Is Monarchy Compatible with Democracy?  
The Constitutional Framework and Royal Initiatives for Democracy in Jordan

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“Democracy is our option”  
His Majesty King Abdullah II  
*Jordan Times*, 9 March 2009

In Jordan, the relationship between monarchy and democracy is seemingly paradoxical. At the same time as the king launches one initiative after the other to promote democracy and political reform, Jordan remains an authoritarian state. At the same time as he repeatedly reconfirms his allegiance to democracy, few results are apparent on the ground. Jordan is not generally moving towards democratization. Indeed, it experienced a decline in civil liberties in 2008, with increased restrictions on freedom of expression and assembly.

Jordan is thus an authoritarian state in which the supreme power calls for democracy. This chapter delves deeper into this apparent paradox by discussing the bearing of the Jordanian constitution and different royal initiatives on democracy, in theory and practice. The analysis is made against the backdrop of a theoretical approach outlining strategies in authoritarian states, including employing democratic rhetorics to sustain authoritarian rule. Exposing the

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2 The regime in Jordan has been classified in different ways. Some analysts refer to Jordan as a semi-authoritarian state, see Amr Hamzawy and Nathan J. Brown, “A Boon of a Bane for Democracy?,” *Journal of Democracy* 19, 3 (2008), whereas Karvonen refers to Jordan as a “half-democracy” (Lauri Karvonen, *Diktatur. Om ofrihetens politiska system. [Stockholm: SNS Förlag, 2008]*, p. 81). I refer to Jordan as an authoritarian state, along with among others, Lust-Okar (Ellen Lust-Okar, “Elections under Authoritarianism: Preliminary Lessons from Jordan,” *Democratization* 13, 3 [2006]). Jordan is ranked as “partly free” in the 2008 Freedom House ranking, www.freedomhouse.org (accessed 5 May 2009). Democracy is here defined, as it is by Karvonen, as a system with substantial political rights and civil liberties, respect for human rights, impartial and independent judiciary and state institutions and a free and lively civil society (Karvonen, *Diktatur*, p. 16).


4 Karvonen, *Diktatur*. 

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authoritarian logic behind the democratic rhetoric is especially important in a
country like Jordan, which is often portrayed as a model of political reform for
other Arab states.

This chapter also discusses the election system in Jordan, which is particular-
ly targeted by analysts – Jordanian and Western – as an obstacle to democratiza-
tion. It ends with a discussion of the important issues relating to democratization
in Jordan. The analysis in the chapter is based on source material as well as inter-
views carried out in Jordan in late 2006.

The evaluation of the relationship between monarchy and democracy starts by
looking at the Jordanian constitution in relation to matters of vital importance to
democracy.

Democracy in the Jordanian Constitution – and
in Royal Initiatives

The Jordanian constitution

According to its constitution, Jordan is a hereditary monarchy with a parlia-
mentary system (art 1). In the parliamentary system, Jordanians are equal before
the law (art 6), the state guarantees freedom of opinion and expression within the
confines of the law (art 15), and there is freedom of assembly within the law (art
16). Legislative power is vested in the National Assembly and the king (art 25),
and the executive power is vested in the king, who exercises his powers through
his ministers (art 26). Judicial power is exercised by the courts, with judgments
being given in accordance with the law and in the name of the king (art 27).
Furthermore, the king ratifies and promulgates the laws (art 31) and declares peace and ratifies treaties and agreements (art 33).

In parliamentary matters, the king has considerable powers: he issues orders
for the holding of elections for the chamber of deputies; he convenes, inaugu-
rates, adjours and prorogues the National Assembly; and may dissolve the
chamber of deputies and the senate (art 34). The king also appoints and can dis-
miss the prime minister, or accept his resignation. He has similar powers in relation
to ministers, on the recommendation of the prime minister (art 35). Members
of the senate and the speaker are also appointed by the king, who, again, accepts
their resignation (art 36). The king further exercises his powers by royal decree,
to be countersigned by the prime minister and the relevant minister(s) (art 40).

The council of ministers is thus appointed by the king and in this sense they
are “his” ministers. This is further emphasized in the ministers’ oath before the
king prior to their assuming office, in which they swear by God to be loyal to the
king (art 43). The king also ratifies decisions by the council of ministers, signed
by the prime minister and ministers. Implementation of the decisions rests with
the prime minister and ministers (art 48).

As to the relationship between the council of ministers and the National
Assembly, the prime minister and ministers are collectively responsible to the
chamber of deputies for the public policy of the state (art 51). Further, the cham-
ber of deputies can initiate a motion of no confidence in the council of ministers
or any minister. If the motion passes with an absolute majority, the council must
resign (art 53). A new council of ministers must, within one month of formation,
place before the chamber of deputies a statement of its policy and seek a vote of confidence on the basis of this statement (art 54).

Members of the chamber of deputies are elected by secret ballot in a direct general election. The electoral law ensures the integrity of the election, the right of candidates to supervise the election process and sets out the penalties for any person who adversely influences the voters (art 67). In the absence of an independent electoral commission, it is the chamber of deputies that determines the validity of the election of its members (art 71): unless two-thirds of the members declare an election invalid, it is not considered so (art 71). Prior to taking their seats, senators and deputies swear an oath of loyalty to king and country (art 80).

The prime minister refers draft laws to the chamber of deputies, which may accept, amend or reject them. However, the chamber must refer all draft laws to the senate. No law may be promulgated unless passed by both senate and chamber of deputies and ratified by the king (art 91). If the king does not ratify a law, he may refer it back to the house together with a statement of the reasons for withholding ratification (art 93). Where a draft law, except the constitution, is referred back and passed a second time by two-thirds of the members of each of the senate and chamber of deputies, it has to be promulgated. If the law is not returned with royal ratification, it is considered promulgated and effective (art 93). In cases when the National Assembly is not convened, the council of ministers can, with the king’s approval, issue provisional laws (art 94).

