

## JORDANIEN

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# The Municipal and Governorate Council Elections of August 2017: Decentralization Efforts in Jordan

## Abstract

The governorate and municipal council elections of August 2017 were part and parcel of Jordan's plans to formalize a framework for the country's decentralization, building on plans of King Abdullah II. This framework was bolstered by new laws passed in 2015 which introduced the governorate council as a new, elected subnational advisory body. While the new governorate councils have the potential to increase local participation in the formulation of local development needs and service-provision, they have no legislative authority.

In general the election was well organized and conduct was orderly. Though there were minor electoral violations witnessed, there was no systemic violation of the process. Turnout for the governorate and municipal elections was at 31.7 percent and therefore lower than expected. However, this marks an increase of 6.5 per cent compared to the last local elections. The turnout in major cities was especially sobering; in Amman, only 16,08 percent of eligible voters went to the polls.

Tribal affiliations dominated yet again and a majority of nominees ran as independent candidates rather than on a political party basis. The only political parties that achieved noteworthy successes at the elections were Islamist parties. In that sense the governorate and municipal elections mark a continuation of "the return of the Islamists" to Jordanian representative bodies. This trend had already been initiated in the 2016 parliamentary elections.

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**Introduction**

In January 2005, King Abdullah II, in a widely-quoted speech, announced plans to initiate political development following a bottom up approach: "I assert here that political development should start at the grassroots level, then move up to decision-making centers, and not vice-versa."<sup>1</sup> Since then, the notion of a needed framework for decentralization has been discussed, has been supported by a number of policies and laws and has culminated in the governorate and municipal council elections of 15 August 2017, when citizens voted for mayors, municipal councils and newly-created governorate councils.

**The Framework of Decentralization**

In 2015, two laws which constitute the legal framework of the elections were passed. The "Law on Decentralization" introduced "governorate councils" as advisory bodies into the country's subnational governance system. The "Municipalities Law" formalized already existing procedures of the governance system on the municipal level. Both laws are interconnected and make up the legal framework of Jordan's "decentralization campaign."

**The Governorate Level**

Jordan's subnational administrative framework is set up as follows. The country is currently divided into 12 governorates. Each is headed by a governor, who is appointed by the King and is responsible for the execution of national policies on the governorate level. Below the governors are the non-elected *executive councils* as well as the previously non-elected *consultative councils*.

The executive councils draft the governorates' budgets in accordance with the ceilings set by the Ministry of Finance. They

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<sup>1</sup>King Abdullah II, "Address by His Majesty King Abdullah II To The Nation Announcing the Decentralisation Plan", 26.01.2005 <https://kingabdullah.jo/en/speeches/nation-announcing-decentralisation-plan>.

further draft strategic and executive plans for development projects and the provision of public services in their governorates, harmonizing them with the parameters and strategies set by the national ministries.

The consultative councils were 25-member, unelected bodies that reflected a participatory approach on the governorate level. Their task was to advise the executive councils on local needs regarding prospective development projects. The consultative councils have now been replaced by the newly introduced and elected *governorate councils*.

**The Governorate Council - A New Player**

In place of the consultative councils are now the 12 newly-created governorate councils. 85% of their seats are to be elected, while 15% will be appointed. The number of seats in these councils range from 17 to 58, varying according to the size of the governorate. The main responsibilities of the governorate councils will be to approve the draft budgets presented to them by the respective executive councils, to follow and give advice on ongoing development projects and to propose prospective investment and development initiatives.<sup>2</sup> The governorate councils' recommendations that are given to the respective governor and executive council are, however, non-binding.

It is also important to point out that the governorate councils have no legislative authority but are designed to serve as a hinge between the national and the municipal levels, with one of their main tasks being to identify development needs on the municipal level, to hear local requests and to communicate them to the respective governors and through them to the national level. Consequently, these new councils will fulfill an important function as they can decrease pressure on the higher legislative body, the national parliament. Due to the country's centralized structure of power, special interests and individual requests for service provisions were previously often addressed di-

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<sup>2</sup> Law No.49 2015, Article 8 et sqq.

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rectly to the parliament (both formally and informally). This impaired the legislative procedure on the national level. Now, ideally, parliament will increasingly be able to focus on legislative work.

As the governorate councils are now expected to serve as a link between the municipality and governorate levels and the national level, who are the stakeholders on the municipal level?

### The Municipal Level

The 12 governorates comprise 100 municipalities. These are not considered to be part of the governorates and are, unlike the governorates, not subordinated to the Ministry of Interior (MoI). Instead, they are under the supervision of the Ministry of Municipal Affairs (MoMA). Municipalities in Jordan have had varying forms of self-organization since the Ottoman Empire<sup>3</sup>, and municipal elections have been held since 1925. But while the (elected) municipal level has existed as an important entity for over a century, its role has so far been minimal in translating local needs into development policy. Independent development plans or ideas for economic incentives are covered by the municipal mandate only as long as they are confined to minor development projects or street infrastructure.

