Practices

It might be difficult to envisage an improvement in electoral practices if political development and democratic reform do not become urgent national tasks in which the ruling system, educational institutions, civil society groups, political parties and the national legislature all participate, along with popular forces.

If improving the laws that govern public freedoms and popular participation is a first step, there are others that are just as important, and difficult to achieve. Changing practices necessarily means working to change concepts and stances that have become ingrained in the minds of people over decades. Liberation from fear²⁷ and rising to a level of political awareness are key points in the national debate towards an advanced electoral awareness by the public. Making the 1976 Law to Eliminate Tribalism effective, for example, might help to limit the extent of 'tribal voting', but

not if political parties are unable to attract many groups in society through their political platforms and new types of political action. People must also feel that the government's negative stance towards political parties has truly changed and that official constraints on civil society have truly been lifted, for good.

The phenomenon of the 'services deputy' and of people trying to please him or her will only go away if governments make sufficient effort to provide services on a fair basis to all regions, without the need for deputies as go-betweens. There can be no rethinking of party and parliamentary activity in general if people do not truly feel and see that the government has ceased to involve itself in the prerogatives of others, and that it can retreat in the face of a majority of deputies or parties, or both, or respond to their demands, even if it does not itself support such demands. In other words, the electoral regime and the political regime in general should stand against the principle of 'the winner controls everything'.

Finally, elections should produce political stability based on the principle of a majority and a minority, and the possibility of rotation in office among various parties (with the exception of periods in which important political developments take place).

The crux of the challenge lies in anchoring a new and 'different' conviction in the minds of Jordanians—that the Chamber of Deputies is not a cake to be divided by tribes, sects and ethnic groups by means of quotas but an organization that comprises elected representatives of the citizenry, who in turn represent parties, competing through their platforms to make the nation and society better and to tackle problems by democratic means which take into consideration the rights and interest of the majority of citizens and social groups. Perhaps civil society groups, in particular human rights organizations, need to make efforts to anchor the concept of 'citizenship' among people.

Regarding election advertising, democratic reform requires that political vitality among candidates should reach the print and audiovisual media, and especially the public. The scope of pluralism, freedom and diversity of ideas would expand if private-sector media were licensed. Improvements to electoral practice are connected with the encouragement of dialogue and political debate about programmes, political thought and political orientations, and human rights issues, especially the rights of women and the importance of changing the view of their role in society. Each election should become an opportunity to deepen awareness about the nation's problems and the social, economic and political issues, so that people can compete to offer solutions.

The media, if they leave behind their negative neutrality and operate at a highly professional level, can play a fundamental role in improving the level of performance of both voters and candidates, in their discussions, voting, impact and political awareness. There is a need to establish controls over and ways of distinguishing between biased and unjustified attacks and objective discussion or criticism of a candidate's positions and platform.

Finally, stiffer punishments for infractions of the election law and procedures,

and the enforcement of the law, without leniency, will reduce these practices, which obstruct democratic elections.

If these proposals are all put into effect, they will require a democratic mechanism for the purpose. The setting up of a national body, comprising both government and non-governmental actors, like the royal committee to draft the National Covenant, might be a mechanism for reaching consensus on a new and advanced draft election law, to be passed by the legislature and pave the way to holding the next election, in 2007. We should prepare well for the election, starting from today.

Notes

¹ Mansaf (a traditional Jordanian dish) has become a part of the election culture; a local newspaper published a cartoon showing *mansaf*, with the slogan above, 'Hot Electoral Programme' (*al-Dustur* 10 June 2003).

² After the Parliament was dissolved on 17 June 2001, the election of a new house was delayed twice because of regional conditions; it finally took place on 17 June 2003.

³ A cartoon depicts two *khawajas* (dignitary) talking at night on a balcony at the home of one of them, with one asking the other, 'What did you decide? Are you going to stand?'. The other replies, 'Well, not if the elections are free, I won't' (*al-Arab al-Yawm* 9 May 2003).

⁴ Under the old laws, ballot boxes were transferred to the Central Election Committee for the vote counting, which gave rise to suspicions that falsification could take place during this process. The new law says that the count must take place where the voting does, which increases the 'transparency' of the polls.

