



Arab Reform Brief

18 December
2007

Jordan: Possibility of Transition from Electoral Rut to a “Constitutional Democratic Monarchy”

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Article 1 of the Jordanian constitution states that the country’s governance system is a “Parliamentary Hereditary Monarchy”, meaning that Jordan is supposed to be a state with a constitutional democratic monarchy, similar to contemporary European monarchies such as Great Britain, Sweden, Spain and Belgium. The Jordanian constitution was modeled on the latter’s democratic constitutions, according to which authority rests in the hands of an elected government, while the monarchy serves as the symbolic figurehead of the country’s political and social system; in other words, the monarchy reigns but does not rule. Had Jordan succeeded in configuring itself according to the provisions of its own constitution it would have become a pioneering model of democracy in the Arab world. Most countries in this part of the world have adopted hereditary systems in the form of well-established old monarchies or have developed novel forms of the system (such as those Arab republics which are gradually shifting towards hereditary government). However, 18 years after the first Jordanian legislative elections were held in 1989 (following the lifting of the emergency rule imposed in the aftermath of the 1967 War and the occupation of the West Bank by Israel) “Jordanian democracy” is still illusive, let alone a model of good governance. Successive legislative elections have become an uninteresting routine, the political process is non-cumulative and its protagonists lack a shared long-term, and forward-looking national vision. The Jordanian-Palestinian mix, both demographically and politically, and the regional dimensions of Jordan’s situation, have scattered this vision even further. As for parliament, its role and status are being eroded by conservative, Islamist and partisan tribal and traditionalist elements, while the palace and royal court are pushing it in a liberal and modern direction. For its part, the government, positioned right in the middle between the the parliament and the monarchy, tries to reconcile its positions and close the gap between parliament’s conservatism and the palace’s modernity, tearing its performance apart in the process, and provoking a rapid succession of government reshuffles and changes. Jordan needs a “Project of State and Society”, far greater than the palace, parliament and the government, and able to steer these three institutions in a single direction. However, before there can be any talk about this “project”, we should take stock of the November 2007 election results, ponder them and draw one more lesson that can only confirm the fact that Jordan’s current path towards democracy needs a thorough dust-off, and a real shake-up.

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Surprises that only add to constraints on an already constrained process

The “surprises” brought about by the latest Jordanian parliamentary elections, fall within the context of the muddy political rut in which the democratic experiment has been wallowing for years. The biggest of those surprises is the retreat of the Islamists and the electoral defeat of a considerable number of their leaders. Thus, the Islamists will have, in the 110-member parliament, only six representatives out of the 22 candidates that ran on the Muslim Brotherhood’s list. The latter accuses the state of closing its eye to large-scale election rigging, involving the buying and transfer of thousands of votes in constituencies in which it failed to win, and therefore causing their own candidates to lose--- an accusation which the authorities of course deny. However, many doubt that the Islamists’ loss is due to this factor alone, even if it did happen as they say. The second biggest surprise was the strong presence of political money which contributed to the victory of a large number of businessmen and wealthy individuals with no political background, experience or partisan support. According to certain estimates, the recent elections have brought to parliament some 15 millionaires, most of whom have no particular political record, let alone any reformist, opposition or activist tendencies in favour of the less advantaged members of the electorate. The third surprise of the elections was the marked absence of the leftists, Baathists and the non-Islamist opposition. These few voices which gave Jordan’s parliament a certain dimension of diversity, if only marginal, failed to maintain their weak presence, and both their candidates and those close to them failed to win any seats.

The one, and probably only, positive development was the increase in the number of women in parliament, bolstered by the victory of Falak al-Jam’ani who won an intensely contested seat without the benefit of the women’s quota system in the conservative Madaba district, bringing the number of women representatives to seven. The rest of the picture is dominated by tribal representatives, personalities close to the state, retired military officers and a number of traditional figures that have become permanent fixtures in Jordan’s parliamentary life. Each of these categories won thanks to its own individual circumstances.

This means that the political rut besetting Jordan’s parliamentary experiment can only be exacerbated by a parliament devoid of opposition and at the mercy of wealthy, powerful families, public figures, businessmen and an assortment of old-guard figures. It is a symptom of the rut that the Jordanian democratisation process, which showed such promise early on in 1989, finds itself in. What confirms the presence of this rut, if not the partial setback of the whole experiment, is the general atmosphere of the past few years that has constantly generated obstacles to impede the brisk and forward-moving pace of democratic development. However, the main disappointing development casting its shadow over this much sought after democratic climate, is the ongoing restriction on the freedom of the press, turned lately into draft laws calling for the monitoring of electronic news sites. This has coincided with the aborted dialogue round the fitness and fairness of the election law itself, seen by the opposition as having been formulated essentially to cut it down to size. Added to that is a general disinterest, disappointment, and sense of the uselessness regarding the voting process and the endorsement of this or that candidate prevalent among the electorate due to a lack of positive tangible results.

