

## Jordan's Electoral Environment and Prospects for Change

In a recent conversation, Hamza Mansour, secretary general of Jordan's Islamic Action Front, lamented "We hoped we would catch a breeze from the Arab Spring, but all we got was a dust storm." The sense of disappointment and frustration with reform initiatives is palpable across the political spectrum, and the November 2012 riots over fuel price hikes marked a turning point in the rhetoric of discontent. Instead of calling for reform of the existing system, some protestors are now directly critiquing King Abdullah II and calling for the overthrow of the monarchy.

Even prior to the current unrest, many Jordanians felt that the parliamentary elections scheduled for January 23, 2013 would be a missed opportunity for Abdullah to demonstrate a real commitment to political reform. After the palace raised expectations that revised political party and electoral laws would be more inclusive and foster an authentic democratic system of governance, failure to deliver real change has added fuel to the flames of discontent and disenfranchisement. While heightened fear about the violence in Syria, as well as instability in Egypt and other neighboring countries might buy Abdullah and his court some time, Jordan has deeply-rooted problems that will ultimately need to be addressed.

The Muslim Brotherhood-dominated opposition movement has posed uncomfortable challenges for the government and the king at times, but what is different now is that unrest is emerging from new quarters. In particular, dissent is coming from new youth-based groups from tribal areas (known as Herak) that have traditionally formed the king's strongest support base. The allegiance of East Bank tribes

### Rafik Hariri Center for the Middle East

The Rafik Hariri Center for the Middle East studies political transitions and economic conditions in Arab countries and recommends US and European policies to encourage constructive change.

to the monarchy has shifted and some have become restive; a wave of privatizations has dealt a blow to their traditional dominance of the public sector, while cuts in public spending and an agricultural collapse have created severe economic hardships in the rural areas where tribal Jordanians are concentrated. With more diversified opposition forces facing the palace, dismissing pressures for change and maintaining a tight hold on power will be far more difficult for the king.

### Raising Expectations for Reform

Following on the heels of tumult in Egypt and Tunisia, large-scale protests in Jordan began in January 2011, calling not for the overthrow of the ruler, but simply for reform of the system. In an effort to respond to unrest and forestall street violence, Abdullah replaced his government and called for a National Dialogue to debate and propose reforms to advance political pluralism.

The 52-member National Dialogue committee—representing various political parties, professional associations, and youth and women's organizations—spent three months working to develop consensus on the most pressing political issues. While Jordan had attempted similar efforts previously, this

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round benefited from regional momentum and international pressure that helped encourage a genuine discussion among diverse political figures.

At the same time, Abdullah responded to demands for constitutional reform by calling for the formation of a Royal Committee on the Constitution, which presented specific amendments in August 2011. The committee's recommendations paved the way for a new Constitutional Court and an independent electoral commission, but beyond that, the gains were relatively minor.

Hopes focused on the National Dialogue Committee, which formally presented its conclusions in June 2011; yet nearly a year passed before the revised political parties law and new electoral law were actually promulgated by parliament. The delay indicated either a lack of political commitment, difficulty navigating between reformists and those served by the status quo, or both. Regardless, opposition forces and civil society pressing for greater pluralism were disappointed with the results. The committee proposed credible drafts, with input from political scholars and legal experts, but almost none of the recommendations were included in the versions that the government ultimately passed.

Although the stated intent of these measures was to strengthen the role of parties in the political system, neither the new laws nor the constitutional changes fundamentally altered the balance of power within the government or opened up the decision-making process to those outside the king's inner circle. The executive branch dominates, to the detriment of the legislative and judicial branches, and the narrow corridor of authority between the king and the intelligence services remains paramount. The role of the parliament has not been expanded; it still lacks the basic authority to introduce laws, formulate or modify the national budget, or check the power of the executive.

