

**(DRAFT)**  
**NATIONAL STRATEGY FOR POLITICAL REFORM**  
**MINISTRY OF PARLIAMENTARY AND POLITICAL AFFAIRS**

**January 2014**

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## EXECUTIVE SUMMARY

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Political reform has been stressed by His Majesty King Abdullah II, as well as by the successive governments, as a necessary component of Jordan's development and modernization. Numerous strategies, agendas, and declarations have been put forward, outlining the main elements necessary for political reform. However, despite Jordan's commitment to political reform and the several positive steps taken in this direction, the implementation and actualization of reform remains short of stated goals.

Article 6 of the Jordanian Constitution states that “*Jordanians are equal in front of the law, there shall be no discrimination in rights and obligations regardless of their ethnicity, language, or religion.*” Further, article 7 states “*personal freedoms are guaranteed,*” “*any trespassing on rights or public freedoms or the sanctity of the personal lives of Jordanians shall be considered a crime punishable by law.*” The National Strategy builds on the above, as well as on other general principles enshrined in the Constitution, namely safeguarding freedoms and respect for citizenship and separation of powers.

This strategy comes as an actualization of the government's Plan of Action for the years 2013-2017, endorsed by Parliament. It lays out a focused plan to assist the government of Jordan in carrying out its stated commitment to broad-based political reform and meeting the aspirations of the Jordanians for a better life leading to a stable and democratic Jordan, by focusing on political rights, and strengthening local governance and democratic accountability, while at the same time taking into consideration cross-cutting issues such as gender mainstreaming and empowerment of people with disabilities.

The strategy complements and builds on previous national strategies for political reform, namely: the “Jordan First”, “The National Agenda”, “We are all Jordan”, recommendations of the National Dialogue Committee (NDC), Royal Discussion Papers, in addition to all other relevant internal strategies for the Ministry of Parliamentary and Political Affairs.

What distinguished this strategy is its inclusiveness, in that its starting point is the ideas and aspirations of all stakeholders for a better Jordan. The strategy strives to enable all voices for an inclusive decision-making process. Including citizens in the decision making process alleviates the burden on the government and the regime to take hard measures that impact the livelihood of Jordanians. Also by opening up the political space, citizens feel that they are stakeholder in the country's welfare and have an obligation to safeguard it by all means. The strategy provides a precise timeframe and recommendations for designation of duties and responsibilities across the board on the national level with the hope of realizing progress and achieving reform on the ground.

Poor governance is a real threat to Jordan's stability, and political reform is an urgent national need in which the ruling system, educational institutions, civil society groups, political parties and the national legislature should all participate. The government must reflect its readiness and seriousness, and make clear that the negative stance towards political activism, given 30 years of martial laws, is no longer the case and official constraints on civil society lifted. It is worth

keeping in mind that political reform is part and parcel of a holistic process that includes economic, social, cultural and administrative reforms. Thus, for the strategy to succeed it needs to go parallel with other reform efforts that deal with the above-mentioned aspects that would help develop a sense of true citizenship in which national identity overrides any other allegiance to religion, ethnicity or tribe and thus ensure its effectiveness and success.

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## **BACKGROUND – Since “Arab Spring”**

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Since acceding to the throne in 1999, His Majesty King Abdullah II has expressed a clear and consistent vision for comprehensive reform and the future of Jordanian democracy. This is reflected in each letter of designation to the successive governments, as well as in the Royal Discussion Papers launched in December 2012.

The year 2011 witnessed major political transformations within the Arab World. While Jordan was well on its way on the path of political reforms, the pace was hastened and in 2011 amendments to the Jordanian Constitution were introduced, those involved more the 1/3 of the Constitution (42 articles). Further, a number of laws were changed while others were introduced with regards to political life.

In response to an increase in domestic pressures for political reform, the Jordanian political scene changed significantly since. That resulted in a renewed Royal commitment to “political reform”; the government, instructed by His Majesty King Abdullah II, took steps to speed up the reform process. Then Prime Minister Maarouf Al Bakhit formed the National Dialogue Committee (NDC) comprising representatives of political parties, professional associations, the economic sector, civil society, and youth and women movements.

The Committee was tasked with opening comprehensive dialogue with all citizens all over the Kingdom in order to arrive at a consensus over legislation governing political reform, including the elections and the political parties laws.

The NDC’s recommendations highlighted the importance of respecting human rights, the rule of law, equal opportunity, combating corruption, transparency, good governance, separation between the three branches of power, freedom of expression and press freedom. The NDC also recommended the establishment of a Constitutional Court, the establishment of the Independent Election Committee (IEC), and reforming the education system.

In April 2011, King Abdullah ordered the establishment of the Royal Committee to Review the Constitution. In September 2011, parliament endorsed amendments to 42 articles of the Constitution including limiting His Majesty’s constitutional prerogative to postpone elections indefinitely or dissolve the Lower House indefinitely. Further, in December 2012 His Majesty established the National Integrity Commission to fight corruption and enhance the environment of accountability and transparency of government.

In January 2013, Jordan witnessed the first parliamentary elections in which voters elected their representatives based on a new elections law. For the first time, elections were overseen, supervised and implemented by the newly established Independent Election Commission (IEC),

mandated to take all necessary measures to ensure free, fair, and transparent elections based on the principle of justice, equal opportunity and the rule of law.

Further, in a series of discussion papers, His Majesty laid out perspective on specific elements of Jordan's journey towards a modern and democratic state where all segments of the population are engaged in the decision-making process. The aim of these papers is to facilitate a national debate dealing with Jordan's reform roadmap and democratic transformation in order to build consensus and sustain the constructive momentum for reform.

With regards to women, though the women's movement efforts to add the word "gender" as a form of discrimination to Article 6 of the Constitution to ensure application of the principle of gender equality under law for women failed, yet, in July 2011, Jordan passed a Municipalities Law that raised the quota for women's seats in municipal councils from 20% to 25%. At the parliamentary level, women's quota was raised to 15% in the new 2012 election law. Going a bit back, in 2009 Jordan removed reservation to Article 15 of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), which grants women the right to travel freely and choose their place of residence.