The larger regional situation, deteriorating and dire as it has been over the past two decades, has negatively affected the democratisation process in Jordan. Undoubtedly, the ongoing situation in Palestine, the Israeli occupation’s ever-increasing savage, colonialist and judaisation policies, and the emergence and victory of Hamas in the Palestinian elections, have cast their long and confusing shadows over the Jordanian scene. Moreover, the deteriorating situation in Iraq, uncertainty in Lebanon, and latent instability in Syria have compelled Jordan to tighten its security grip for fear that the situation might run out of hand, and be taken advantage of by certain parties. This certainly has taken place at the expense of the space that the democratic process was hoping to occupy.

This latest round of elections, the voters’ disinterest, suspicion of potential rigging, and the elections’ outcome (both in terms of the quality of the victors and the tremendous loss by the opposition) are all the result of the afore-mentioned general atmosphere. In addition, various measures taken in conjunction with the elections (such as preventing any civil organisation from monitoring the fairness

of the process, and the disregarding of many violations which created deep suspicion of the officials' neutrality) reflected more than anything else the tensions besetting the authorities. We could maybe even say that what has dented the legitimacy of these elections the most, from the organisational point of view, is the recurrent buying of votes and their transfer from one electoral district to the other which, according to neutral observers, took place under the noses of the authorities. The transfer of votes caused the victory of candidates endorsed by wealthy and business people able to invest some of their fortune in buying votes. All of the above goes to indicate that there is no cumulative process, just an obstructed democratisation one, which has yet to take its first firm steps.

The Islamists' loss and the crystallisation of the "loyalist parliament"

The most significant regression to have occurred as a result of the latest elections is the crystallisation of the loyalist parliament, due to the opposition's losses, in particular the Islamists', whose failure can be attributed to many factors other than those mentioned above. First, there is the growing public disinterest and depression vis-à-vis the Islamists, their performance and slogans, not only in Jordan, but in the region as a whole (from Palestine, where Hamas' experience proved to be a failure, to Egypt and Morocco). In the past few years, there was also the split between doves and hawks among Brotherhood ranks, which became more acrimonious on the eve of the elections and ultimately impacted upon their performance. The timorous Brotherhood leadership did not want to clash with the regime, or scare other political groups in the country, and therefore adopted the slogan "participating not overpowering", meaning that the Brotherhood was not at all planning to impose its control over parliament through an absolute majority, or form a government. This goes to explain why they chose to run for 22 seats out of the 110; the message they wanted to send the regime was that the Hamas' experience in the West Bank and Gaza would not be repeated in Jordan. However, most of the candidates chosen by the Brotherhood's rank and file to run on their behalf, and placed prominently on their list, were hawks whose attitude in parliament was belligerent more

than conciliatory, with some even expressing overzealous and open support for Hamas. However, attempting to keep to its fear-allaying message, the leadership of the Brotherhood seems to have ignored the hawkish list of candidates voted for internally by its rank and file. Instead, the leadership composed a list of more moderate faces, provoking wide-ranging anger and discontent among its members, many of whom refrained not only from campaigning for the Brotherhood list of candidates, but also did not cast their own votes for them.

However, apart from the conflicts within the ranks of the Muslim Brotherhood, and their scrambling to explain their loss, another important fact is that the decline of the Islamists in the Jordanian parliament did not take place in favour of a rival political current, but merely left a large political vacuum. What exacerbates this vacuum even further is the failure of candidates belonging to, or close to the left, the Baath or the non-Islamist opposition to win seats. This ultimately has produced a conciliatory parliament devoid of political colour, and mirroring in no way Jordan's entire political spectrum. The problem with this kind of parliament is that it impedes political development which is badly needed especially in those countries where the democratic experiment is still in its embryonic stages. This manifests itself in the exclusion, whether on purpose or not, of opposition currents cast out of parliament with no political gains to offer their supporters, which ultimately leads to an erosion of political capital and to the loss, by these groups and their supporters, of trust and conviction in the usefulness of the political and democratic processes. The ensuing unhealthy atmosphere could lead to splinter groups and radical elements rebelling against mainstream movements that play according to the rules of the political game.

