

“JORDANIAN PARLIAMENT MONITOR”

The First Parliamentary Monitoring Report

Fifteenth Lower House, Second Ordinary Session

Oct. 5, 2008–Feb. 5, 2009



April 2009

SUMMARY

The “Jordanian Parliamentary Monitor” is an independent non-partisan project. It seeks to improve the Parliamentary performance by providing the best international experiences and practices in terms of the Parliamentary performance. It aims to enhance and establish the partnership between the Parliament and the several civil society organizations, political parties, and the private sector in Jordan through launching mechanisms of interaction, consultation and dialogue. It is to seek accuracy and scientific and objective methodology when gathering, classify and analyze data and information.

This report summarizes the legislative and oversight deliverables of the fifteenth Lower House in its second ordinary session. It is the first report issued by the “Jordanian Parliamentary Monitor” among a series of the monitoring reports on the sessions or those with regard to analyzing the Parliamentary performance analysis as relevant to some of the issues of priority for the Jordanian citizens.

This report is laid out in five sections that monitor both the legislative and monitoring functions as well as the election of the Lower House Office and its standing committees. In addition, it monitors regularity of sessions, rates of attendance and absence, and conclusions and recommendations. This project is supported by the National Democratic Institute for International Affairs (NDI).

THE MAIN FINDINGS, CONCLUSIONS AND RECOMMENDATIONS:

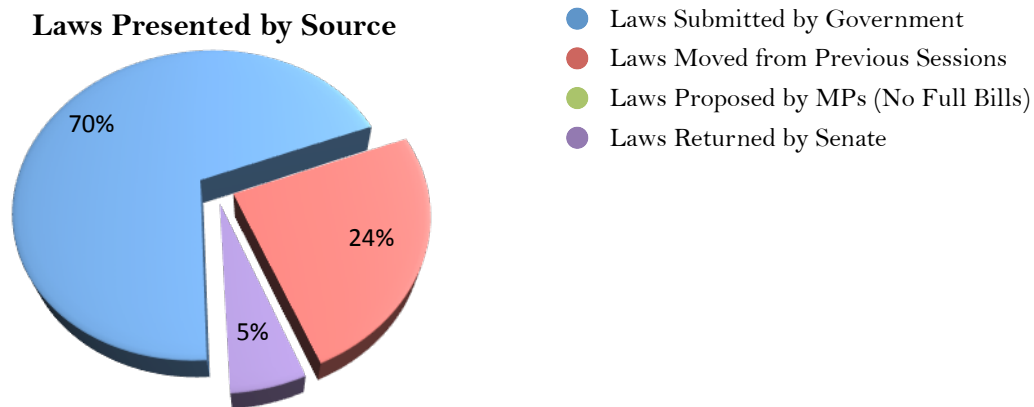
First: the election of the Lower House Office and its Standing Committees

- ☑ The main event that the second ordinary session of the fifteenth Lower House witnessed in its early days was that division resulting from a wide parliamentary coalition between the National Trend and the “Al-Ikha’”. This caused almost an absolute dominance by these two blocks over leading positions at the House including unlimited control on membership and chairing of the fourteen standing committees.
- ☑ The representatives reached a consensus to form 10 committees without elections. The Lower House had to do direct and secret elections for four other committees that witnessed a large competition from Representatives who are not within the electoral coalition of the National Trend and Al-Ikha’ Blocks.
- ☑ As a result of this dominance, 19 prominent MPs with their longstanding expertise, find themselves out of the membership of any committee, some of them boycotted the elections.