That said, reform in Jordan remains constrained by a host of issues, paramount among those is the lack of consistency and sustainability due to successive changes of governments. This characteristic of the Jordanian political landscape shows the difficulty facing the reform process, compounded by conservative pressures, tribal affiliations, resistance to change (as noted by His Majesty in His letter of designation to prime minister Bakhit 2012), economic instability, and more generally, by the exigencies of being situated in a volatile region and the resulting flow of refugee from Palestine, Iraq, and Syria.

## CHAPTER ONE

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### 1.1 SITUATION ANALYSIS

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Although His Majesty King Abdullah II has endorsed and articulated a vision for political reform in the four Royal Discussion Papers, and directed successive governments to achieve it, there has not been a concurrent and sustained implementation process.

The election law is still viewed with skepticism, and consequently Parliament has not been viewed as a force for change, nor has there been an overwhelming constituency for political reform in the wider political society. Political parties mostly do not possess well-communicated visions and missions to follow to allow for combined efforts and consensus on the reform agenda. Notwithstanding the controversy on the election law, political parties remain weak, civil society remains disengaged from the political process, and real political participation has not progressed. A clear outcome of the consultation sessions and findings of a public opinion poll conducted for purposes of this strategy reflect a severe lack of understanding of the concept of citizenship. Findings of the poll reflect a fragmented and confused understating of what citizens' rights and duties are and a lack of civic education and awareness. The concept of participation in the democratic process and public life was not mentioned by the respondents and the same applies to respecting the rights, beliefs and opinions of others. There is a high sense of indifference in the general psyche and stakeholders tend to believe that their efforts are in vain, CSOs are marginalized and their impact to effect change in the society with regards to political participation is minimal if at all existent.

To date, the political culture in Jordan remains kinship-based. With regards to choosing candidates, the political parties fall short as they do not have a framework or a clear agenda. The poll conducted in the process of the elaboration on the strategy, reflects that only 15% voted for a political party. That said, the legacy that prevailed earlier which banned political parties, did not lead to a tradition of a democratic practice of open, legitimate, and peaceful activity or develop a mechanism of transferring such activity to the spheres of Parliament, institutions and the public, and resulted in weakening political parties and their potential to develop convincing political platforms. The said public opinion poll reflects that only 3% of Jordanians believe that the political party experiment in Jordan was successful, and less than 2% are affiliated to political parties (1.5%), with 2% who would contemplate joining a party in the future versus 94% who would not.

The absence of political parties in that period seems to be the reason behind the reinforcement of tribal culture where the state dealt directly with society through the tribes, allowing for the tribe to be the most important political and social organization. While tribal organization adjusted and evolved to become a pillar of society in its dealings with the state, political parties were unable to do so and today various segments of society do not see parties as a means to achieving their goals.

The findings of the poll reflect a 50% agreement on that "political parties have no real programs that tackle citizen or country issues, 46% agreed that "fear of repercussion" by the government deterred from joining political parties, 51% agreed that "political parties have absolutely no

influence” as to how things are going in the country. With 56% who agree that “political parties evolve around a personal cult rather than party program.”

To date Jordan has 28 registered political parties. They mostly suffer from weak programs, as well as fragmentation; when programs exist, these lack the necessary implementation mechanisms to succeed.

The Political Parties Law fails to stipulate the right of parties to participate in government or rotate in office, although it does not ban it.. The law should be revised to clarify the legal status of political parties, and to clearly stipulate the objective of democratic rotation in office. The outlook on political participation among the surveyed Jordanians in the political poll is bleak: 14% believe that freedom of affiliation to political parties is guaranteed to a great extent; 38% do not believe in the freedom to peacefully demonstrate and hold sit-ins; 44% do not believe they have the freedom to legally proceed against the government or its institutions; and 20% believe that freedom to choose candidates in any national election is hardly or not at all guaranteed.

The elections law remains also controversial, with limited national consensus on its main tenants. The tribal factor and the single non-transferrable vote (SNTV), the service deputy, and unfair districting, are all obstacles that reinforce each other to the detriment of political life in Jordan. The way the elections law is devised and the distributing of districts contributes to the weakening of political and parliamentary culture. The idea of the deputy as a representative of the entire people, exercising legislative authority and able to hold the government accountable, is far from citizens’ minds.

There are also societal issues with the regards to identity, and who is Jordanian, which needs to be addressed at the national level. Such a consensus on one national collective identity will help move the democratic political process in Jordan forward.

The opinion poll carried out in the context of the strategy formulation revealed that the majority of Jordanians are neither satisfied with the current parliament nor think the electoral law is representative. The same poll reflects dissatisfaction with the result of the elections and a perception by the majority that it is not representative of their voices; 9% believe the elections to have produced a fully representative Parliament versus 46% who hardly believe it did.

Further, only 6% believe the latest elections have produced a parliament capable of implementing its supervisory and legislative role, compared to 52% who hardly believe it did. Again, a dismal 4% believe that the new elections law has contributed to promoting political party affiliations, against 37% who believe otherwise and 37% who simply do not know. Another poll conducted at the Center for Strategic Studies at the University of Jordan showed that only 28% of Jordanians believe the current parliament will be better than the last one. That said, the main problem resides with the electoral law, which has only minimally changed with the 2012 amendments and remains incapable of producing a strong and credible parliament.

While constitutional amendments were instituted in the last two years, including the establishment of a Constitutional Court and an Independent Elections Commission, the outcome of the consultation sessions conducted by the strategy team reflect that these steps are hardly

sufficient to convince the stakeholder of the seriousness and sustainability of the reform process. Similarly, the poll illustrated that 27% of the surveyed believe that the government is serious in its efforts to implement reforms, and 32% believe that there are constraints that stand in the way of political reforms. Asked to identify these constraints, 55% who said yes mentioned 'corrupt persons with influence who seek to block political reform', followed by 10% mentioning the 'state's encroachment' (over the destiny of the nation).