The structural makeup of the municipality looks as follows. It contains three bodies: The *municipal council*, the *local council* and the *mayor*.

There are currently 100 municipalities with a corresponding number of municipal councils. In addition to the municipal councils, 82 of the municipalities have elected local councils. The other 18 municipalities are deemed too small by the government to have local councils. The number of municipalities has been reduced over the past years. The last amendment to the municipalities law in 2002 reduced their number

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<sup>3</sup> Jordan Ministry of Tourism and Antiquities and World Bank, "Cities revitalization study: Analysis of the municipal sector," 24.05.2005.

from 328 to 100. However, considerable differences in size prevail.

Regarding their functions, the municipal councils, which are headed by the mayors, approve the budget presented to them by of the Ministry of Municipal Affairs and conduct needs assessments, quite similarly to the newly created governorate councils, in order to formulate development proposals to the executive council on the governorate level. To a minor degree, the municipal council can also engage in municipal planning, but this is restricted to road infrastructure.<sup>4</sup> The limited amount of funds and property owned by the municipality is also managed by the municipal council.

The local councils consist of 5 to 7 members, varying in accordance with the size and geographical location of the municipality. They make proposals to the municipal council, focusing on licensing local construction projects as well as services related to tourism, such as restaurants, street vendors, etc.

### Structural Challenges: Cooperation Between Governorate and Municipal Levels

One of the challenges of the Decentralization Law and the Municipalities Law of 2015, respectively, is the lack of clarification of the relationship between the bodies on the governorate and the municipal levels. While especially the governorate councils are meant to cooperate with the municipal and local councils in identifying the need for development and infrastructure projects, this cooperation has not yet been regulated in the laws of 2015. Adding to this challenge might be the fact that Jordan's two subnational levels, the governorate and the municipality, are structurally separated in the sense that they are subordinated to two different national ministries: the former to the Ministry of Interior (MoI) and the latter to the Ministry of Municipal Affairs (MoMA).

Furthermore, the fiscal framework has yet to adapt to the current decentralization pro-

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<sup>4</sup> Law No. 41 "Municipalities Law," 2015.

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cess. The Jordanian government and respective ministries have comprehensive control over the state's budget and decide on the allocation of funds to the governorates and municipalities. So far, decentralization has been furthered on the administrative level but would need to be accompanied by decentralization on the fiscal level if municipalities and governorates are to take over more responsibilities. One step towards fiscal decentralization would be the levying of taxes on the local level. To date, only a small fraction of taxes is levied on the municipal level and only minor services, such as garbage collection, are run independently in the municipalities. However, the newly created governorate councils might in the long term mark a step towards creating some degree of fiscal independence on the governorate level. While these councils will not-at first- preside over a budget of their own, their (limited) budgets will be formally independent from 2018 onwards; something the King has pressed the Senate<sup>5</sup> for.<sup>6</sup>

### **The Governorate and Municipal Elections of 2017**

The governorate and municipal elections held on the 15<sup>th</sup> of August 2017 were organized by the Independent Elections Commission (IEC). This body was formed in 2012, funded by the Jordanian government and supported by USAID and the EU. Its aim is to prepare elections through one central and official organ in order to save costs, build voters' trust in the elections and counter political apathy in the country. Formerly, elections had been organized in a dispersed manner and had often been conducted with the help of tribal alliances. The prevalence of tribes in social and political life is a marked characteristic of Jordan. It has been one factor that contributed to fostering po-

litical apathy amongst several societal segments that doubt the meaningfulness of political participation beyond tribal affiliations and lines.

The shift from a dispersed to a centralized organization of elections through the creation of the IEC was followed by a great deal of professionalization that was particularly visible in the parliamentary elections of 2016.<sup>7</sup> Building trust through the creation of the IEC and its organization of elections seems to have worked with some Jordanian voters: "When you have a central body, compared to organization by the tribes, things work."<sup>8</sup> However, the dominance of tribal affiliation over political parties, as well as political apathy, clearly persisted in the governorate and municipal elections.

### **Turnout: Lower Than Hoped For**

Elections in Jordan usually have a relatively low turnout. The last parliamentary elections of 2016 saw a turnout of about 36% of eligible voters.<sup>9</sup> However, regarding the governorate and municipal elections of 2017, the IEC had aimed to increase turnout to around 40%. The actual turnout, however, was as low as 31.7 percent. To be accurate, this turnout was still 6.5 percent higher than previous local elections.

The elections, however, were marked by a high disparity in turnout among different regions. The highest turnout was in Ajloun (62.8%), Mafrag (59.8%) and Karak (57.14%). The low turnout in major cities has been especially sobering; in Amman, only 16.08 percent of eligible voters went to the polls while in the affluent western part of Amman, only 4% of citizens went to the polls.

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<sup>5</sup> The 65 seat Senate is the upper house of the Jordanian legislative and consists of dignitaries appointed by the King. Laws need approval by both houses to pass.