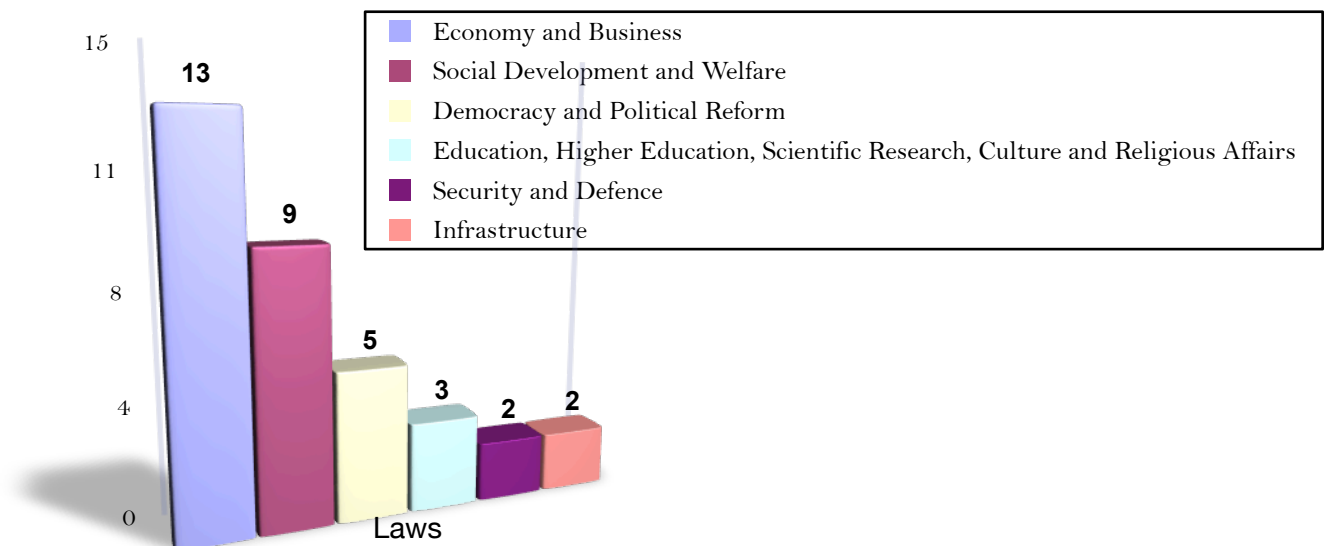
Second: the Legislative Role of the Parliament

- ☑ 35 laws were submitted to the Lower House. It approved 14 draft laws and one provisional (interim) law. The Lower House, however, accomplished 9 laws left from previous sessions; it approved six laws and rejected other three. The Upper House returned to the Lower House two laws.

- ☑ The number of laws approved after amendment counted for 41% laws against 21% laws that were endorsed. However, the rate of laws rejected counted for 12%; laws that are still under consideration count for 26%.
- ☑ Eight committees out of the standing committees of the Lower House considered the laws submitted to the House; 6 other committees did not study any laws to be submitted to the House although there are laws left from previous sessions referred to some of these committees.



- ☑ The Economy, Finance and Business Component ranked on top of list of laws submitted to the Lower House in its second session (13 laws), development and social welfare (9 laws), Democracy policies and political reform (5 laws), education, culture and religious affairs (3 laws), security and defense, and the infrastructure were equal as each got (2 laws).