In the exercise of their judicial functions, judges are independent and subject only the law (art 97). Judges of the civil and Shari’a court are appointed and dismissed by royal decree in accordance with the law (art 98).

Finally, the constitution itself can be amended by a two-thirds majority of each of the senate and chamber of deputies, provided the amendment is ratified by the king (art 126). Constitutional amendments affecting the rights of the king may not be passed during a regency (art 127).

The Jordanian constitution and its relationship to democracy

In the Jordanian constitution, there are thus democratic traits and it is regarded as one of the more democratic in the Arab world. For instance, the state guarantees freedom of opinion, expression and assembly within the law. The constitution also stipulates that the chamber of deputies be directly elected by secret ballot in a general election.

Even if the constitution defines the Jordanian system as parliamentary, the system is more like a semi-presidential system, given the prominent position of the king (instead of a president), with the important difference that the head of state is not elected. However, this trait in the Jordanian constitution stands out as being contrary to democracy: the powerful formal role of the king, given that he is unelected. He holds, as we have seen, legislative power, partly together with the National Assembly and partly through royal decree, to be countersigned by the prime minister and relevant minister(s). Indeed, he can veto any legislation, since he must ratify and promulgate all laws. What is more, the king has extensive power over parliament, since he decides on its dissolution and when elec-

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tions are to be held. He further has the ultimate executive power, exercised through ministers appointed by him and sitting at his discretion. The king has the ultimate powers regarding all relations with other countries. His powerful position is further underlined by the fact that ministers, senators and deputies swear by God to be loyal to him before taking office. Thus it can be established that the constitution itself cannot be regarded as democratic. This is contrary to the common understanding in Jordan that the constitution is largely democratic but that its implementation has failed.

However, the constitution seems to open up space for disobedience by parliament, as it allows the National Assembly to overrule the king in matters of legislation. If the king refers a draft law, apart from the constitution, back to the house and it is passed a second time by two-thirds of the senators and the deputies, it must be promulgated, even without ratification by the king. Nonetheless, “it does not appear feasible that such an action in opposition to the King could ever be invoked; even if a two-thirds parliamentary majority could be achieved, the King could use other Constitutional powers to dissolve or suspend any parliament that tried to force legislation against his will.”

The constitution also enables the chamber of deputies to vote the king’s ministers out of office through a confidence motion, and a new council of ministers has also to be approved in a confidence vote. This seems to make the government dependent on at least passive support from the legislative branch, which gives the government democratic legitimacy, even if it is appointed by the king.

In practice, a vote of no confidence in the king’s council of ministers is unheard of. Indeed, according to an ex-minister, “because of courtesy and the structure of the political life in Jordan and the cultural part of it,” the government has not lost a vote of confidence in 50 years. And if ministers were to lose a vote of confidence, the ministers replacing them would also be appointed. There is, then, in practical terms no room in Jordan for opposition to the king. The democratic shortcomings evident in the constitution are thus even more pronounced in practice, given the king’s all-pervading role. In this sense, “(t)he King plays the central and controlling role in all aspects of the exercise of Constitutional authority to a degree that dilutes the concept of separation of powers” envisaged in the constitution.

Furthermore, other structures in the political system, in addition to those laid down in the constitution, form part of royal power—namely the royal court and the security forces. Of these, “(t)he Royal Court plays a key role in defining government policy as well as launching initiatives,” while the security forces, especially the Bureau of Intelligence (Mukhabarat) “has substantial political influence in determining political and legislative priorities.” These two structures are directly subordinated to the king, and organized in ways that are concealed from the public gaze. Thus, “(i)t appears to be widely regarded that Jordan has three competing branches of executive government, all headed by the King: the Cabinet of Ministers, the Royal Court and the Mukhabarat.”

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7 DRI/UJRC, Assessment of the Electoral Framework, p. 5.
8 Ibid.
9 Ibid., p. 6.
There are other deeply troubling aspects from a democratic point of view. One is the election system, which does not afford the same value to all votes, but favours candidates loyal to the king. Other problem areas are the laws subjecting civil society to extensive state control and those regulating the media, including censorship – which also leads to self-censorship.\textsuperscript{11} In Jordan, the king remains the final authority and the arbiter of how far liberalizing reforms to the system may go.

The Jordanian political system is thus lacking key democratic elements. Interestingly – and paradoxically – this deficiency has been acknowledged both by the late King Hussein and the King Abdullah II. Allegedly with the purpose of expanding democracy in the kingdom, both kings launched various initiatives to promote political reform and democracy.

\textit{Royal initiatives for democracy}

Since the beginning of the 1990s, and particularly in the last decade, several initiatives have been launched to promote political (democratic) reform in Jordan. These include the National Charter (1991), Judicial Reform Initiative (2002), Jordan First (2002), National Agenda (2005) and We are all Jordan (2006).

According to the late King Hussein’s website, the National Charter was launched in 1990 “to place Jordan’s progress to democracy on a stable foundation.” The royal commission appointed by the king was to draft “guidelines for the conduct of political party activity in Jordan.”\textsuperscript{12} More specifically:

The National Charter outlines general guidelines for constructive dialogue between the executive and legislative organs, as well as between decision-makers and political and intellectual elites concerning questions of authority, rights and responsibility. It enunciates the terms under which political parties can operate – namely, within the framework of the Constitution and free of foreign funding – and also emphasizes broad agreement on the need for the political reflection of Jordan’s cultural pluralism.\textsuperscript{13}

Interestingly, the website itself cites as major accomplishments of the National Charter results that do not necessarily ring true to democracy:

Perhaps most importantly, the Charter has given Jordanian leaders a sense of direction, an insurance policy against outbidding by unrestrained groups, and a degree of predictability in political affairs. It has also eased concerns about the consequences of unbridled freedom of expression. The National Charter, along with the Jordanian Constitution, provides a compass for the national debate on fundamental issues.\textsuperscript{14}

Thus, it is the sense of direction that is emphasized, not a sense of popular representation.