## **A Flawed Electoral Environment**

To assess the electoral environment in Jordan and the degree of change, one should consider two factors: the technical and administrative organization of the elections and the overall political system and legal framework in which the elections will be conducted. On the first, there is some consensus that the revised electoral law will make fraud and

direct manipulation of election results more difficult and therefore enhance transparency and accountability. On the second it seems the government has failed to improve, thereby undercutting the value of the electoral changes. While there has been a great deal of pro-reform rhetoric and political maneuvering, there has been little actual movement in ways that change the balance of power between core constituencies or fundamentally open the political playing field in Jordan. The January parliamentary elections are slated to take place in a political context which has changed little from the 2007 and 2010 elections.

Jordan's electoral system and gerrymandered districting reflect the need to deal with the two strongest political groupings: the urbanized Palestinian-Jordanian population, and the East Bank tribes that have traditionally formed the trusted bedrock of support for the monarchy. For the past several decades, elections have been engineered to maintain the strength of the East Bank tribal groups and preserve their near-monopoly on political influence, while limiting representation and political access on the part of Palestinian-Jordanian population. The modest changes put in place with the revised electoral law essentially preserve the status quo by ensuring disproportionate representation for the tribes.

The weak parliamentary system reflects the distribution of political power between these two groups. Palestinian-Jordanians have for decades felt marginalized within the Hashemite Kingdom, despite being a majority of its population and leading the business and financial sector. Dating back to the 1970-1971 civil war—which saw the Palestine Liberation Organization (PLO) face off against the monarchy—Jordanians of Palestinian descent have been excluded from public sector employment and political positions. Meanwhile, they have been denied accurate parliamentary representation by an electoral system that favors tribal candidates over political parties, and by gerrymandered voting districts favoring rural zones—where tribal Jordanians are concentrated—over major cities, in which the bulk of the Palestinian-Jordanian population resides. Tribal Jordanians, meanwhile, enjoy the benefits of disproportionate representation in the public sector, security apparatus, and parliament.

This skewed distribution of power has predictably shaped Jordan's political landscape. Tribal Jordanians have long formed the bedrock of monarchical support, while Palestinian-heavy urban areas form the nucleus of Jordan's Muslim Brotherhood—the country's main opposition group—and its political affiliate, the Islamic Action Front (IAF). The IAF has for years spoken up against urban disenfranchisement, and has chosen to wield its political strength by boycotting the 2007 and 2010 parliamentary elections and has pledged to do so again in 2013.

## Electoral Law Falls Short

Advocates of the king's vision in the government and royal palace assert that the revised laws and the upcoming election present a pivotal moment in the reform process and represent an incremental approach to broadening opportunities for citizen participation. In a recent conversation, Bashir Rawashdeh, the secretary general of the Ministry of Political Development, gave an impassioned defense of this approach, noting that "These elections will be a point of change and will lay the foundation for elections based on lists and political programs."

Rawashdeh is referring to the establishment of a national list system, which will determine 27 seats out of a total of 150. The stated goal of introducing a national list is to enhance political party representation, but its design is flawed in fundamental ways that serve to undercut its stated goal. The king's allies argue that the national list will help strengthen parties and encourage them to form alliances on joint lists, but since the lists are not *mandated* to be formed on the basis of parties, individuals with strong tribal backing will likely form the lists. Furthermore, as the lists are closed, meaning the order of the candidates on the list must be determined in advance rather than being determined by the number of votes each one receives, ego-oriented party leaders will not be willing to take a fourth or fifth slot. The result is likely to be dozens of lists with candidates running based on their individual popularity, rather than a full slate of twenty-seven based on party coalitions.

The remaining 108 members will be elected on the district level (15 seats are filled by quota), according to the same system used in the past several elections. The electoral law maintains the one-man, one-vote system that many opposition groups had hoped to modify (also known as SNTV, single non-transferrable vote). The law does not address several major issues. First, in the current system, the value of each vote is not equal; electoral districts are uneven, so that some seats in parliament are elected by a voter base of 5,000 people and others by more than 46,000. Redistricting is necessary in order to equalize the relative weight of each voter's choice. Second, the electoral districts are based on small district entities, whereas many have proposed combining these smaller districts into the larger governorate in order to reduce the domination of the tribes, enhance competition, and improve the quality of candidates. Third, many reformists advocate changing the system from a single vote to votes for multiple candidates in order to move away from tribal-based voting. Since tribal identities are still quite strong, there is an assumption that if a voter has only one vote, it will be cast according to tribal affiliation and subgroup identification.