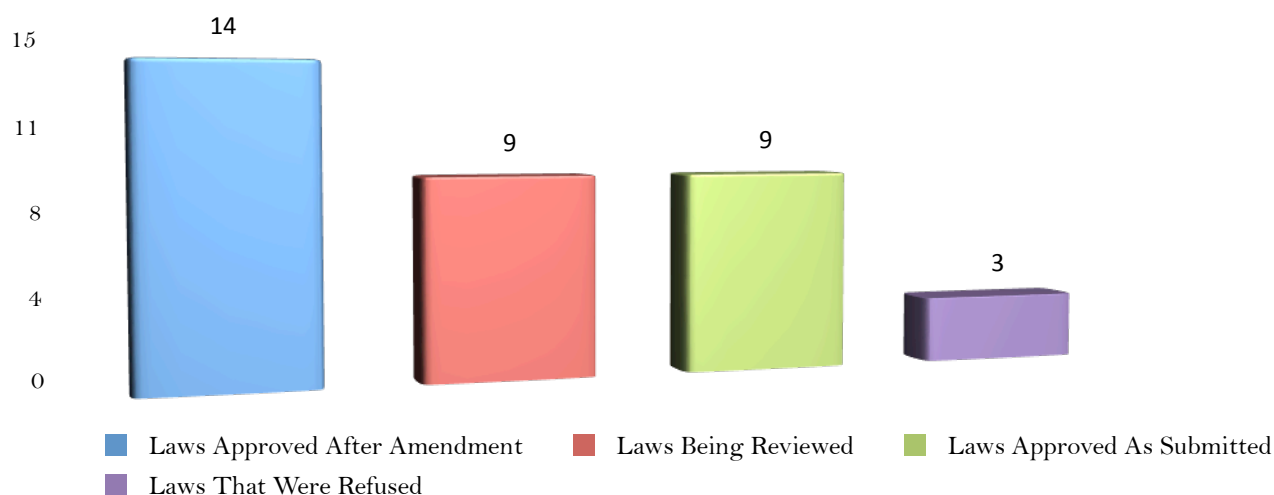


- ☑ 64 representatives submitted four law proposals in the second ordinary session against two proposals in the first ordinary session. The proposals comprised three political components including legislation and justice, democracy and political reform, and education and higher education, culture and religious affairs.

- ☑ In its second ordinary session, the Lower House marked an obvious drop in its legislative achievements compared to its achievements in the first ordinary session when it endorsed 40 laws against only 23 laws endorsed in the second session.

- ☑ Remarkably, committees of the Lower House invited a large number of ministers and officials to attend interaction and hearing sessions while discussing most of the draft laws. This was obvious and intense during debates of the Draft Law of the General Budget of the State of Jordan for 2009; committees also solicited help from representatives of trade unions/ associations and civil society organizations when discussing some draft laws. However, this interaction mechanism is not well established yet as a fixed approach to work. Still, it has not laid the basis for traditions and heritage in the field of communication and interaction among representatives and the civil society organizations.

Distribution of Laws Presented at the 2nd session of the 15th Parliament

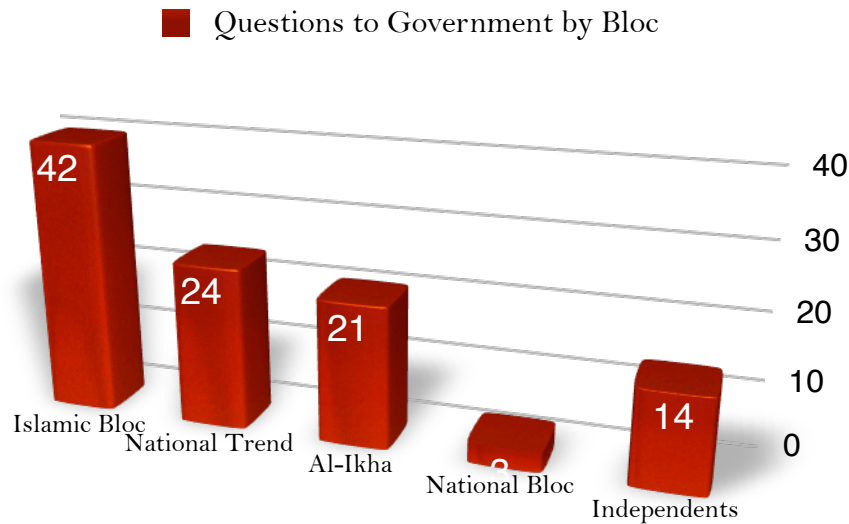


Third: The Oversight Role of the Council

Questions to Government:

- ☑ The official documents of the Lower House reveal that 30 representatives from among the members of the House as a whole addressed 104 questions during the second ordinary session. This means that 80 representatives did not address any question to the executive branch during the session.

- ☑ Questions raised represent all blocks of the Lower House. The Islamic Action Bloc raised 42 questions, the National Trend (24 questions), Al-Ikha' (21 questions), the National Bloc (3 questions), Independent Representatives (14 questions).



- ☑ The Parliamentary questions were of a focused interest in the component of economy, finance, and business (37 questions); legislation (17 questions); infrastructure (16 questions); education, religious affairs (15 questions), social welfare (12 questions); democracy and political reform (5 questions); foreign policy (2 questions). Finally, no Parliamentary question was raised in terms of security and defense.