⁵ In previous elections, the newspapers were full of announcements by heads of districts about the setting up of committees to register voters, or by committee chairman asking voters to register their names and reminding them of the requirements to do this, or by these officials announcing the names of candidates in each district.

⁶ The figures are taken from official statistical publications of the Jordanian Department of Statistics, 2001, and figures reported in Jordanian newspapers in reports about the campaign, May and June 2003.

⁷ The illiteracy rate among persons of 15 years of age and older was 11 per cent in 2001 (5.6 per cent among males and 16.2 per cent among females). Department of Statistics, *Annual Statistical Report 2001*.

⁸ Amman, Salt, Karak, Maan, Tafila, Jarash, Naour, Mafraq and the northern Ghor Valley saw various protests, reported in detail by the daily newspapers *al-Dustur* and *al-Arab al-Yawm* on 20 June 2003, and in *al-Rai* and *al-Arab al-Yawm* on 21 June 2003.

⁹ This involved Sukut Irshaydat, who filed a complaint with supporting documents to the Jordanian Human Rights Association, which contacted the prime minister about the issue but had received no reply as of August 2003.

¹⁰ The candidate was Khalil Hadadin, an Arab nationalist. He ran in 2003 and, although there was no campaign against him this time, lost.

¹¹ The Publications Department prohibited the importing of this book into Jordan.

¹² See also reports of human rights organizations, particularly of the past five years.

¹³ Ahmad Ubaydat, a former prime minister and head of the committee to prepare the National Covenant, speaking at a seminar whose proceedings were published, has said: 'The constitution has seen many amendments in recent years, which reduced its value. A single person, perhaps a minister or an adviser, would enact the amendment, then dress it up in a constitutional framework. See also *al-Mithaq al-Watani wal-Tabawwul al-Dimuqrati fil-Urdun* (The National Covenant and the democratic transformation in Jordan] (Amman: Dar Sindbad, 1997): 232.

¹⁴ Opinion poll on democracy in Jordan 2002 carried out by the University of Jordan's Center for Strategic Studies, Amman, September 2002.

¹⁵ Its influence is based on a long history of open activity by the Muslim Brotherhood, which was not banned during these decades as it was a 'charitable association' and not a political party.

¹⁶ The National Social Security Institution owns 65 per cent of shares in *al-Rai* and 35 per cent in *al-Dustur*.

¹⁷ The Islamic Action Front announced a 31-member list of candidates (including one woman). Eight parties and figures also announced the National Democratic Trend list.

¹⁸ According to *al-Arab al-Yaum* 4 May 2003, candidates spend an average of 6,500 JOD (c. 9,000 USD) on banners and other printed materials; this figure rises for candidates in the major cities. See also *al-Rai* 8 May 2003; and *al-Rai* 17 June 2003.

¹⁹ As a reaction against this phenomenon, advertisements and slogans appeared in non-government newspapers, such as 'No to Vote-buying', 'Ten Liras for a Vote' and 'Selling Your Vote Means Nothing Will Change'.

²⁰ See note 16.

²¹ In this period, a decision had been issued dissolving Parliament (17 June 2001) and the expectation was that elections would take place in November 2002, after more than a year's delay.

²² We say 'effective drop' because of the government's exceptional media efforts to encourage people to vote. They were the first elections during the reign of King Abdullah II and it was necessary for them to succeed for political reasons. The turnout of 58.9 per cent was good compared to the turnout of previous elections.

²³ Statements by King Abdullah II upon receiving a number of deputies, appearing in the Jordanian daily newspapers on 2 September 2003.

²⁴ These recommendations are demands that have been advocated for years by civil society groups. For the complete text see *Civil Society Issues* March–May 2003, pp. 51–52.

²⁵ Jordanian and Norwegian election experts have proposed this since 1996; the Center for Strategic Studies at the University of Jordan organized a research session on the election law in October 1996 at its headquarters, with broad participation of representatives of various Jordanian political and intellectual trends. The conference proceedings were assembled in two booklets but not published.