However, substantial improvements were made through the National Charter, including expanded political freedom and space for civil society. The charter also

\textsuperscript{13} Ibid.
\textsuperscript{14} Ibid.
resulted in the lifting of martial law, legalization of political parties, permission for political exiles to return and relaxing the restrictions on demonstrations.\footnote{15} The charter was adopted in June 1991 at a national conference attended by 2,000 leading Jordanians. However, infringements of the newly won freedoms were soon observed, such as attempts to silence internal opposition.\footnote{16} The 1993 amendment of the electoral law is part of this deliberalization. Indeed, “(b) by the time of Hussein’s death in February 1999, it seemed clear that liberalisation has been a temporary means of reducing opposition to unpopular economic policies. Political reform has been initiated, not as an end in itself but rather as a strategy for regime survival.”\footnote{17}

In 2002, the new king launched his first initiative, Jordan First, to promote, among other things, democracy. According to the king’s website, the initiative was launched:

... to strengthen the foundations of a pragmatic, democratic state. It is a working plan that seeks to deepen the sense of national identity among citizens where everyone acts as partners in building and developing the Kingdom. Jordan First … emphasizes the pre-eminence of Jordan’s interests above all other considerations and seeks to spread a culture of respect and tolerance and integrate and fortify the concepts of parliamentary democracy, supremacy of the law, public freedom, accountability, transparency, and equal opportunities.\footnote{18}

Over a couple of months in autumn 2002, the Jordan First Commission developed the Jordan First programme.\footnote{19}

In The Jordan First document, the “Jordan First” motto is specified. Thereafter, the focus is on the government, parliament, the judiciary, political parties, professional associations and non-governmental organizations, press and media, schools, universities and youth and the private sector. In each of these, challenges are defined and actions suggested. For instance, the government is “(t)o address the weakness in relations between individuals and institutions” by, among other measures, implanting “the democratic approach, including raising the ceiling for public freedoms as guaranteed by the Constitution and valid laws.”\footnote{20}

At times, the reasoning in the document is at odds with democratic principles: for example, it is suggested that “(g)overnments should pay special attention to municipalities and seek to consecrate a democratic approach in selecting competent municipal councils.”\footnote{21} Municipal councils are thus to be selected by government, not elected by the people.\footnote{22} Some suggestions are more straightforward in pinpointing deficits in Jordan’s political system. One example is the suggestion

\begin{footnotes}
\footnote{17} Echagüe, “Planting an Olive Tree,” p. 2.
\footnote{18} www.kingabdullah.jo (accessed 5 May 2009).
\footnote{19} Ibid.
\footnote{21} Ibid.
\footnote{22} In Jordan, mayors and half of the municipal councils were appointed by the government until 2007, the rest of the municipal councils being elected. As from 2007, following the enactment of a change, all mayors and municipal councils are elected, except in the capital Amman, where the king appoints the mayor and half the municipal council (www.landguiden.se, accessed 2 February 2009).
\end{footnotes}
that “(g)overnments should review all legislation related to human rights and the status of women, children and the family in order to comply with those international agreements, which the Kingdom has ratified.”

In addition, the recurring suspensions of parliament as well as the lack of political blocs are identified as challenges, as are “election laws that do not help in electing parliaments that strive towards achieving progress.” In relation to the election laws, the Jordan First Commission suggests that “(w)hen enacting election laws, we should strive to guarantee sound representation, equity and the empowerment of all vital powers and competent patriotic personalities to enable them to serve in the House of Parliament.” It was further suggested that women be encouraged to elect and be elected and that a temporary and transitional women’s quota be instituted. The lack of strong political parties was lamented, as “(t)here can be no democracy without political parties.” At the same time, there are detailed requirements about how the parties should be made up and on the basis of what ideologies, in a way that leaves parties limited freedom.

Regarding professional associations and NGOs, the document lauds their work. The main suggestion is that they should work within the law. The press and media are to exercise their “monitoring role in responsible freedom.” The youth are to be educated and gender equality and democracy are among the values to be implanted.

Thus, the Jordan First document provides a fairly elaborate analysis of the problems of democracy in Jordan. While democracy is thus to be promoted in certain respects, care is taken to restrict it in others. Structural changes to Jordan’s political system are not suggested, and – needless to say – the role of the king is not dealt with.

In the same year, the king also launched his Judicial Reform Initiative, in line with his view that “education and the judiciary are two basic pillars for the future of democracy, political and economic reform and sustainable and comprehensive development.” According to his website, “His Majesty King Abdullah has encouraged the formulation of a judicial reform plan that corresponds with his vision for Jordan’s development as a country ruled by institutions where justice, equality, transparency and the rule of law prevail.”

In 2005, yet another royal initiative was launched to further democracy in Jordan, the National Agenda. Building on the constitution and “the principles enshrined in the National Charter and the Jordan First Committees and upon the strategies and plans developed by state institutions during the past decade,” the objectives of the National Agenda are to:

24 Ibid.
25 Ibid.
26 Ibid.
27 Cf., Janda, who also refers to the Jordanian party law as prescriptive, meaning that it is designed to control the organization and behaviour of parties (Kenneth Janda, Political Parties and Democracy in Theoretical and Practical Perspectives. Adopting Party Law [Washington: National Democratic Institute for International Affairs, 2005], pp. 14-18).
• Enhance public participation in the decision-making process and strengthen the role of the civil society institutions;
• Guarantee the rule of law and independence of the judiciary;
• Safeguard public safety and national security in accordance with articles of the constitution;
• Build trust between citizens and institutions and adopt principles of transparency, good governance and accountability;
• Strengthen principles of social justice and equal opportunity; and
• Develop human and economic resources, upgrade the production base and expand development benefits.\textsuperscript{31}

The work was carried out over nine months by a committee of 26 representatives of government, parliament, civil society, the private sector, media and political parties. It also “brought on board community stakeholders from various sectors of society with the objective of ensuring an even contribution to reform efforts and to ultimately ensure that social, economic and political benefits would be distributed fairly.”\textsuperscript{32} The end result, the National Agenda document, “has established the guidelines for Jordan’s comprehensive development for the next ten years and ... represents a national consensus on the aspirations and ambitions of Jordanians.”\textsuperscript{33}

The policy initiatives focused on (a) government and policies, (b) basic rights and freedoms, and (c) services, infrastructure and economic sectors. The focus of the first is primarily on “the stimulation of economic development and the improvement of social welfare and security.” Under basic rights and freedoms, issues of democratic relevance are targeted, such as “social inclusion, global inclusion, religious freedom, political and cultural development, equality before the law, access to healthcare, freedom of assembly, freedom of speech, citizenship rights and free and responsible media sector.”\textsuperscript{34} However, it was difficult for the committee to reach consensus on major matters in relation to democracy, such as the election system.