Few seem to be willing to heed the mantra that says that excluding and beleaguering a legitimate opposition is an unwise policy that will ultimately harm its own perpetrator. There is a fine balance to the gradual process of democratisation that ought to be preserved at all cost, namely allowing the opposition forces certain gains which keeps them grounded within political bounds, and helps them deal with facts on the ground rather than resort to utopian slogans. Enriching the experience of the opposition at both the leadership and membership levels, especially the Islamists', will only happen through political participation, which, at the end of

the day, is to the benefit of society as a whole. The alternative is what has happened over the past few decades, in more than one country, whereby the opposition was compelled to resort to illegitimate methods of expressing its demands, and splintered into extreme and violent groups for which the entire society has had to pay a heavy price.

The other issue is circumstantially connected, namely that having a toothless parliament at this particular moment in time, could prove to be very harmful. For in addition to what this means in terms of limiting parliament's responsibilities regarding monitoring, transparency and accountability, this is taking place at a time when Jordan most needs these mechanisms, given the rising prices of petroleum products and the removal of subsidies on essential goods. The question that begs itself here is, however, how will the parliament debate the government's policies given the high number of merchants, businessmen, commercial deals and beneficiaries from commercial relations within the government itself? How will 15 millionaire members of parliament, and tens of others not too far off, uphold the rights and demands of the poor and middle-class of Jordanian society (i.e. the overwhelming majority) and redress the injustice done to them, when these millionaires have little idea and experience about the suffering they endure? Indeed, there could be a clash of interest between the majority of the people and some members of the parliament. The outcome of the latest Jordanian elections is, therefore, the result of the impasse that the democratisation process has reached. Perhaps it was unrealistic to expect too much from these elections and their outcome, even in the presence of the right technical circumstances, and in the absence of all the rigging and transfer of votes. The biggest problem, however, is the absence of a general strategic vision that encompasses both democratisation and its election processes, i.e., the lack of a model-seeking strategy.

Possibility of founding a "Democratic Constitutional Monarchy", and a timeframe for its implementation

Is Jordan asking for more than it can deliver from the standpoint of producing a model of good democratic governance in the region based on a constitutional monarchy? Is such an expectation in

the realm of the wishful thinking, or impossible? Despite the considerable difficulties, this paper believes that these expectations are indeed possible and realistic, though conditional upon several factors and circumstances, and contingent upon a phased process based on a well-developed 'comprehensive vision', some of whose elements are:

First: The vision's point of departure should rest on the premise that the vehicle for Jordan's transformation into a model of democratic constitutional monarchy should be a sort of "National Project for the Jordanian State and Society", the most important component of which would be a phased implementation framework. In other words, the project's objective of a constitutional monarchy within two decades, based on a phased implementation process, should be clearly delineated from the very beginning. There should also be a general consensus-seeking official, public and partisan debate around the project's essence, nature and objectives. Such a consensus would generate an all-encompassing political momentum, propelled forward by a deep conviction on everyone's part, that the country needs to emerge from the bottleneck. The eagerness to implement the project within the allotted timeframe in itself would be a challenge for all concerned. The project could also be seen as a natural extension to the "National Agenda 2006-2015", approved by consensus among the political elite, but which somewhat avoided the issue of modernising the constitutional aspect of the state, and focused instead on the economic aspect. The National Agenda did in fact tackle political development, law amendments, political awareness raising and other such issues, at length, though it started with Article 2, rather than Article 1 of the constitution, which states that Jordan's governance system is a "parliamentary monarchy".

Second: This desired transformation towards a democratic constitutional monarchy can only be implemented within a middle-term timeframe, and would falter if its phased implementation were to be speeded up. The various phases, through which this step by step change needs to go through to be enshrined within the Jordanian state and policies, would be factored into the agreed-upon timeframe. This should take place in tandem with a review and amendment mechanism to deal with the potential fallout from each of these phases, separately, whereby this phased approach would become an

integral part of the transformation process, rather than just another method of implementation.

Third: Public policies by the state and successive governments, and various parliamentary elections, should be made relevant to the transformation project's ultimate objective.

Fourth: This transitional project requires an accelerated economic development process, whose benefits would trickle down to the poor and middle-level sectors of the population, to recreate the middle class, develop it and expand its parameters. It is mainly this particular class, which will, after all, uphold and guarantee a deep-rooted and sustainable transition.

On a related issue, although the economy is Jordan's main challenge today, the problems it raises are not that difficult to resolve. Ending endemic corruption and the illegitimate means of accumulating wealth, and reviving the Kingdom's investment climate to attract the Gulf region's sizeable petroleum-generated funds that constantly seek new markets are both liable to boost several aspects of the local economy. In any case, the acceleration of economic development is today the responsibility of the National Agenda, which aims to raise development and production levels, close the income gap and lower unemployment rates.