Measuring public knowledge and awareness of these amendments reflects a serious problem of information dissemination on the substance of these reforms resulting in a largely uninformed populace. The public opinion poll reflects a severe lack of knowledge and awareness of initiatives aimed at political reform, where only 9% being aware of the constitutional amendments, 12% are aware of the establishment of the IEC, 11% who are aware of the new elections law that governed the latest 2013 elections, 5% fully aware of the new Political Parties Law, 7% fully aware of the establishment of the Constitutional Court, and 8% fully aware of the new press and publications law.

A free media is the corner stone for democracies. The coalescence of media and politics is crucial for realizing democracy. Unfortunately, since 2010, Jordan's position in terms of freedom of the press has been declining on the Global Press Freedom index published by Reporters Without Borders in October 2013 (in 2010 Jordan ranked 120<sup>th</sup> declining 8 points from previous year at 112, 2011-2012 Jordan ranked 128<sup>th</sup> falling 8 points behind, and 2013 Jordan ranked 134<sup>th</sup> falling 6 points behind from previous year). The report says "A repressive royal decree in September was one of the reasons why Jordan (134<sup>th</sup>, -6) fell. The decree changed the press law and drastically restricted freedom of information, especially for online media, brushing aside all the reform promises that the government gave at the height of the popular unrest in 2011. Journalists are being tried before military courts, especially when they criticize the royal family."

Both the consultations with the media and the findings of the opinion poll with regards to freedom of the press concur that the new Press and Publications Law does not guarantee to a great deal freedom of expression.

With regards to youth and education, which represent the main pillars for any society to thrive and progress, the current educational curricula does not provide for an environment that promotes tolerance and pluralism. This requires a revamping of the curricula, including the introduction of these concepts, as well as the concept of citizenship. Also, providing equal opportunities to enroll and compete for seats in universities is a right preserved by the Constitution and needs to be safeguarded at all costs. There is a wide perception that measures taken do not currently allow for equal opportunity, where 37% of those surveyed indicate that they have equal opportunity in competing for a university seat, compared to 48% who do not believe so. Political activism on campus is prohibited which limits political life in general, given that the youth are the future of the nation they need to have first hand training at political life and where better than having it on campus.

The main challenges facing political participation in Jordan are embedded in a lack of an overall enabling environment for political participation, legislative shortfalls; limited popular awareness levels; and limited civic engagement.



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## 1.2 OBJECTIVE AND METHODOLOGY

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The main objective of the strategy is to realize His Majesty's vision of arriving at a democratic system that is issue-based, people centered, result oriented, transparent and accountable to the people. Through this strategy, the government aims to foster political participation, rebuild trust with citizens on all levels and endorse the notion of inclusiveness in the process of political reform; as stakeholders not bystanders. It aims to widen the space for public participation in the decision-making process with the purpose of enhancing internal governance and stability.

More specifically, the strategy aimed to achieve the following objectives:

- Exploring the role of the different stakeholders in Jordan's political reform process through the assessment of previous strategies and initiative and accomplishments thus far.
- Shedding light on the nature of the relationship between the government and the stakeholders.
- Providing concrete and practical strategy recommendations based on the methodology provided below.

The methodology for the elaboration of the strategy adopted a participatory approach to ensure inclusion of all stakeholders in its elaboration.

Scope of work was in **three stages**:

- **Literature review stage, which** included The Constitution, the National Agenda, Jordan first document, "We Are All Jordan" document, relevant legislations (including political parties law and election law). (refer to Annex 2)
- **Consultation stage** with all relevant stakeholders to identify current challenges. Consultations were in the form of workshops and focus group meeting and addressed the political environment, namely the ability to practice the right to campaign and to elect and to choose a legislature that is capable of exercising its constitutional role of monitoring the government. (refer to Annex 3)
- A **public opinion poll** on political participation to gauge the perceptions of the general public on the issue. (refer to Annex 4)
- **Design and drafting stage** of strategy to ensure that effective activities are designed to respond to the identified challenges.

The outcome of the consultation sessions, the literature review, and the public opinion poll on political participation in Jordan, as well as meetings with specialist in the respective fields, were the base on which the strategy was developed.

## CHAPTER TWO

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### 2.1 CHALLENGES AND CONSTRAINTS FACING POLITICAL REFORM

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His Majesty King Abdullah II has laid out a road map for reform and seized every opportunity to stress the importance of implementation. Yet, Implementation remains the real challenge. The credibility of the reform process depends on the capacity to effectively deliver tangible benefits to the Jordanian population. Initiatives to promote national dialogue and prepare a culture of democracy are a major driving force to bridge the trust gap and impact positively on the reform process.

Located in the midst of a conflict zone, Jordan's capacity to implement political reforms is hindered, yet the greatest challenge is presented by conservative pressures epitomized by the lack of consensus on reform and the difficulty of having a consistent dialogue between all stakeholders in the Jordanian society on the process of reform. This is further exacerbated by the difficult economic situation.

#### **Main Challenges Include:**

- The troubled regional political situation and the difficult balance between maintaining security and encouraging openness.
- The lack of consistency and sustainability due to successive changes of governments. This characteristic of the Jordanian political landscape hinders any reform process.
- Lack of a comprehensive vision that links all reform initiative, strategies, and government institutions together.
- Lack of adequate checks and balances between the executive, legislative, and judicial branches.
- Limited popular "ownership" of Jordan's reform agenda, if at all existent. There exists limited consensus on the way forward for political reform.
- While freedom of speech is generally recognized, yet specificities and details in the law work against that. Also, given different events at different stages of the formation of the state; the media and Jordanian citizens a like practice self-censorship, resulting in limits on public debate on key issues.
- Rule of law is not properly enforced and is characterized by a slow judiciary with limited administrative and financial capacities. Generally laws that safeguard rights are in place, yet the main challenge is the implementation process.
- Widespread perception that corruption is endemic. That is due to the difficulty of access to information resulting in lack of transparency in decision-making and selective application of the rule of law.