The National Agenda set out a ten-year implementation and monitoring plan, giving the impression it would be the last initiative for some time. But already by the ensuing year a new initiative had been launched, We are All Jordan (2006). Interestingly, this initiative is not presented on the king’s website along with the other royal reform initiatives, but in the website’s news section. There it is stated that We are all Jordan was started as a forum on the king’s initiative to enable Jordanians to define their national priorities. To this end, 700 Jordanians representing government, parliament, the private sector, media, civil society, political parties and youth were convened in the We are all Jordan forum to choose the ten most urgent priorities for the country from a list of 30. The king’s motive for this initiative is stated as follows:

Noting that some earlier efforts to translate his vision for the country’s future into workable plans failed, the King said there was now a need for a majority to “agree on an action plan that will guide everyone – government, Parliament, the private sector and civil soci-

\textsuperscript{31}\textit{Ibid.}
\textsuperscript{32}\textit{Ibid.}
\textsuperscript{33}\textit{Ibid.}
\textsuperscript{34}\textit{Ibid.}
ety organisations – towards a renaissance in Jordan, making the future we aspire to and facing internal and external challenges which you are all aware of.”

A We are all Jordan commission was later set up to oversee the implementation of the forum’s recommendations. It has the form of a royal advisory body, and was also to organize the forum regularly and present regular reports on the work and its progress. The priorities listed by the forum included the Palestine issue, political reform, external challenges, domestic development, economic reform and social security. The document produced defined a list of draft laws to be prioritized by parliament. In relation to the political process, the election law and municipal election law were prioritized, along with the press and publications law, right to access information law, the draft anti-money laundering law, the financial disclosure law and the law overseeing the work of the National Human Rights Centre. The We are all Jordan document and the National Agenda are reported to have been combined into a three-year national executive programme for 2007-09.

Importantly, it is emphasized that “(t)he working mechanism stipulates that the commission is confined to the Constitution articles and the applied legislations, [and] works through a number of ad hoc committees supported by [a] permanent secretary affiliated to King’s Office.” Thus, in no way can the constitutional principles – safeguarding the ultimate powers of the king – be transgressed.

In June 2007, the king was reported as saying that “the commission has been able to realize a lot of good results based (on) priorities defined by national consensus during the launch ceremony of We are All Jordan forum last year.” Moreover, the EU supports the work of the We are all Jordan, as part of Jordan’s national reform process.

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As this survey clearly shows, there is no dearth of initiatives by the king allegedly aimed at furthering democracy in his kingdom. These initiatives are supported by the EU and US. The king repeatedly confirms his allegiance to political reform: “King Abdullah II has made it clear that progress toward democracy, pluralism, economic prosperity and freedom of expression, speech

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37 Ibid.
38 Ibid.
39 Ibid.
42 www.jordanembassy.nl (accessed 13 May 2009). In addition to these initiatives originating exclusively with the king, the government has also identified strategic objectives and has been entrusted by the king with implementing a programme, “Jordan’s Vision for the Future: The Reform Agenda” (June 2004), focusing on the political reforms needed to meet them. The Ministry of Political Development and Parliamentary Affairs was charged with implementing the reforms, and “established a clear plan of action that rests on the pillar of promoting democracy through building and strengthening the institutional framework, including the parliament and the judicial system as well as the legislative and regulatory frameworks in which they operate” (www.kingabdullah.jo, accessed 5 May 2009).
43 Memo/09/186, Brussels, 23 April 2009, Press releases Rapid
44 Memo/09/186, Brussels, 23 April 2009, Press releases Rapid,
and thought in Jordan is an irreversible process." It is, however, more than obvious that the initiatives are failing to achieve substantial political reform. The pace of reform in Jordan has been slow and implementation of the many reform initiatives largely lacking. Indeed, there have been several reversals in civil and political liberties.

The initiatives have been heavily criticized from different angles. Importantly they largely sideline and do little to strengthen the role of parliament, and aim instead at direct dialogue with various stakeholders. The sheer number of initiatives is also criticized, as is the fact that they lead nowhere. And the actual work of the initiatives is criticized by those involved.

In an interview, a woman activist for women’s rights enumerated the different official documents referring to women and their rights in relation to democracy and human rights:

In Jordan, we have tens of documents that are mentioning women. We have the National Charter, 1991, and we have the Jordan First and we have the National Agenda and now we have We are all Jordan. And we have the Arab League reform documents and we have some regional reform documents and we have the new Middle East document and we have the EU-document.

Of these, she states, “The National Charter was the best for women. At each stage, we have less and less and less.” With every new initiative, less focus is put on women, the women activist contends. Whereas it might seem that the We are all Jordan initiative prioritizes women, this was not the case, the activist contends. She points as an indication to the lack of women participating in the initiatives: “In We are all Jordan, there were only 20 women, out of 700 participants.” Instead of new initiatives, she argues that “we need to have a stop and bring all these documents [together] and try to know and discuss and specify some recommendations.” Thus, while there have been many initiatives by the Jordanian state to promote the position of women in democracy, these initiatives have been diluted over time, according to the activist, and Jordan is far from democratic, especially for women.