- ☑ 63 questions were addressed to the Premier; the Minister of Labor received 8 questions; the Ministers of Water and Higher Education and Scientific Research (5 questions) addressed to each. the Minister of health who 4 questions. Ministers of Transport, Tourism and Antiquities, Public Works and Housing, and the Minister of Awqaf received 3 questions each. Then 2 questions were addressed to the Minister of Energy and one question to each the Ministers of Finance, Agriculture, Interior, Justice, and the Minister of the State for the Affairs of Media and Communication.

- ☑ Official records of the Lower House reveal that out of the total questions addressed to the Government, there are 24 questions that have not been answered during the session; The Government answered 80 questions; the House served 70 questions only.

Interpellations (Requesting a Minister to address Lower House on particular issue):

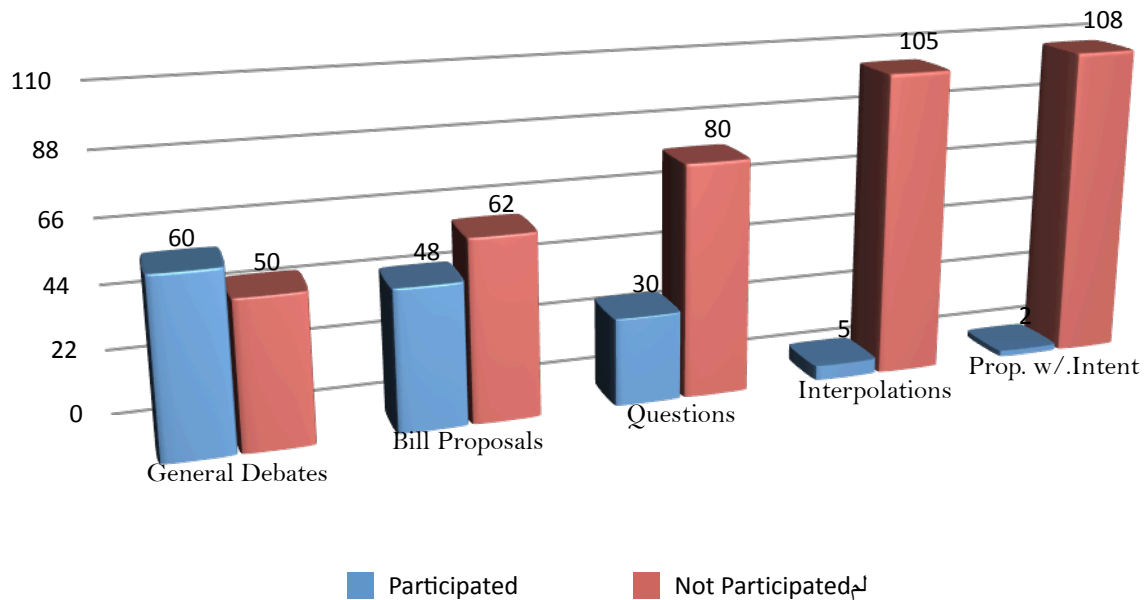
- ☑ The second ordinary session marked seven interpellations against only two during the first ordinary session; with six of them served on the last meeting held less than one day before terminating the session.

- ☑ Noticeably, the way the Lower House handles the issue of interpellations raises several questions in relation with the reasons of delaying the service of such interpellations to the Lower House.
- ☑ The six interpellations, however, were in relation with corruption, violation of the Constitution and laws

General Debates in Plenary Sessions:

- ☑ Although there were five general debate meetings in its second ordinary session and refused to convene a sixth meeting, the recommendations that were not processed till the end of the second ordinary session; the five debate meetings did not reach tangible results to draw policies and objectives to solve problems resulting form the five debate meetings.

Distribution of MPs by Oversight Activities during the 2nd Ordinary Session



- ☑ Figures and statistics reveal that the number of representatives signing the six requests to hold the general debate meetings counted for 56 representatives; however, 44 representatives did not sign at all any of the requests. Signatures of the 56 representatives recurred on the six requests to reach a total of 113 signatures representing all Parliamentary Blocks.
- ☑ 16 representatives from Al-Ikha' signed the requests with 42 recurrent signatures; other 25 representatives from the National Trend Block with a total recurrent number of 38 signatures; 6 representatives in the Islamic Action Front signed the requests with a total rate of 21 recurrent signatures; other 3 representatives from the National Block signed some requests in a rate of 4 recurrent signatures; 6 representatives from the Independents signed requests with rate of recurrent 8 signatures.