- A weak Parliament in need of internal restructuring – further the internal structure does not allow it to exercise its oversight role.
- Weak political parties – under empowered, and the traditional tribal system still overshadows the party system. Political parties are the necessary vehicles of democratic political life, without them there will be no effective public participation.
- Negligible involvement of private sector and civil-society actors in policy making and implementing reforms.
- Jordan’s civil society is nascent, organizationally weak, and has few opportunities to engage with decision-makers, further limiting citizen participation in political and civic life, especially for women, youth, and persons with disabilities.
- A weak educational system that does not promote democratic values of citizenship, tolerance and respect of the other.
- Centralization of decision-making authority, initiatives, and projects in Amman.
- Lack of a merit based system.

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## **2.2 OPPORTUNITIES AND STRENGTH**

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Jordan enjoys all the necessary pre-requisites for success. Those include:

- The Hashemite umbrella that unites all Jordanian and is the guarantor of their rights and freedoms. People are united under this umbrella and rally love, and respect for it.
- A long history of reforms and building a state of institution that abides by the constitution and the law.
- Jordan enjoys the political space many countries in the region lack.
- Jordan enjoys a moderate system tolerant of all ethnicities and affiliations.
- Public opinion, though frustrated, is fully competent of their willingness to take the necessary steps no matter how painful to arrive at the Jordan they aspire.

## CHAPTER THREE

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### 3.1 AXIS OF STRATEGY

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Main pillars identified to assure the above objectives are met are the following:

- **Respect of Human Rights** – As the basic principle of any democratic state and as granted by the Constitution.
- **Citizenship and Rule of Law** – As the guiding principle, where all are equal before the law and enjoy equal rights and obligations
- **Political participation** – that results in representation, public oversight, and fair legislation. Namely promoting pluralism, democracy and formation of political parties. (A pluralistic system that includes women and youth and persons with disabilities). As well as promoting the role of civil society organizations in enhancing political life and democracy. This would be the first step in building a system of checks and balances that enables parliament oversight of government and fights corruption
- **Legislative reform** to ensure neutrality and safeguard rights, able to propose new laws to open up elections, prevent discrimination, enhance integrity, end corruption, encourage freedom of press, and overhaul the education system.
- **Youth and Education** with specific focus on civic education – that includes parallel informal education – to establish a knowledge-based system that promotes independent thought, tolerance and creativity.
- **Free Media** – A basic component of any democratic state that in effect ensures transparency and fighting corruption.

Anything about capacity development for the political parties? Civil society?

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### 3.2 TARGET GROUPS

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Target groups for the strategy include:

- Political parties.
- Civil society organizations, especially women and youth groups, and persons with disabilities.
- Legislative bodies.
- Government officials.

- Academia.
- Media.
- Private sector organizations

## CHAPTER FOUR

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### 4.1 GENERAL RECCOMENDATIONS

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The immediate challenges should not distract Jordan from seeking the long-term benefits of democratization, which will also contribute to its internal stability. There needs to exist a national debate that involves all stakeholders, even those who insist on excluding themselves, through which the concept of citizenship as the founding factor of democracy can be defined, promoted and truly owned by all stakeholder, from the state to the individual. For any reform process to move forward the following must also be met:

- The conclusion of a national, inclusive pact between the government and the people that would agree on guiding principles, including commitment to pluralism; political, religious and cultural, at all times and by all forces, commitment to the principle of peaceful rotation of power as decided by the electorate; the protection of personal and group rights; a commitment to pursue objectives by all forces through peaceful means; and finally a commitment to inclusion.
- A national dialogue to arrive at a clear definition of who is a Jordanian. It should be made clear that all Jordanians are equal before the law, as the Constitution explicitly states, and that the law should be applied equitably to all of them.
- Implementation of legislative reform to ensure a redistribution of powers and enlarging the decision making circle by a roadmap with clear objective and an action plan with clear timeframe and benchmarks. These legislations would include election laws for both the Senate and the Lower House, public and individual freedoms and the banning of any legislations that actually limit these freedoms so long they do not infringe on freedoms of others, including the introducing of a legislation that makes it clearly illegal for the security agencies to interfere in political life under any pretext.
- Corruption must be confronted. This is an issue that unites the demands of all Jordanians. There needs to be an institutionalized mechanism<sup>1</sup> through the law that would place a system of checks and balances that would make it more difficult for corrupt practices to take place and provide an institutional check on abuses when they occur.
- There is a priority to develop a system of checks and balances that would redistribute power among the three branches of government such that no branch dominates the decision-making process without accountability.
- Civil Society must be empowered. CSOs and the government need to work together and forge partnerships to develop a shared vision of the objectives and mechanisms for the next stage of reform to make political reform a success. Measures to eliminate mistrust between the government institutions and CSOs must be introduced, including the removal of all legal

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<sup>1</sup> The National Integrity Commission is in the final stages of drafting their recommendations. Those need to be translated into legislations to ensure they are abided by.

and political obstacles and to extend support to CSOs in national priority areas. Further, CSOs must be empowered through capacity building, working with grassroots, building coalitions, and lobbying.