Even IEC Chairman Abdullah Al-Khatib has openly acknowledged his dissatisfaction with the revised electoral law and noted he would have preferred a system with fewer, larger districts that would produce a better pool of candidates. At the same time, he asserts that the national list is a good starting point along the reform trajectory. The government maintains that the electoral changes represent one step in a gradual process towards political reform, and that sudden changes would be disruptive and potentially harmful given the complexities of Jordan's political, tribal, and social dynamics. For supporters of the monarchy, these elections are seen as laying the foundation for further changes that would ultimately broaden citizen participation and open the door to politics based on platforms and ideology, rather than families and tribes. Yet the various shortcomings in Jordan's electoral system will largely preserve the status quo rather than lay the groundwork for broadening decision-making opportunities.

## Closing the Loopholes

On the technical side of elections management, the modifications introduced with the revised electoral law will make fraud and direct manipulation of election results more difficult and therefore enhance transparency and accountability. The law closes loopholes that previously allowed significant manipulation of electoral results:

- The law establishes a new, independent electoral commission, separate from the Ministry of Interior, with legal authority that supersedes that of all other government agencies during the elections process.
- Voters are allowed to select where they want to vote, but must make that decision in advance and submit their voter card at that site. This reduces the possibility that voters would vote more than once or that polling stations would have insufficient ballots because they miscalculated the number of voters.
- The law improved the counting procedures in line with international standards. Ballots will now be counted at the polling station in front of domestic and international observers and candidate representatives, and then the tally will be posted publicly for review.

The establishment of the Independent Election Commission (IEC) is the most notable change. Many past electoral violations were committed either by direct interference by the intelligence services or through indirect acquiescence, so removing the election function from the Ministry of Interior eliminates a broad range of ways to manipulate the process. Conversations with opposition parties boycotting the election, civil society organizations, and political analysts all indicate that the IEC is viewed as a credible body and perhaps the most positive development from this round of reforms. The committee's efforts include voter education through traditional and social media, attending to the needs of disabled and elderly voters, and training 8,000 youth volunteers to assist on election date. Due to the IEC's establishment, domestic election monitoring groups and political analysts expect that overt manipulation by the intelligence services will be far less or even nonexistent, but they still anticipate some form of indirect manipulation.

Although there will likely be some election violations, they are unlikely to have a major impact on the outcome or the

composition of parliament. Changes in the law will reduce vote rigging and fraudulent activity, but some indirect manipulation on the part of the intelligence services and overt pressure from candidates or tribes will still occur. The impetus to demonstrate loyalty to the tribe or sub-identity group can be seen with the widespread abuse of "whisper voting," which allows illiterate voters to whisper their selection to a designated representative to cast a ballot on their behalf. In practice, this has resulted in thousands of voters claiming to be illiterate—even swearing on the Koran—to yell out their vote in the polling station in order to demonstrate their support for a particular candidate or their tribe (and potentially receive financial compensation). While the IEC is trying to develop a mechanism to reduce this practice, it still remains an issue.

## To Boycott or Participate?

Voter turnout will indicate the degree of credibility the government has generated with its reform efforts. There have been many claims of collective registration, in which some eligible voters were unknowingly or unwillingly registered to vote by a family member, tribal member, or candidate. The IEC and the government have been touting a 70 percent voter registration rate as an indication of public support for the elections, but with questions about state-sponsored intimidation against those who did not want to register, a substantially lower turnout rate will cast a shadow on the legitimacy of the entire process.

Years of electoral manipulation and unkept promises of reform have fostered a deep mistrust of the electoral process and the intelligence services. The procedural changes in the new electoral law should help to generate greater trust in the process but frustration with the overall political context will likely affect participation. To date, the Islamic Action Front (IAF), the National Front for Reform (NFR), and numerous other popular movements have decided to boycott the election. While the government is not pleased with the decision to boycott, especially by the IAF, it seems the lines have been firmly drawn.