Another interviewee is an ex-minister and close advisor of the king, who was directly involved in the National Agenda and the We are all Jordan initiatives. He gives a rather gloomy evaluation of their value to political reform. Even though he was not on the political committee of either initiative, he provides interesting insights into their work. Regarding the National Agenda, he points to the specificity of the political field, stating that “the problem with political reform… [is that] you have to tailor-make it. You cannot carry the … same experience, or the same laws … from one country [to another].” Still, the committee examined best practices, and made recommendations, despite serious internal rifts.

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47 The ex-minister sits on the All Jordan Commission, appointed in July 2006. He was also on the board of the National Agenda Committee, appointed in 2005. The task of the National Agenda was, according to him, “to identify the best practices in the world” in these areas, then “we identify what we have in Jordan now and compare.” Thereafter, the committee identified “what are the steps to be taken to get to these best practices,” a work that resulted in a set of recommendations to government.
The ex-minister highlights the recommendation on the election law, which is a bone of contention in Jordan. Because of differences of opinion on the committee, the recommendation was a compromise and offered nothing on the exact design of the system. A controversial point, according to the ex-minister, was “the call for a liberal election law,” because “liberal is of course another big word.” In the final National Agenda, there is no mention of “liberal” in relation to the election law. However, there is a recommendation to establish a new law on political parties and to amend the press law.

Whereas political issues were prominent on the National Agenda committee, political reform was downplayed in the We are all Jordan Commission, which had “a lighter touch on the political reform,” according to the ex-minister. As with the National Agenda, “there was a call … for establishing the political parties and … the proportional and direct election law.” However, “there was a little bit more of postponement,” when the many things that would have to be done before the election law could be amended were pointed out. According to the ex-minister, this is due to “the latest development in the region,” referring to the fear of fundamentalist Islamists coming to power in the absence of any other substantial opposition. There is thus little incentive for political reform, the ex-minister contends.

After the National Agenda committee finished its work, the government established a committee to execute and monitor its recommendations, even if “not … every recommendation was taken in.” According to the ex-minister, the We are all Jordan Commission “adopted in 60-70 per cent of its recommendations what was on the Agenda.” The recommendations for the two initiatives thus seem to largely converge. Despite the difficulties, the ex-minister – unlike the woman activist – is basically optimistic about the process, stating that he is “happy to see certain things developing.”

Other evaluations of these initiatives are not as positive. Democracy Reporting International and Al-Urdun Al-Jadid Research Center (DRI/UJRC) state in their report that “the government seems to have chosen not to follow the recommendations of the National Agenda,” while the succeeding We are all Jordan initiative “focuses on economic as well as social reform but specifically excludes electoral reform.” The analysis of DRI/UJRC emphasizes two important factors in the Jordanian political debate: the king prefers to initiate discussions on policy outside parliament, aiming at direct dialogue with stakeholders; and even if consensus is reached on different reforms, these conclusions are not legally binding.

Interviews with representatives from civil society, the Islamist opposition and independent analysts emphasize the lack of implementation of royal initiatives, along with all other initiatives for democratic reform. Indeed, these representatives seriously question the leadership’s political will to implement democracy. One interviewed analyst states that while the king speaks a lot about democracy, he does less in practice, and “(e)verything is put on hold.” In this way, the king keeps up the democratic initiative, while obstructing democratic development.

The various initiatives, whatever their democratic emphasis, are not making for political reform, let alone democracy. Interestingly, this is acknowledged by

49 Ibid.
the king himself, who notes that “some earlier efforts to translate his vision for the country’s future into workable plans failed.” Even if some steps in the right direction have been noted, there is no general development towards democratization. Indeed, Jordan shows a general decline in its democracy-ranking in 2008.

How can we understand this? Is there a logic to using a democratic rhetoric, even if democratic reforms are not – or only slowly – being implemented? That is the topic we now turn to.

Arguments for Authoritarian Rule

Thinkers have long expressed their scepticism about rule by the people and instead argued for various forms of authoritarianism. Some of their arguments dismiss democracy altogether, while others relate to democracy in particular ways.

In a recent book, Lauri Karvonen outlines the ways in which rulers have argued for an authoritarian state. His framework is used to expose the authoritarian logic of using democratic rhetoric in Jordan. Karvonen lists and develops the following lines of argument in favour of authoritarian rule. It is seen as:

- God’s will
- rule by the best
- rule in the true interests of people
- transitional
- counteracting the divisive character of democracy.

Throughout history, rulers have often used religious beliefs to justify their rule, claiming that their rule is God’s will and therefore unquestionable. In this category, Karvonen includes secular ideologies that have taken on a pseudo-religious character, such as fascism and communism. Instead of God, they referred to History and their “historical mission.” Appealing to such sublime values has been of great value to authoritarian states.

The argument that the state is to be ruled not by the people but by those who are best suited to the task draws on the legacy of Plato and his aversion to democracy and his endorsement of the deserving elite. This idea is reflected in the communist concept of the revolutionary vanguard, who carry out the revolution in the name of the people. It is also apparent in the notion of the rule of experts: only those who have appropriate knowledge can be involved in decisions.

None of the above arguments relates to the democratic idea of rule by the people, but the next one does. According to this argument, it is authoritarian rule that best represents the will of the people. Proponents of this argument assert that

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51 In its progress report for 2008, the EU points to “(p)rogress … in the fight against corruption with the establishment of the Anti-Corruption Commission in January 2008 and the adoption of an Anti-Corruption Strategy for 2008-2012. Progress was also made on transparency and accountability with the appointment of the first Ombudsman in June 2008 and continued capacity building for the judiciary” (Memo/09/186. Brussels, 23 April 2009, Press releases Rapid). However, the general assessment of the European Commission is that while “Jordan made steady progress in the economic field,” it made “limited progress as regards democracy and social policies” (Memo/09/186. Brussels, 23 April 2009, Press releases Rapid).
52 Karvonen, Diktatur, pp. 61-70.
53 Ibid., pp. 62-70.
democracy is only a way to mislead the common people, by claiming that they have power, when in fact they are the victims of skilful demagogues. Democracy is a delusion. Authoritarian rule, on the other hand, has the people’s interest as its only object and is, as such, true democracy.