- An economic plan must be developed to free Jordanians of the rentier/patronage system and move the country toward a meritocracy that would encourage productivity and result in a self-sustaining economy, one that is not dependent on foreign aid. Such a plan should, overtime, deal with the chronic problems of unemployment and dependence on external aid, but should not overlook the needs of the less privileged through the provision of proper safety nets. Growth must be more inclusive and has to address the challenges of developing a self-sustaining Jordanian economy.
- Education reform - For democracy to thrive, it needs to exist in a culture that is committed to pluralism. Education reform has thus far focused on quantity rather than quality – building more schools, closing the gender and technology gap. While important, yet efforts need to move well beyond the quantity to deal with the content of the curricula. Students need to be encouraged to think independently and critically where diversity of opinion is encouraged rather than suppressed. There is a need to move beyond the indoctrination to training people to be thinkers and innovators.
- Serious and sincere activation of Jordan's ombudsman that deals with citizens' grievances, acting as defender of the people. Namely to defend the rights, freedoms and lawful interests of individuals from unlawful or improper actions or failures to act of the organs of public administration. By fully activating and supporting this body, the government would be providing the public a channel to voice their concerns and a body that works on their behalf defending their rights.
- Removing all forms of discrimination against women in Jordanian laws and legislation and reconfirm the principle of equal opportunity regardless of gender.
- Gender issues and persons with disabilities are best promoted through specific structures inside government as well as specific public institutions such as the National Center for Human Rights. Civil society should also gender-mainstream its programs, and regional networks and alliance should be built to support the gender and persons with disabilities dimensions on democratization agendas.
- A comprehensive national communications strategy on reform is very much needed. Further a detailed communications strategy for parliament as well as strong research center is crucial to the well functioning of the legislative body.
- A national umbrella and action plan that would synchronize all efforts, without the need for ad-hoc initiatives including monitoring and evaluation units in each ministry to follow up on the implementation of recommendations and prepare regular public progress reports to ensure accountability.

- Private sector needs to be engaged through developing partnerships that go beyond financial contributions.

The current status quo cannot be maintained, as trust diminished between the people and government and frustration is at all times high due to measures of limiting freedoms and the exclusion becoming the norm rather than inclusion. Should the above measure be addressed, the government would be able to make the hard decisions it needs to take under the umbrella of a national consensus as they are stakeholders with the government and share the responsibility. Otherwise frustration would continue to build and the citizen would continue to feel marginalized and decisions taken at his/her expense.

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## **4.2 STRATEGY RECOMMENDATIONS FOR EACH OF THE IDENTIFIED PILLARS**

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### **Human Rights**

Basic human rights and freedoms include the right to free expression, and right to form associations and assemble peacefully, freedom from intimidation and threats. These rights must be available to people on an equal basis, without discrimination of any kind. Social justice is crucial to arrive at democracies. Jordan enjoys a relatively healthy human rights environment, but there is room for improvement. Following are the recommendations:

- To streamline and ensure that all legislations are in line with the international conventions and treaties dealing with all aspects of human rights.
- To spread knowledge and awareness of international treaties Jordan is signatory to.
- To raise awareness and educate citizens on the concepts of human rights and respect of other points of view thus arriving at a tolerant community that believe in and respects pluralism.
- To ensure the right to equal opportunity is safeguarded and process is transparent. Be in hiring, education, or assigning and executing national contracts.

### **Citizenship and Rule of Law**

Recommendations include:

- Rule of law should be the guiding force in all dealings and enforced without discrimination. Everyone should answer to the same law and no one is above the law.
- To enhance knowledge of rights and obligations as prescribed in the constitution.
- Empower civil society organizations and increase communication and contact with all segments of society to further boost the civil societies capacity to participate in political life.



- Citizenship should be the overriding principle that unites all Jordanians. It needs to be promoted in schools, the educational curricula, universities as well as within public institutions. The civic education curricula need to be revamped in a way that promotes those concepts and shifts the teaching method from lecturing to interacting. One institution that is worth looking into including in the process or consulting with in this regard is the of the Independent Election Commission.
- The establishment of clubs that promote awareness and knowledge of the concept.

## **Political Participation**

The Jordanian Constitution safeguarded freedoms of opinion and expression within the limits of the law. And stipulated their right to gather within the limits of the law. These freedoms are the essence of political life in its legal term. In order to ensure that the law does not limit these freedoms or hinder them there is a need to draft a law that regulates political life in Jordan based on the articles of the constitution where by freedom to engage in politics is guaranteed by the law.

Further security institutions have to commit to safeguarding these rights by protecting individuals engaged in political life and regulating the political scene in ways that ensures their freedoms so long as it does not impinge on general mood.

That said, the following measures must be met to move the reform process forward:

- There is a need to establish an agreement on a new electoral law, to be reached through a truly inclusive process that would address the shortcomings in the current law. The government has to start by introducing changes to the electoral system that accomplish two goals: one, moving away from the current “one-person, one-vote” system to a system that gradually favors party, not simply national lists, thus increasing the seats allocated to party lists in each electoral cycle paving the way towards stronger parliaments; two, reducing the heavy gerrymandering of districts, where the principle of “equal suffrage”, in which a vote in each district is relatively equal to that in another, is upheld. A gradual plan with an established timeframe will help begin the critical process of developing a true political-party culture that allows new parties to establish themselves.
- Remove all obstacles hindering political participation. Namely reviewing all legislations dealing with political participation, this includes, but not limited to, the Political Parties Law and the Elections Law. With regards to the Political Parties Law the following needs to be addressed (also addressed in section on legislative reform):
  - Disengaging parties association with ministry of interior – one suggestion would be tying it with the Ministry of Political and Parliamentary Affairs or the Ministry of Justice.
  - Reducing the minimum number of members to establish a party.
  - Financial support to correspond with party performance and programs.