Proposals with an Intention (requests to Government for action):

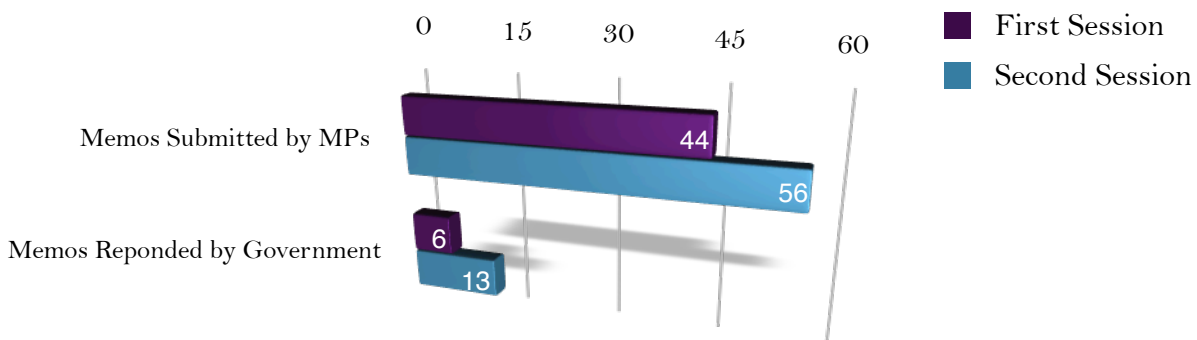
- ☑ Three proposals with an intention were submitted by two representatives in relation with service matters and demands of their electoral constituencies; these proposals were focused on two basic components; namely, the policies of development and social welfare and the policies education and religious affairs.
- ☑ Official records of the Lower House do not show referral of any of the proposal of intention to any of the competent committees; on the other hand, the proposals with intention submitted in the first ordinary session were limited to two proposals only and their status is still unknown.

Petitions and Complaints

- ☑ Records of the Lower House reveal one complaint submitted in relation with governmental schools, and the House did not receive any petitions or complaints along the whole ordinary first session. The topic of complaints and petitions triggers questions whether the mechanisms used by the Lower House to handle petitions and complaints received from its standing committees are poor or exist in the first place.

Memoranda

- ☑ Representatives submitted 56 memos as included in its official records. The Government responded to 13 memos only; other memos did not receive any answer till the end of the session. While memos submitted in the first ordinary session counted for 44 memos; 6 received a response.



- ☑ The breakdown of the memos showed that 29 memos out of total are collective memos, 3 memos from individual representatives; 24 memos from standing committees.
- ☑ 37 memos submitted to the Premier; 7 received responses, 5 memos to the Minister of Interior, 2 received response. 4 memos to the Minister of Justice; none received a response. 2 memos to the Minister of Higher Education and Scientific Research; they received response. One memo to the Minister of Education; it did not receive a response. One memo to the Minister of Interior and received a response. One memo to the Minister of Municipalities and

received a response. One memo to the Minister of Labor; it did not receive a response. One memo to the Minister of Finance; it received a response.

- ☑ The memos submitted on Economy/Finance/Business counted for 16, foreign policy 10 memos, democracy and political reform 8 memos. Legislation and justice 7 memos. Education/ Higher Education/ Religious Affairs 6 memos. Social welfare 4 memos; infrastructure 2 memos. Security and defense only one memo.

Other Business Items

- ☑ The “Other Business” item was fixed on the agendas of 13 meetings; yet, it was not discussed in some of the meetings due to lack of quorum of the meeting or due to reluctance of the Lower House to discuss this item.