Fifth: Alongside economic development, there is a need for a parallel process of genuine political development to raise individual, group and political party standards. This would deepen their political awareness and acumen, as well as their understanding of the significance of political involvement, and its limits, including respect for differences. Moreover, it would entrench the values of pluralism and tolerance, and heighten awareness regarding the regional and international dimensions of local politicisation.

It is worth noting in this context that, if implemented, relevant provisions in the National Agenda, i.e. those related to political development, would provide worthwhile and vibrant bases to build upon. However, in addition to the state's responsibilities, political parties have some of their own too, in particular the Islamists who remain the main group in the partisan equation. We could say here, that the involvement of the Islamists in a parallel internal development process is one of this political development's most important aspects, liable to entrench their sense of belonging and national responsibility, and compel them to stop

viewing the state as an enemy. Just as Jordanian democracy has failed to foster a healthy general atmosphere, the Islamists have failed to activate their members outside the confines of party frameworks into a space where they can become total citizens, and infuse their participation with a sense of public responsibility. The Movement's leadership lacks a modern political culture that would allow it to appreciate the significance of state and citizenship, as well as the significance of the constitution, the law and commitment to them. The aim is to get rid of the superior attitude towards these elements, since this superiority is liable to engender a sense of intellectual isolation among the rank and file of the Islamists, and curtail their political and public participation in the right to vote once every four years.

Circumstances that could advance or impede these aspirations

Within the Jordanian context, there are helping and impeding factors that lay on the way of pursuing the 'Project' outlined above. Among the helping factors, there is, above all, the presence a young and modern leadership, trying to propel Jordan towards new horizons, despite the stagnant and ossified attitude of the old guard, and those who stand to benefit from the status quo. King Abdallah himself could launch The "Project for a Democratic Transformation towards a Constitutional Monarchy", as the founder and protector of the first constitutional monarchy in the Middle East. A good example of extricating oneself from difficult circumstances and steering a transitional process, is that of King Juan Carlos of Spain who chose the democratic route following the death of General Franco, a choice that has had a determining impact on his country's subsequent fortunes. The second helping factor is Jordan's security and political stability, a feather in the cap of the Jordanian regime. Despite its location in the middle of a very volatile region, surrounded by conflicts, wars and violence on all sides, Jordan's stability has held firm and is the country's best asset today. This stability is also the outcome of a regional consensus, since it is in no one's interest to threaten or harm it.

On the other hand, there is no doubt that real difficulties exist, and that these should be countered and dismantled, rather than ignored, as has been case for many years. Among the difficulties

impeding a comprehensive democratisation process in Jordan, and perhaps the most pressing, is the demographic dilemma and the large Palestinian presence. This is integrally connected to the conflict with Israel, and to the shape of any future peaceful settlement and the manner with which the Palestinian refugee issue will be dealt with. This issue was, and still is, the main obsession of Jordanian decision-makers, not just in relation to democratisation, but also to other aspects of political accord in Jordan. However, it would be unhealthy to allow these obsessions to hold the present and future of Jordan hostage, no matter how significant they are; they should instead be openly discussed and addressed. Agreements reached should at the same time guarantee and preserve the interests and future of the Palestinian refugees and their aspirations to return home, as well as those of Jordan's citizens, and the country's Jordanian identity.

The second impediment is comprised of the deep-rooted and wary traditional politics closely associated with the old guard, serving to entrench tribalism, its values and impact, as well as religious conservatism (including the cultural and social impact of the Muslim Brotherhood) in Jordan. These traditional forces are ever suspicious of modern visions that seek to reconfigure the country, the constitution and political governance according to principles that do not heed tribal loyalties, patronage and big family interests.

The third impediment worth mentioning is the fear in neighbouring countries of the emergence of a

genuine democratic model, and their attempts to obstruct it, or rather obstruct any project that has it as its aim; genuine democracy, rather than terrorism or foreign threats, is the greatest fear of regimes in the region.

The fourth impediment is of a regional nature linked to developments in Palestine and Iraq, in particular, and to their impact on Jordan in the short and middle terms. Yet this last impediment is a fact-of-life, and tying Jordan's fate to it entirely would be entrusting it to the unknown.

Many people might consider the ideas discussed and proposed above unrealistic given the currently obstructed Jordanian democratisation experiment, and the forbidding atmosphere in the region that portends further storms and wars. However, even though we could say that pessimistic forecasts that doubt the possibility of progress are right to be wary, and are even justified in their pessimism, the "Project for a Democratic Transformation towards a Constitutional Monarchy in Jordan" proposes a long-term strategy that not only tries to circumvent more successive dysfunctional parliamentary elections and their useless outcomes, but would also re-present Jordan as a pioneering example in the region.