<sup>6</sup> Jordan Times, "King rejects decentralization bill for unconstitutionality," 19.10.2015 <http://www.jordantimes.com/news/local/king-rejects-decentralization-bill-unconstitutionality>

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<sup>7</sup> These were praised as well organized by the international community. The creation of the IEC is thus seen, by some international experts, as one of the most effective political reform steps that were taken in Jordan in the past years.

<sup>8</sup> Interview with Aous Qutaishat, 31 August 2017, conducted by KAS Jordan.

<sup>9</sup> Independent Election Commission 2017.

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### **Results: Strong Tribes, Weak Parties and the Return of the Islamists**

In an attempt to empower political parties vis-à-vis tribal coalitions, the governorate and municipal elections adopted proportional representation (PR) for the voting system, instead of the former “one-man-one-vote system.” The national parliamentary elections in 2016 had already done so. In a PR system, even small voter groups have a chance to gain a share of representation. In this way, political parties that have traditionally been weak in Jordan have an increased chance of gaining seats.

Despite the changes in the electoral system, political parties did not perform well in the elections. Individuals and tribal affiliations have once again been dominant. Even many individuals that are members of a political party, have preferred to run as independent candidates, as political parties continue to face deep distrust by large segments within society.

Once again, the only parties that managed to gain meaningful election successes were the Islamist parties.<sup>10</sup> The Islamic Action Front (IAF), the political party of the Jordanian Muslim Brotherhood, won 3 mayors, including the one in the important city and region of Zarqa, a poor region in which the Islamists have built support through social service provision. Furthermore, the IAF won in total 25 out of the 48 seats they ran for in municipal and governorate councils, including 5 in the Greater Amman Municipality (GAM). Just as in the parliamentary elections in 2016, the IAF headed the “National Alliance for Reform,” a coalition which comprised also non-Islamist parties and Chris-

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<sup>10</sup> Three non-Islamist parties gained seats in the election: The Jordan People’s Democratic Party won 7 seats including a mayorship, a coalition of leftist and national parties won 14 seats, and the Stronger Jordan Part won 4 seats.

tians. Al Wasat, originally an offshoot of the Muslim Brotherhood, also won 3 mayors: 2 in Balqa governorate and 1 in Ma’an governorate, as well as a total of 31 seats in governorate and municipal councils, with 4 in the GAM. The relatively young split-off from the IAF, the Zamzam initiative, which is currently seeking to register as a political party, has won 6 seats in total.

After boycotting several of the elections in the past two decades, the municipal and governorate elections now mark the return of the Islamists—or more precisely, they continue the “trend of an Islamist return” that has already been displayed by the parliamentary elections of 2016, where the IAF was the strongest political party, albeit with only 15 seats out of a total of 130. This return of the Islamists into elected bodies also signals the Jordanian government’s willingness to re-integrate political parties (that are close to the Muslim Brotherhood brand of Islamism) in a limited manner into political institutions, maybe in the hope that these groups could function as a counterweight to Islamist terror groups such as Daesh (IS).

### **The Participation of Women and the Quota System**

Quotas for women and for religious and ethnic minorities have in the past two decades ensured representation of these groups in Jordan’s national parliament.

In the governorate and municipal elections of 2017, however, no quotas were included for religious and ethnic minorities. The government had not considered that as necessary, as these minorities are regionally concentrated and are thus considered to gain sufficient representation without a specific quota system designed for them.

However, a quota system was adopted reserving seats for women. It reserves 15% of seats for women in the governorate

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councils, 25% of seats in the municipal councils and 1 seat out of 5 in local councils. These quotas are quite advanced in comparison to other states in the MENA region. In addition, women who win a competitive seat are not included within the quota. So women can win seats in addition to the quota. For the Independent Election Commission (IEC), one of the main goals of these regulations is to “enrain a culture of voting for women” rather than institutionalizing only unelected seats for women. However, women’s participation was low during the elections. Only 1% of candidates for governorate and municipal councils were women and only a handful ran for mayor. Concerning turnout, the percentage of women having voted ranges from 16% in Mafrq to as low as 3.42% in Amman. Nevertheless, a positive development in this context is that in younger candidate age brackets (25-40 years), there was an equal number of female candidates vis-à-vis male candidates in many governorates and municipalities.

**Outlook**

The governmental and municipal elections of 2017 have been an important step in Jordan’s efforts for decentralization. However, the coming years will show whether new legislation will be needed and formulated to further specify and formalize the relationship between the governorate council and the bodies on the municipal level in order to guarantee that the governorate councils can effectively serve as a hinge between the governorate and the municipal level. The coming years will also show whether the current decentralization processes will be accompanied by increasing efforts towards fiscal decentralization and towards decentralizing legislative procedures.

A challenge for the Jordanian government regarding future elections might be how to address the marked disparity of turnout that these elections have displayed, roughly

ranging from as high as 60% in certain regions to as low as 15% in other regions; how to further strengthen women’s active and passive participation in elections; and how to strengthen political parties from the different political camps.