Statements

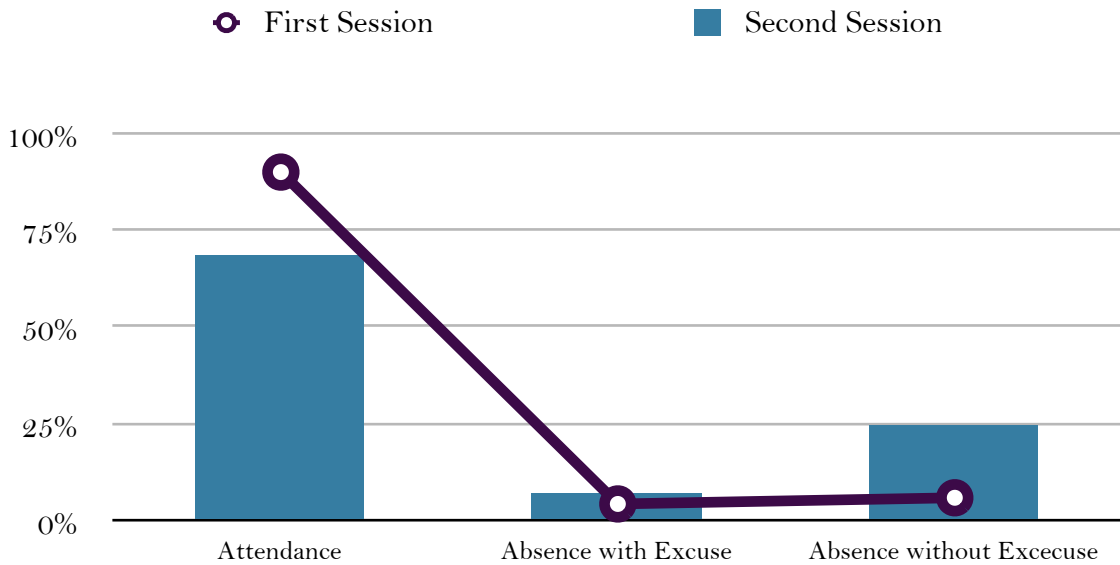
- ☑ The Lower House issued only two statements against five statements it issued in its first ordinary session, It issued its first statement to condemn the American attack against Syria; and its second statement to condemn the Israeli war against Gaza.

The Oversight Role of the Standing Committees:

- ☑ During the second ordinary session, Parliamentary committees exercised their oversight roles on two tracks; first, field visits to official institutions; second, inviting the concerned ministers to discuss urgent issues.
- ☑ Obviously, the monitoring role of some standing committees is absent; other committees were active in this respect in addition to their legislative activity.

Fourth: Attendance and Absence (the regularity of the meetings)

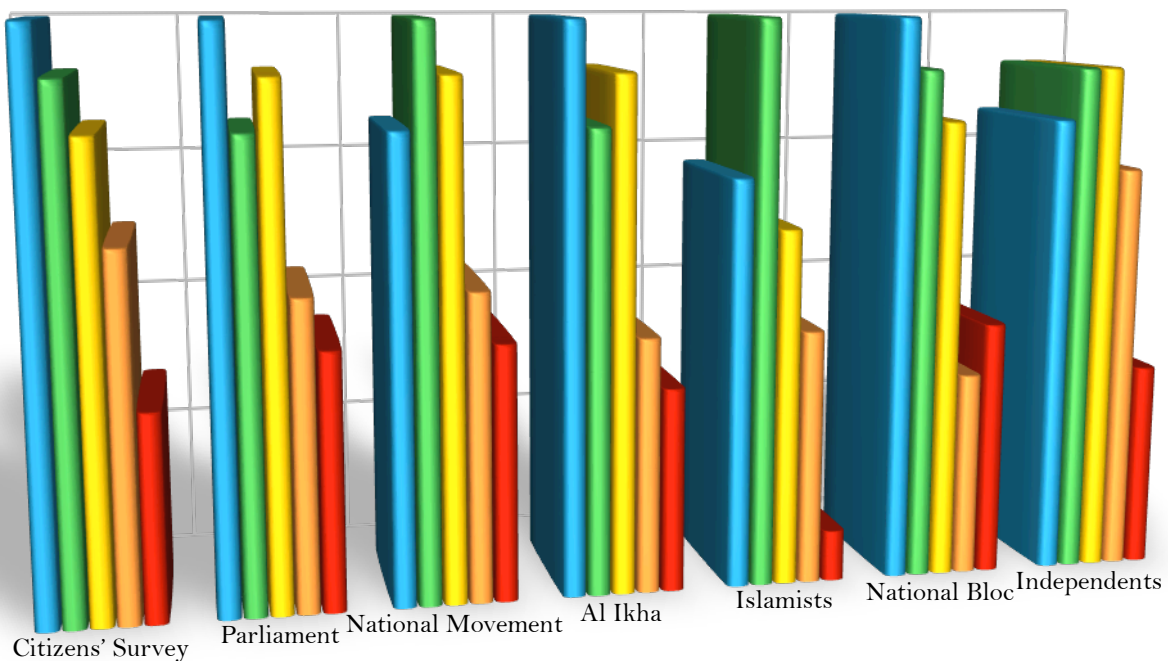
- ☑ During its second ordinary session, the Lower House held 18 meetings with quorum as two thirds of the members were present and 16 complementary meetings that require only presence of the absolute majority.
- ☑ Attendance and absence registers kept at the House reveal that the rate of attendance in the first ordinary session counted for 90%; the excused absence counted for 4.2% against 5.8% for non-excused absence. Although our calculations indicate an average of 68.6% of attendance by representatives to the second ordinary session when commenced, the excused absence counted for 6.9% with a non-excused absence rate of 24.4%.