The “transitional” argument fully endorses the democratic system as the most legitimate rule, but states that the people are not yet ready for it. Only when certain conditions are in place can rule be safely turned over to the people. Thus, authoritarian rule is transitional. Communism uses this argument: in the transition from capitalism to communism, there is a phase of “dictatorship of the proletariat” when the former ruling classes have to be suppressed. Only when the right conditions materialize under communism, can there be talk of true democracy. This argument has also been used in former colonies to justify one-party rule, in order to address ethnic divisions, consolidation of the state and socioeconomic development. Until the right conditions are in place, democracy cannot be introduced, according to this argument.

The last on Karvonen’s list is the idea that democracy is divisive and thus weakens a nation. In a democracy, various groups work only in their own interest, while no one promotes the common good. Indeed, enemies of the state can use democratic rights to undermine the state itself. Consequently, authoritarian rule is vital to ensure the unity of the state.

As we have seen, at least two of these arguments endorse democracy – “true” democracy – as their ultimate goal. The others dismiss democracy on different grounds. This framework is now utilized to analyze the paradoxical usage of a democratic rhetoric in Jordan.

Democratic Rhetoric in an Authoritarian State: The Case of Jordan

Using Karvonen’s categories, the transitional argument for authoritarianism seems to match the situation in Jordan, with the king frequently calling for democracy in different royal initiatives, while the constitutional framework stipulates that his supremacy remains in place. Reform towards democracy is to take place within – but not to challenge – the authoritarian framework. This argument is further strengthened by the fact that little democratic change seems to come about, despite all the public calls for democracy. Instead, Jordanian analysts claim that in practice the king and his government drag their feet on democratic reform.

The manoeuvring in relation to the election system lends further weight to the view that an authoritarian logic underlies the democratic rhetoric. In Jordan, the election law in particular is singled out both by Jordanians and by international actors as an obstacle to democratic development. The election law has been a hot issue ever since it was changed in 1993. Numerous shortcomings in the election law have been pointed out, and it is viewed as working against democracy. In their 2007 assessment of Jordan’s electoral framework, DRI/UJRC state that “(s)ystematic reform of the electoral framework is needed … as part of Jordan’s commitments towards achieving political reform and democratisation.”

According to DRI/UJRC “(t)he most significant shortcoming of the electoral

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54 DRI/UJRC, Assessment of the Electoral Framework, p. 1
framework is that it does not guarantee equal suffrage.” Not the least of the domestic critics of the new system are the Islamists, who see it as aimed at curbing their success. Thus the electoral framework is addressed from different points of view and, along with other institutions (such as the party system), identified as a core obstacle to democracy in Jordan. If the election system were rectified, democracy could more easily take root, the reasoning goes.

However, an interviewed Jordanian senior government official does not agree. According to him, changing the election system will not make for democracy in the country. Instead, the official lays out an alternative view on how democracy will come about in Jordan, and on the relationship between the election system and democracy. The official advocates a bottom-up approach, focusing on changing society in order for democratic institutions (such as the election system) to be stable. Thus, instead of reforming election laws, the government official argues “this should be delayed... and focus [should be] on really building and nurturing a general culture of participation.” In his opinion, the “question of the shape of electoral laws is the culmination of an entire process and you don’t necessarily start consolidating your democratic edifice by amending your electoral laws, while not working on the process itself. That culminates in that exercise.” On the question of how democracy is to come about, the official asserts:

[w]e believe that you have to create the conditions, the proper conditions that allow for a mature exercise of the right to vote, a mature exercise that is completely divorced from the pressures of the freedom conflicts, economic hardships, distorted perceptions that emanate from lack of knowledge of what things are. For us basically this is the essence of where you have to focus.

Thus, sound elections are “a natural end result, but ... cannot come first.” Making people ready for true democracy is a long-term process, “there is no quick fix to reform.” In adopting this line, the official echoes Karvonen’s transitional category of authoritarianism.

Similar reasoning is pursued in a TV documentary on Queen Rania’s Youtube channel, which focuses on her appeal to the West. She states:

The democracy that we want to have in Jordan eventually is one with a Jordanian stamp on it. It is important to build institutions that ... spread the values of democracy, such as religious freedoms, freedom of expression, human rights. We are eventually going to get there, but we are not going to take anything for granted or take any shortcuts. It is a process, [and] we are not moving as fast as we would like to. A part of that has to do with

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55 Ibid. DRI/UJRC contends that “(a) policy to ensure the over-representation of parliamentary seats from rural areas at the expense of urban areas, where most Jordanians of Palestinian origin live, has led to large discrepancies in the number of voters that each seat represents. The TEL [temporary election law] leaves this sensitive issue entirely in the hands of the cabinet and provides no criteria to be used for districting” (DRI/UJRC, Assessment of the Electoral Framework, p. 1). The assessment also lists other shortcomings, such as the lack of proper complaints procedure regarding the validity of election results, the current option of complaining to the newly elected parliament being deemed clearly insufficient; inadequate safeguards for the secrecy of votes by illiterates; and the inadequate framework for campaigning, including possible restriction of fundamental political rights, such as the right of assembly (DRI/UJRC, Assessment of the Electoral Framework, p. 2). In general, DRI/UJRC state that “(t)here are limited requirements for the elections to be run in a transparent, inclusive or consultative manner, which is an international best practice for elections” (DRI/UJRC, Assessment of the Electoral Framework, p. 2).

56 This led the Islamists to boycott the 1997 elections, as the election law was not changed. However, they participated under this Election Law in the 2003 and 2007 elections.
the regional situation [in] which we find ourselves. But that is no excuse, because we are
going to keep pressing ahead hopefully and we will eventually get there.  