- Capacity building for political parties – Generally, parties lack a democratic internal structure. Internal democracy can indicate the extent of a party’s commitment to democracy and its ability to renew itself and achieve change. This type of internal structure is extremely important in building a democratic society. If political parties themselves are not democratic, it is difficult for them to achieve democracy and accept its principles. The government can assist in devising programs aimed at raising the capacity of the parties and their ability to form democratically.
- Inter-party dialogue should be facilitated at regional and national levels.
- Removing all obstacles facing women (legal and societal) with regards to their participation in political life. In addition to amending the laws, change also depends on changing traditional cultural and religious interpretations that perpetrate gender inequalities. While the situation in Jordan is relatively advanced with regards to gender equality as evidenced by legal reforms (Labor Law, Penal Code, Law to protect from domestic violence, Personal Status Law), women’s access to decision-making and leadership positions and increasing economic participation. Women have improved access to health care facilities and education and revision of school curricula and textbooks are among the government’s efforts to combat gender stereotypes. Clear progress has been shown in the field of education, providing opportunities for girls at the levels of basic, secondary and higher education but these have not yet translated in improved and non-discriminatory access of women to the labor market. Further, a large gap between women in the capital city and women in the governorates remains with regard to employment, training and access to opportunities that contribute to the fulfillment of women’s social and economic rights.

There remains a need to review existing legislation to eliminate all forms of discriminations against women and the perpetuation of a male-dominant culture still limits the full implementation and enjoyment of women’s rights in society. Suggested measures include:

- Development of partnerships with civil society organizations that are able to supplement decision makers with programs and measures that advance women’s status inline with Jordan’s international commitments.
- Strengthen women's political rights such as nationality and participation in public and political life, and community development.
- Follow up measures should be in place to strengthen and raise awareness on international standards on women’s rights. This could be in the form of a national committee made up of several sectors and comprising civil society organizations.
- Adopt and implement measures in support of the economic empowerment of women. Ensure women’s participation, equal opportunities and full enjoyment of rights in the labor market and the professional environment.
- Harmonize national legislations with international agreements and reports. While legal reforms in favor of women’s rights have taken place, several conflicting dispositions

remain and Jordan still holds reservations on CEDAW articles.

- Activate the role of the judiciary in the implementation of international conventions at the national level, through capacity building and providing the means and knowledge about such rights.
  - Work with the media to sensitize decision-makers and the general public on human and women's rights issues to address the negative impact of cultural heritage and community values on women's rights.
  - Work with religious authorities to address social, cultural and religious norms and values.
- Allowing party life on university campus
  - Effective local councils (elected representatives from the trade and commerce chambers) help reduce pressure on Parliament and allow letting go of the mentality of “service Deputy”.

### **Legislative Reform**

Legislative reform is at the heart of all the identified pillars. To ensure a sustained and an institutionalized reform process there needs to exist laws that guarantees rights and freedoms as enshrined in the Constitution.

Thus there is a need to:

- Expedite looking into the laws.  
Based on the outcome of the session conducted so far, following are the list of laws that constitute a main concern for the stakeholder – Kindly note that it was highlighted in the sessions that while there are certain stipulations in the law that allow certain freedom, yet the language used is considered ambiguous and allows for multiple interpretations. Following are the main articles in these law that are perceived as hindrances to promoting political life:
  - **Constitution (among others, Article 15)** – safeguarding freedom of speech and expression and importance of upholding this principle. It is not enough to just have the article in the Constitution and then limit it by law. The constitution should not and cannot be limited by the law. The law should not, under any circumstance, over step the Constitution. There needs to be full separation and the Constitution should always precede.
  - **Press and Publications Law** – Article 8 (right to information) needs to be endorsed and fully implemented. The article states: the Journalist has the right to obtain information from all official entities and public institutions and should be allowed access to their programs, projects and plans. Also, condemnation of journalists for the opinions expressed should not be allowed. This has come up repeatedly in the media session and in some of the youth and CSO sessions.

Further, the banning of Internet sites that contain media pieces and publics is creating a lot of controversy and opposition. It was recommended that the government re-visits its decision to ban the sites.

- **Municipalities Law** (municipal elections law) – Article 36 of the law deals with the municipal council and the power to suspend or to dissolve it. It was recommended that this article be revisited.
- **Labor Law** – during the session the issue of security clearances came up repeatedly. Researching the law, there does not seem to be any article stipulating the obtaining of a security clearance or a certificate of good conduct or even banning the joining of political parties. However, as is the case in most laws, there are other certain articles that allow for the suspension or firing of workers namely articles 26 & 28. Here this could range from personal to security. Thus a clear, unambiguous legal language needs to be devised and used in issuing these laws.

With regards to women, while the law contains the necessary legal protection for women in the work environment, amendments to the law to strengthen women's rights and to ensure women's participation, equal opportunities and full enjoyment of their rights in the work environment the following is recommended:

- The Social Security law should provide provisions for a special fund to cover costs of maternity leave and not leave these costs to the employer's discretion alone.
- Guarantee equal wages for men and women, and to impose a certain threshold for women working in the private sector (quota).
- Activate the role of labor inspectors to monitor violations related to the rights of employees either men or women.
- Intensify campaigns that aim at encouraging women to join the labor market, and encourage employers to employ women.

- **Education and Higher Education Law** – Articles in the law dealing with student suspension are ambiguous and provide room for personal judgment and preferential treatment – the suspension stipulations can further affect students running for student unions as it is clearly stipulated that the student's average as well as "not having a failed grade" are pre-requisites for eligibility to stand for elections. Also, Royal endowment (makruma malakiye) was an issue of debate throughout the sessions, specifically with regards to the fact stressed on by all: that once given the Royal endowment for education each student has to sign a plea of no participation in political life. This in effect hinders the development of a healthy political environment and contradicts His Majesty's vision and wish to move ahead with political reform.
- **Election Law** – The elections law has been one of controversy over the years. Measures at amending the law have not alleviated the stakeholders skepticism regarding the efficacy of the law.

2013 elections were run under a new law that introduced a mixed electoral system of a single-non-transferable-vote system and a proportional closed-list system. Though the introduction of a national list was an innovation yet the current mixed electoral system was contested by different stakeholder and criticized as promoting allegiances rather than promoting political life through political parties. Districting remains a main obstacles to a representative Elections Law.