²⁶ 'Detailed legislation should be produced to allow polling preparations to be monitored and investigated, along with voting and vote tabulation by representatives of candidates and political parties. In addition, the presence of unbiased election observers from local NGOs and international organizations can help secure the public's trust in the electoral process' (United Nations, Human Rights Centre, *Human Rights and Elections* (New York and Geneva: United Nations, 1994), p. 43).

²⁷ This means fear of the authorities' criticism, of joining political parties or of participating in mass

meetings or demonstrations. In the Center for Strategic Studies opinion poll on democracy in Jordan in 2003, published in July 2003 (p. 5), 83.2 per cent of those polled said that they ‘did not openly criticize the government or differ with it in their opinions without subjecting themselves and their families to punishment by security bodies or endangering their socio-economic situation’. It is no exaggeration to say that setting down a fixed policy on human rights and implementing this policy might go half the way towards seeing democratic electoral practices and democracy in general established.

Appendix 3.1. Number of Electoral Districts and Number of Seats in Each Governorate, in Addition to Seats for Women and Bedouin

| Governorate | Number of electoral districts | Number of seats | | | |
|----------------------------|-------------------------------|-----------------|-----------|------------|------------|
| | | Muslim | Christian | Circassian | Total |
| Amman | 7 | 20 | 1 | 2 | 23 |
| Irbid | 9 | 15 | 1 | | 16 |
| Balqa | 4 | 8 | 2 | | 10 |
| Karak | 6 | 8 | 2 | | 10 |
| Maan | 3 | 4 | | | 4 |
| Zarqa | 4 | 8 | 1 | 1 | 10 |
| Mafrq | 1 | 4 | | | 4 |
| Tafila | 2 | 4 | | | 4 |
| Madaba | 2 | 3 | 1 | | 4 |
| Jarash | 1 | 4 | | | 4 |
| Ajloun | 2 | 3 | 1 | | 4 |
| Aqaba | 1 | 2 | | | 2 |
| Bedouin of the north | 1 | 3 | | | 3 |
| Bedouin of the centre | 1 | 3 | | | 3 |
| Bedouin of the south | 1 | 3 | | | 3 |
| Additional seats for women | | | | | 6 |
| TOTAL | 45 | 92 | 9 | 3 | 110 |

Source: Temporary Election Law no. 34 of 2001.

Appendix 3.2. Population of Each Governorate and the Ratio of Population to Each Seat

| Governorate | Population | Number of seats | Average population for each seat |
|-----------------------|------------|-----------------|----------------------------------|
| Amman | 1,971,750 | 23 | 85,728 |
| Irbid | 924,470 | 16 | 57,779 |
| Balqa | 339,940 | 10 | 33,994 |
| Karak | 208,315 | 10 | 20,832 |
| Maan | 101,050 | 4 | 25,263 |
| Zarqa | 815,130 | 10 | 81,513 |
| Mafraq | 238,890 | 4 | 59,723 |
| Tafila | 78,765 | 4 | 19,691 |
| Madaba | 140,711 | 4 | 35,178 |
| Jarash | 125,350 | 4 | 31,338 |
| Ajloun | 115,040 | 4 | 28,760 |
| Aqaba | 104,160 | 2 | 52,080 |
| Bedouin of the north | 75,000 | 3 | 25,000 |
| Bedouin of the centre | 75,000 | 3 | 25,000 |
| Bedouin of the south | 75,000 | 3 | 25,000 |

Source: Jordanian Department of Statistics, *Statistics 2001* with the exception of Bedouin areas (approximate figures).

Appendix 3.3. Statement by the Jordanian Human Rights Association on the 14th Parliamentary Election

The 14th parliamentary election concluded a few days ago, two years after it was constitutionally mandated to take place. During this time, the executive authority exploited the delay to issue the largest number of temporary laws in the country's history. The feelings of frustration by Jordanians after the dangerous US–British aggression against and occupation of Iraq, the Israeli occupation forces' increasingly harsh oppression of the Palestinian people, and the economic crises experienced by a significant portion of the public undoubtedly affected the atmosphere of the election campaign.