It is obvious that the queen does not find the time yet ripe for democracy in
Jordan, and that an enlightened leadership must put the necessary institutions in
place for democracy to eventuate. However, Rania also underlines the transi-
tional nature of the current rule – democracy is the goal and she expresses regret
that it takes time to get there. Thus, it is not the democratic credentials of the
leadership that are lacking, but the proper conditions in the country at large.

Other analysts, Jordanian as well as non-Jordanian, also espouse this view.
One Jordanian scholar claims that “(i)t is a paradox that the King works for
democracy … [but] the King is still ahead of the people” in this regard. An EU-
representative agrees: “Beginning with the King, I think that he himself is aware
and he believes in reform and in democratisation, with pluralism, slowly … At
the same time, there are forces who oppose [this].” These statements, stipulating
transitional authoritarian rule before conditions are right for the advent of democ-

Based on this analysis, it can be concluded that the king’s appeal to democra-

Use of democratic rhetoric can also be part of an attempt to create
legitimacy for the regime, since democratic rights, along with good governance
and welfare gains, have been proven to contribute to state legitimacy. In
the case of Jordan, democratic conditionality by foreign donors must also be taken
into account, given that the country is largely dependent on foreign aid. Also,
some claim that palace and government are indeed genuine in their support for
democracy, but that all initiatives are aborted because of the regional situation or
the lack of support from conservatives.

What then are the prospects for the development of democracy in an authori-
tarian state like Jordan? Will the much called-for changes to the election system
make for democracy?

**How Pivotal is the Election System for Democratization in Jordan?**

As noted earlier, the present election system is seen as a major obstacle to democ-
ratization, even if this view is not shared by the government official interviewed.

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57 Rania, Queen of Youtube, TV documentary (BBC World News, 2008).
58 Karvonen, Diktatur, p. 68.
59 Bruce Gilley, “The Determinants of State Legitimacy: Results for 72 Countries,” *International Political
60 Compare also Echagüe, “Planting an Olive Tree,” p. 3.
The election system has been heavily disputed ever since the majoritarian Block Vote system employed in 1989 was replaced in 1993 by the semi-proportional Single Non-Transferable Vote (SNTV) system, or what in Jordan is called “one man-one vote.” Despite this, the SNTV-system has remained in effect since then (with modifications). Hourani et al. contend that “it is clear that … amendments introduced to the Electoral Law, particularly the ‘one-person, one-vote’ amendment, have improved the chances of candidates who depend on local or tribal influence, or wealth, prestige and public office, at the expense of candidates who depend on political programs and ideological affiliations.” Ideology, or religion, lose out under this system.

The election law has also been criticized as an obstacle to democracy from non-Jordanian quarters. The 2007 assessment of Jordan’s electoral framework by DRI/UJRC is highly critical of the law and argues for its amendment. The EU argues along the same lines, as does International IDEA in its report Building Democracy in Jordan.

The focus on institutions like the election system is based on a theoretical argument that institutions in themselves can make for democracy. Indeed, the election system has often been singled out as particularly important in this regard. Another argument is that elections in themselves are conducive to democracy. In the Jordanian context, certain problems with the present election system have been pinpointed, particularly the distortion in the allocation of seats. Thus, the SNTV system “provides benefit to independent candidates with personal or tribal bases of support.” These independents “have generally been regarded as providing weak oversight of executive action.” Indeed, because “(the) Trans-Jordanian tribal structures are the key powerbase of Hashemite rule

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61 In the majoritarian Block Vote system, which was employed in the 1989 elections, the voter has as many votes as there are mandates in the constituency. The candidates who win most votes fill the seats, regardless of how many votes they get. The Single Non-Transferable Vote system is, on the other hand, a semi-proportional system. Here, the voter has only one vote, but there are multiple seats to be filled in the constituency. The candidates who win most votes in the constituency, also win the seats in the constituency (Ann-Kristin Jonasson, At the Command of God. On the Political Linkage of Islamist Parties. [Gothenburg: Department of Political Science, 2004], p. 204). In 2003, the law was amended, for instance by introducing a women’s quota of six indirectly elected seats and lowering the voting age from 19 to 18 years of age.


64 In evaluating “democracy and rule of law” under the framework of the European Neighbourhood Policy, the lack of change in the electoral framework is the first issue addressed in EU’s progress report for 2008 (Progress Report, Jordan. Brussels: Commission of the European Communities, 23/04/09. SEC (2009) 517/2), p. 3.

65 Here, three issues are targeted as “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” (Ibtissam al-Attiyat et al., Building Democracy in Jordan [Stockholm: International IDEA, 2005]), p. 5. By focusing on these issues, reform should be effected, the argument goes.


70 Ibid., p. 4.
and their members make up most of the political and administrative elites,” it comes as no surprise that “tribal leaders are extremely wary of any reform that may threaten their privileges in access to government or dominance of parliament.”71 Therefore, there is little impetus in parliament to change the election system or press for democratizing reforms.

But would a different election system make for democracy in Jordan? Are elections in themselves necessarily a sign of democracy? I argue that there are numerous risks in this stance. First, focusing on the election system risks distracting attention from the real problem in the authoritarian state of Jordan, the ultimate sovereignty of the king. Instead of dealing with the fundamental problem, only its symptoms are addressed. Further, refraining from voting in elections under an authoritarian system indeed makes sense. Why vote if your vote will only produce a parliament with little or no say? Why vote if your vote has no effect on the make-up of the government? In this situation, electoral reform would not make voting more meaningful – as long as it does not deal with the ultimate powers of the king. In fact, in a system where voting has no real impact, not voting can be an active strategy of resistance to the system itself.72 Furthermore, if changes to the election system do not correspond with true democratic development, such allegedly democratic reforms risk delegitimizing democracy as a concept. Therefore, reforming the election system and encouraging people to vote without changing the fundamental democratic deficits risks legitimizing the current non-democratic state.