It remains to be seen if members of the Herak movements will participate, since they have taken center stage in recent protests and have introduced a new pressure point alongside the established Islamist opposition. This new dynamic

has the potential to force a shift in the regime's portrayal of Jordanian politics as a struggle between the regime and the Islamists, particularly if these marginalized and frustrated tribal youth join the boycott in large numbers. As of yet, these groups have not coalesced into a sustained protest movement, as happened in Egypt and Tunisia. If this changes, then a level of chaos and instability could emerge that has yet been unseen. This situation also makes the Jordanian economy a key issue going forward, as the government's ability to address economic hardship will doubtless influence tribal Jordanians' stance towards the monarchy.

## The Day after Elections

In the end, what should we expect from January's elections? If they move forward as planned, unfortunately, not a lot. They will likely produce a parliament fairly similar to its predecessors, precisely because the underlying rules of the electoral game and the constraints on what parliament can do have not changed in any transformative way. There may be a slightly higher caliber of candidates on the national list, but this cohort will also likely reflect the same interests. If the intelligence services do not directly (or indirectly) manipulate the outcome of the election, there is a possibility that the MPs who are elected will not be as beholden to do their bidding and might feel greater freedom of action. However, the greatest constraint is the very nature of the parliament as an institution and the restrictions on its degree of authority and autonomy. The real issue is that decision-making is very narrow and completely centralized—between Abdullah and the intelligence services—and the government apparatus merely carries out their dictates. Unless this power distribution changes, there is likely to be serious unrest on the horizon.

Abdullah has pledged that the new parliament will have the authority to elect the next prime minister, but many are quite skeptical that he will follow through on that pledge. Even if he keeps to his word, it is safe to assume that the selection of the prime minister and cabinet would only move forward with the explicit approval of both the palace and the country's powerful intelligence service. If the IAF and other parties maintain their pledge to boycott the election, it is unlikely that

there would be strong opposition voices within the new parliament to continue to push for political reform.

## Jordan's Uncertain Direction

Jordan today is caught between two countervailing regional currents, one pushing towards political change and the other towards the status quo. Popular uprisings in Tunisia, Egypt, and Libya may have pushed the kingdom towards reform, but the brutal conflict unfolding across the border in Syria has tempered this impulse, forcing Jordanians of all stripes to consider the costs of instability. And there are incentives and pressure from Saudi Arabia and other Gulf states to keep political reform to a minimum; with a pledge by the four Gulf Co-operation Council (GCC) states to provide Jordan \$5 billion over the next five years (\$1.25 billion per year), this pressure carries great weight.

The struggle for political reform in Jordan may thus drag on for some time; as it does, the United States should urge Jordan towards greater democratic openness. The United States has a stake in using its diplomatic and economic leverage to push the kingdom towards substantive reform—in large part because the longer Abdullah delays such change, the more likely the situation will unravel in unpredictable or uncontrollable ways, thus risking even greater instability. The past two years have demonstrated that the dynamic of greater participation and power-sharing is moving across the region; as of now, the palace retains enough legitimacy to influence how and when it occurs, but that might not always be the case.

To send a stronger message, the United States should tie its assistance package, which is expected to reach more than \$800 million in 2013, to achievements on political reform. This is the approach that the European Union is pursuing, with the "more for more" strategy of rewarding reform with additional assistance; while this approach has yet to be tested, the United States should also explicitly and repeatedly state the connection between aid and reform. Furthermore, the United States should support calls from Jordanian reformists who demand more fundamental and meaningful political change and further electoral reform. This message can be sent with the electoral observation missions conducted by American democracy-support organizations

such as the National Democratic Institute and the International Republican Institute and through the statements and reports they issue. Jordanian activists take note of these statements and, for better or worse, they are considered part of US official policy.

After the elections, the administration should strongly encourage Abdullah and the newly-installed Jordanian government to revisit the recommendations put forth by the National Dialogue Committee and set specific benchmarks

for progress on political reform. The king needs to demonstrate in concrete and tangible ways that he is willing to take on the elites and intelligence services that have a vested interest in sustaining the status quo. If he is unable to exert the leadership and political will to break with the past, it might not be a change in the balance of power that people seek, but rather an unraveling of the monarchy entirely.

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