- **Political Parties Law** – Is perceived as crippling political life than endorsing it. The stakeholder unanimously promoted the cancellation of the current law and the redrafting of another through a consultative process with the various parties. Most importantly to remove the article dealing with penalties, as this should only be dealt with through the Penal Code. Also, to separate the parties from the Ministry of Interior.
- **Anti-Corruption Commission Law** – The Anti Corruption Commission was established in 2006. The Commission’s law underwent amendments, the first in 2011 launched much controversy regarding article 23 which was perceived as crippling freedom of press, and thus reflecting negatively on fighting corruption as access to information is a major component in fighting corruption through transparency. The second amendment in 2013 deleted that article and replaced it with witness protection article 23 corresponding with Jordan’s international obligation to the United Nations Convention Against Corruption.

One issue of concern with regards to fighting corruption is the fact that the State Security Court still deals with national economic crimes, which limits Jordan’s ability to ask for extradition of those sentenced through the INTERPOL – as the INTERPOL does not acknowledge sentences by a Military Court. According to Article 3 of INTERPOL Constitution: “ It is strictly forbidden for the Organization to undertake any intervention or activities of political, military, religious or racial character.”

- **Union’s Law (mainly journalists union association)** - full revision of this law has been vehemently proposed during the media session. It was stressed that the law should be redrafted in accordance with international standards of freedom of expression and corresponding to Jordan’s obligations under international agreements it is party to with regards to freedom of press.
- Capacity building and training for judges on International conventions dealing with human rights, freedom of the press, assembly and expression.
- The judicial system needs to reach a state of full administrative and financial independence.

## **Youth and Education**

Following are the recommendations:

- Reforming the education system, in terms of quality not quantity. This would entail the incorporations of the notion of citizenship, democracy, pluralism and human rights. Further

the education system needs to promote critical and creative thinking. (courses proposed: critical thinking courses, new way of teaching history, communication skills, etc) (change the national education and military science courses in schools and universities)

- Revising universities' admission policies, hiring policies, and measures for appointing the president, where merit and equal opportunity are the only criteria for eligibility. Eliminate admission exceptions.
- Abolishing legislations and regulations that hinder or limit political activity on campus – which could be a way to curb and end university violence phenomenon.
- Create consultative councils for all faculties with the memberships of current students and alums as stakeholder in contributing to the development and improvement of the educational quality and environment. As well as ensuring student membership on the University Council and Faculty of Student Affairs Council
- Synchronizing all national efforts at educational reform under the umbrella of this strategy, whereby ad-hoc initiatives are not the norm but the exception. One example is the “Tamkeen Demokrati” initiative developed by King Abdullah Fund for Development which we believe it's activities need to be streamlined under a national strategy for political reform as it taps into both revamping the education system and creating a culture of responsible citizenship and entrepreneurial spirit.

## **Media**

To promote freedom of the press, article 15 of the constitution needs to be fully activated. Further laws have to be in line with international human rights principles, and guaranteeing freedom of speech. To achieve a healthy media environment where it contributes to the system of check and balances and helps in fighting corruption the following needs to be addressed:

- Limit state ownership of media and introduce a law to separate ownership from editorial control.
- Prevent, by all means, the state's censorship of the media, thus corresponding to His Majesty's vision and aspiration to a free and independent media.
- Introducing as well as amending existing legislations to the effect that it increases freedom of speech and expression in accordance with the International Human Rights Declaration – including the right to information in the Press and Publications Law.
- Abolish the provision of mandatory membership in the Jordan Press Association. This stipulation is voluntary throughout the world
- The incorporation as well as encouragement of youth to go into social media.

- A further suggestion would be to abolish the Higher Council for Media and to have an Independent Media Commission instead

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### 4.3 CONCLUSION AND WAY FORWARD

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Considering Jordan's location as being in the middle of a conflict zone, which has economic, demographic, social and political impacts, the country maintains a high level of political sensitivity. However, given the above, Jordan has a real chance for success. There exists three levels of engagement to create change and implement reforms, those include:

- The legal environment – the amendment of or creation of new legislation that can enhance the political culture by strengthening political parties and reforming the electoral process. This level concerns mainly governments and parliaments, but it also concerns political parties and civil society organizations – these should create a dialogue space with the government in order to reach consensus on new laws and measures.
- Internal governance and capacity – Governments, political parties and CSOs should develop strategies for change and create alliance. They need to be democratic and representative in order to gain credibility, build confidence and construct a strong public opinion base.
- The social, cultural and economic environment – reforming and opening economic sectors in order to enable more workforce including women and persons with disabilities to join in productive activities, and changing educational curricula to raise awareness of political participation, the importance of political parties, a citizenship culture, and freedom of choice and elections. Further the media plays a major role in shaping people's opinions, independent and free media should accompany any reform process where different stakeholders are able to present their views without prejudice.

There needs to be a change towards an equilibrium of the relationship between the state and society. All initiatives aimed at political reform reflect the State's desire to improve political participation and its awareness of the importance of strong political parties for any democratic transformation. From the prevailing political climate in Jordan, it appears that both the state and the political parties realize that the democratic transformation is in crisis. Yet no measures are thoroughly thought out to emerge from the crisis into a real democratic transformation; the parties' political programs remain weak and the laws remain a hindrance to the process of democratizations.

The current stage is very critical to Jordan moving forward on the path of reform. It is an opportunity for the state to oversee a gradual and serious reform process that is inclusive of all forces of change, even those who insist on excluding themselves, one that would widen the decision-making process and result in a smooth transition to democracy.

Real solutions need to improve democratic and political rights, fight corruption, and defend the rule of law. For any reform effort to succeed in Jordan it needs to adopt a holistic approach to challenges facing the country and needs to initiate long-term and sustained political reform. The

way forward is through promoting good governance, amending the laws, reforming the state institutions and activating the voice of the people. There needs to be:

- Strong capable local governance as this constitutes a major tenant of any reform strategy given its impact on strengthening civil society with the objective of making governments more accountable, open and transparent. Good local governance would help the country move forward on the path of democratization. To arrive at it, there needs to exist a strong and determined central authority in providing and enforcing opportunities for participation at the local level as well as the will by local government official to enforce it.
- Comprehensive political representation in effective Parliaments/legislatures that are based on free, honest, efficient and regular elections;
- Legislations and administrative procedures which guarantee citizens' rights and are compatible with fundamental human rights, particularly the rights to freedom of expression and freedom of associations for all;
- Enhanced women's, youth's, and persons with disabilities' participation in political, economic and other societal institutions.
- Awareness, communication, and dialogue.