Possibly, change to the election system in Jordan will break the ingrained relationship between tribes and royal court by upgrading the votes of non-tribal sectors of Jordanian society to their proportional worth and correspondingly downgrading the votes of tribal sectors. A less compliant parliament might make considerably stronger calls for increased power and be more difficult to deflect. The pressure for democratization will then increase. But this is a long and risky process, with no positive outcome guaranteed. What is more, the king is still the final arbiter, with constitutionally safeguarded powers. No democratization worth the name will occur unless the king relinquishes these powers.

Until then, the primary role of elections in Jordan will remain – as argued by Lust-Okar – “an important arena for competition, but one over patronage, not policy.” Since “policy arenas are off-limits to parliamentarians,” what is fought over is “access to state resources.”73 Accordingly, it is only when “state elites’ resources decline, making it difficult to maintain the distribution of patronage, that elections are likely to become highly contested battles over the rules of the game.”74 Until then, elections have little to do with democracy in an authoritari-

71 Ibid., p. 10.
74 Ibid., p. 468.
an state like Jordan. Thus, “the logic of authoritarian elections should lead us to question the value of pressing for, and applauding, the introduction of elections in authoritarian regimes … Such elections are more likely to help sustain the authoritarian regime than they are to promote democracy.”

Conclusion

Democratization is no easy task, especially not in Jordan, an entrenched authoritarian state trying to survive in a difficult regional context. Here, stability is the priority. Presumably, democratic reform will not happen until the political leadership is convinced by the argument advanced by an EU interviewee that “it is lack of democracy that is the greatest risk for instability in Jordan.” Thus, democratic reform will take place only once the political elite is convinced that “Jordan’s stability is best maintained through a political opening rather than through repression.” Such conviction seems far off. Until then, the priority remains stability, not democracy.

In summing up, two issues deserve emphasis. First, using democratic rhetoric is a classic way for authoritarian states to perpetuate their existence. It is important for supporters of such regimes, including the EU and the US, to remember this. Moreover, as Karvonen points out, experience shows that in cases of alleged transitional rule, the regimes have rarely worked for transformation of authoritarian rule into real democracy. Often, development has proceeded in the opposite direction, towards ever more authoritarianism. According to Ottaway, such systems, “are not imperfect democracies struggling toward improvement and consolidation but regimes determined to maintain the appearance of democracy without exposing themselves to the political risks that free competition entails.” Similarly, Brumberg refers to liberalized autocracies pursuing “transitions to nowhere”:

This is the biggest problem liberalized autocracy creates: It snares regimes in an ‘endless transition’ (marhalla intiqaliyya mustamirra) that eventually robs each new generation of what little hope it had when a new king or president invariably inaugurated a ‘new’ era of reconciliation, openness, and reform.

Talk of democracy and limited openings in the political field in authoritarian countries such as Jordan are acts of delusion that must be seen for what they are. Second, the overwhelming focus on elections and on reform of the election system might be risky in authoritarian states. Such focus might distract attention from the core of the matter, the fundamentally non-democratic structure of the state, and might legitimize elections that only serve to strengthen the regime. Indeed, there is a logic to not voting in a system one finds fundamentally illegitimate.

75 Ibid.
76 Choucair, “Illusive Reform,” p. 3.
77 Marina Ottaway, Democracy Challenged: The Rise of Semi-Authoritarianism (Washington DC: Carnegie Endowment for International Peace, 2003), p. 3. Ottaway refers to such systems as “ambiguous systems that combine rhetorical acceptance of liberal democracy, the existence of some formal democratic institutions, and respect for a limited sphere of civil and political liberties with essentially illiberal or even authoritarian traits” (p. 3).
This is not to say that Jordan’s election system should not be dealt with. But the approach must be broader. Strengthening legislative powers is crucial for democracy, as is focusing on other aspects of the political field. As the National Centre for Human Rights in Jordan, which monitors human rights and democracy in the country, observes, “laws governing elections, political parties and public assembly, as well as the social associations and press and publications and other laws governing civil and political rights and public freedoms constitute an interlinked whole.” Therefore, they need to be reformed in tandem, and “dealt with in the absence of selectiveness and in accordance with a set of equal priorities.”

Focusing on the election system is not enough, nor always the most important way, to promote democracy.

In dealing with authoritarian regimes, one must never overlook the basic democratic deficits in the system. Democratization in Jordan can only be a function of reduced royal influence. Absent this, royal initiatives to increase democracy – developed, as they are, within the framework of the constitution – and calls for reformed election laws may only serve to strengthen the status quo. Such measures will have little consequence for democracy as long as the basic democratic deficits are not addressed – the all-powerful role of the king and the tight relationship, based on patronage, between king and tribes in Jordan.

Instead of focusing on just elections, “external pressure should be placed more on pressing for independent economic opportunities, expanding legislative powers, and reducing resources available to the state elites in the centre of power.” Indeed, “until state elites’ monopoly on rents is limited, real alternance in power is possible, and parliament is a mechanism for policy making … democracy [will remain] thwarted.” Currently, the constitution effectively constrains the legislative power of parliament.

The only way to promote democracy in Jordan is by diminishing the monarch’s constitutionally entrenched role, no matter how unstable the political context. In all cases where democracy has been introduced under a monarchy, the monarch has eventually given up his powers in favour of the people. Such examples are readily referred to by Jordanian analysts, one of whom has stated that the king “can find a role in a democracy.” Indeed, the ex-minister refers to the “dream for some … to reach a constitutional monarchy,” a dream he shares. “This is where we have to get,” even if, as he envisions, the road there will be quite long. The king does not have to be dethroned, but he needs to let go of his powers for democracy to prevail.

This needs to be recognized by all who portray Jordan as a model of reform for the Arab world. As Musa Maaytah, the Political Development Minister, has recently stated, in what seems to be yet another reform initiative, “now is the time to proceed with a political reform agenda based on a ‘roadmap.’” In this situation, the king and his government must be held to their rhetoric on democracy. Rhetoric is not enough, real change has to come.

81 Ibid.
83 Ibid., p. 469.