A total of 765 candidates, including 54 women, stood in the election, which involved media efforts to encourage people to vote and allowed candidates to present their ideas and interact partially with an important segment of the voting public. The state media, NGOs and other parties participated in many of these efforts, while the participation of political parties gave the election an important dimension that was missing in earlier elections.

Voter turnout stood at 58.8 per cent, but the rate of voting for female candidates was very weak. But for the quota system, which allowed six women to enter the Chamber of Deputies, the legislature, like its predecessors, would have been limited to men.

If the holding of the election itself, the participation of political parties, the media efforts and the entry of six women into Parliament should be considered positive points, the 'negatives' that preceded and accompanied the voting are also an important part of evaluating how citizens exercised their right to vote, which, we must point out, is a basic human right.

First, we should note that the election law itself did not allow for true representation of the will of citizens, due to the insistence on the SNTV system without reconsidering the unfair districting system, based on (unequal) population levels. The system also imposes severe constraints on the freedom of election advertising by candidates. Moreover, it allows the Interior Ministry to move an election in the direction it wants; the ministry is known to be a party to the elections, in the light of the current level of development of the state and society in Jordan.

One of the results of this insistence on the SNTV system is the deepening of tribalism to unprecedented levels. This has led not only to competition, which is natural, but also to the emergence of violent conflicts that in some cases involved the use of force between tribal groups, as took place in Naour two days ago. The irony is that all this happened at a time in which we are talking of political development. Meanwhile, a number of political figures were prevented from standing under unconstitutional pretexts; a woman in the north of the country was threatened with prison if she did not withdraw her candidacy. There were other such incidents that worked to cast doubt on the freedom that opponents of government policies enjoyed

when they decided to stand. Finally, a number of instances of falsification, the illegal re-use of electoral cards and vote-buying were reported in various areas, not all of which were attributed to the government. These practices raise serious questions about the scope of transparency in the electoral process and about the extent of trust in the results and whether they truly represented the voters' will.

'Free and fair' elections are a relative matter, and since the 1990s a long debate about how to achieve them has taken place between experts in human rights. This debate has prompted United Nations missions charged with supervising elections in a number of countries to use the term 'reasonable' instead of 'free and fair' in describing various elections.

The climate surrounding an election and the conditions governing elections, from the social, political, economic, administrative and organizational angles, and the extent to which human rights and public freedoms are exercised, all contribute, whether directly or indirectly, to deciding how 'free and fair' elections are, and this discussion is repeated after every election. For example, we can recall the results of the latest opinion poll taken by the Center for Strategic Studies at the University of Jordan, comparing the necessary democratic climate and conditions.

It has become clear, in the light of the experience of recent years, that progress towards a greater degree of freedom and fairness in elections requires a series of decisions, at the forefront of which are:

(a) re-evaluating the current election law and working to issue an election law that conforms to international human rights criteria and meets the requirements of transparency; and assigning supervision of the electoral process to a neutral judicial body.

(b) lifting the restrictions on public freedoms, especially the freedom of political thought and expression, and the right to information; removing restrictions on the freedom of political activity; and allowing the opposition to express itself; and

(c) making more effort to remove the political, social and cultural obstacles, and not merely the legal obstacles, to the entry of women into the Chamber of Deputies and decision-making positions, as well as to exercise of all their rights.

The last election and its results are rich in lessons and should be examined and analysed by the vital forces of society so that they can work on improving this process. The role of NGOs will take on more importance in the coming phase, in order to lobby for more commitment to and implementation of human rights principles, not only in the area of elections but in all areas of life. We call on these organizations to be alert in their commitment to monitoring the performance of the next Chamber of Deputies in the realm of defending public freedoms and human rights.

Jordan Society For Human Rights
Amman, 20 June 2003

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Acronyms and Abbreviations

| | |
|------|--|
| DFLP | Democratic Front for the Liberation of Palestine |
| JCP | Jordanian Community Party |
| JNCW | Jordanian National Commission for Women |
| JOD | Jordanian dollar |
| MP | Member of Parliament |
| NGO | Non-governmental Organization |
| PLO | Palestine Liberation Organization |
| SNTV | Single Non-Transferable Vote |
| UN | United Nations |