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## **APPENDICIES**

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### **ANNEX 2 – LITERATURE REVIEW**

To draft the strategy, the consultants reviewed a compendium of documents and also held meetings with Jordanians who contributed towards setting the framework for reform to arrive at a future democratic Jordan. It builds on past achievements and seeks to open new doors for policies and programs to push forward political life in Jordan.

It is important to understand these initiatives and their role in developing this gradual and serious reform process and to acknowledge what has been achieved thus far. These initiatives are: Jordan First initiative launched in 2002, the Ministry of Political Development set up in 2003, the National Agenda launched in 2005, “Kuluna al Urdun” initiative in 2006, the National Dialogue Committee in 2011, Constitutional amendments in 2011, and a series of Royal Discussion papers launched in 2012. All the above were launched to help promote the concept of political participation and values related to it. Also, the literature review included a study of some of the Jordanian laws, including Election Law and Political Parties among others, which were highlighted in most consultation session. Given the intensity and the consistency in which these laws were presented, it became imperative to research and address them.

The literature review further included Jordan’s international commitments as pertaining to it being a signatory to international agreements and conventions.

Major findings from the literature review reflect a sincere will from the regime to move forward with political reform. Evidently, His Majesty has laid out a road map for reform and seized every opportunity to stress the importance of implementation. Yet, Implementation remains the real challenge. The credibility of the reform process depends on the capacity to effectively deliver tangible benefits to the Jordanian population. Government initiatives to promote national dialogue and prepare a culture of democracy are a major driving force to bridge the trust gap and impact positively on the reform process. Yet the lack of consensus on reform and the difficulty of having a consistent dialogue between all stakeholder in the Jordanian society on the process of reform makes it difficult to move forward.

Conclusion of the literature review include the following:

- The lack of consistency and sustainability due to successive changes of governments. This characteristic of the Jordanian political landscape hinders any reform process.
- Lack of a comprehensive vision that links all initiative, strategies, and government institutions together.
- Popular “ownership” of Jordan’s reform agenda is limited, if at all existent. There exists no consensus on the way forward for political reform.
- Negligible involvement of private sector and civil-society actors in policy making and implementing reforms.

- Jordan's civil society is nascent, organizationally weak, and has few opportunities to engage with decision-makers, further limiting citizen participation in political and civic life, especially for women and youth.

### **ANNEX 3 – CONSULTATION SESSIONS**

Consultation sessions were conducted with the different stakeholders throughout the country. Main objective of these sessions was to assess what in the stakeholders view are the main issues that they perceive as pertinent to tackle with regards to political reform in their respective fields and what they perceive to be the obstacles towards achieving these objectives and their recommendations on the way forward.

Outcome of the consultation sessions reflects indifference resulting from a deep sense of frustration. The government's slow measure in fighting corruption contributed to the state of frustration resulting in a further widening of the trust gap between the two. Further, there exists a lack of attention to cities and towns in the periphery. Citizens feel marginalized and their voices and concerns not taken into account. Reform is perceived as an event rather than a process.

## **ANNEX 4 – PUBLIC OPINION POLL**

The purpose of the poll is to gauge the population's awareness and knowledge of their rights and obligations with regards to their political rights as well as their awareness, knowledge, and understanding of the various national initiatives aimed at political reform. Also, to identify challenges to political participation which would allow for the strategy to propose solid solutions.

The poll dealt with the following main issues: Citizenship – Rights and Duties, civil liberties, fairness and equality; civil society organizations and right of association; political parties; political reform; corruption, Royal Discussion Papers, state sponsored initiatives and demographics.

The sample size was 1000 face-to-face household interview, as a representative sample across the kingdom.

### **General findings of the poll are:**

- The findings indicate a confused understanding of what citizenship is all about, rights and duties of citizens, and duties and responsibilities of the State. These impressions and perceptions take root in a sense of entitlement, lack of ownership and a common cause, and civic education.
- At the same time, there are perceptions of civil liberties that are quite stifled especially those dealing with public participation and engagement in the public space.
- Similar perceptions indicate disappointed perceptions of fairness and equality in particular when those are related to livelihoods of constituents applying for jobs or even places of higher education.
- Participation and engagement in the public space whether in professional or civic associations, is quite low. A major disappointment is the participation of youth in student unions.
- The same applies to affiliation in political parties with less than two percent of the population. Not only political party life is stigmatized but such deep rooted feelings of 'fear of repercussions' make a higher participation impossible.
- In general the findings indicate the lowest levels of awareness or even interest in all national initiatives, constitutional amendments and reform drives, new legislations that organize political life, and even the Royal Discussion papers, in particular by the youth age 18 - 24.
- Jordanians are split as to whether constraints stand in the way of implementing reforms or not with as high as over a third of the population not being part of this debate in the first place, as they simply 'don't know'. This lack of interest or apathy is either explained by lack of ownership or that society simply has more urgent worries and priorities in the nature of

kitchen table issues.

- The majority of those who feel that the constraints that stand in the way of implementing reforms are primarily 'corrupt persons with influence'.
- However, Jordanians feel, that reform, if implemented could eventually produce capable Governments, improved basic services, capable and strong parliaments that can hold governments accountable, improved living standards, establishment of rule of law and finally eradication of corruption.
- In all this the findings indicate stark differences in approvals, optimism, and level of grievances between North and South. The South in general as a region under study in this survey, as well as Zarqa city, seem to reflect those moods and dispositions most strong.