☑ Another visible phenomenon in the Lower House operation during the second ordinary session is that all meetings were held late from the scheduled timing. In many meetings, the grace period of half an hour provided for in the Bylaw would lapse before the quorum is achieved.

: National Priorities of Citizens Compared by Parliaments' and MPs' Bloc Priorities

■ High Prices and Inflation ■ Unemployment ■ Poverty ■ Financial and Administrative Corruption
 ■ Infrastructire



KEY RECOMMENDATIONS

1. Attendance

- ☑ Announce, at the beginning of each meeting, the names of absent representatives whether excused or non-excused; publish the same in the Official Gazette and document them into the Lower House official log. Such a step will help enforce principles of transparency, accountability, and responsibility. This issue should be taken as seriously as possible, though.
- ☑ Impose penalties on Representatives who are absent from the meetings of the Lower House and meetings of the Parliamentary committees. These include a “notice” addressed by the Lower House Speaker to the Representative if his absence, coming late to the meetings of the Lower House, or leaving without an excuse recurs. Representatives coming late beyond a certain scheduled timing (as stipulated in the Bylaw) should be considered as absent without an excuse.
- ☑ Apply the method of financial fines; for instance, to deduct a certain amount (provided for in the Bylaw) from the Representative’s dues for each time he is absent from the meeting without an excuse. In return, the Representative will get an honorary reward for each meeting he attends.
- ☑ Implement the electronic registration of attendance, absence, and voting; and disclose the data without any delay or postponement.

2. Legislative Role:

- ☑ Establish a legislative bureau (an active legal support unit) at the Lower House with the mandate to provide assistance to representatives in relation with drafting of the proposed laws. Members of this units must be experts at Law and relevant specialties. They can be either appointed or engaged upon a decision by the Lower House presidency.
- ☑ Relevant committees must be requested to consider proposals of laws submitted by the Representatives within intervals stipulated in the Bylaw of the Lower House.
- ☑ Implement the principle of “committing consultations” with the Civil Society institutions, experts and other parties involved in the legislation set for discussion. This will help establish and deepen the rules of partnership between the Lower House and the Civil Society and consultants. The obligation in this sense relates to the consultations themselves and for sure observing their implications and conclusions. The Lower House is independent and it is the one to decide upon its mandate as provided for in the Constitution.

3. Parliamentary Committees:

- ☑ Registers of the Second Session of the Fifteenth Lower House reveal that there are 24 Representatives who are not members in the committees and the office of the Lower House-

22% of total members. No matter what the reasons are, this phenomenon results in a poor performance by both the representatives and the Lower House. Thus, the Observatory Task Force recommends that the Lower House Bylaw must require a representative to join at least one committee membership and attend its meetings regularly.

- ☑ Another recurrent phenomenon among some of the standing committees of the Lower House is that of “closed meetings”; which is in contradiction with transparency and the right of citizens to know. This phenomenon, in fact, results in lack of knowledge for the citizens of what is taking place at the Parliament premises. This is not fair for the Representatives themselves as it deprives them from their rights. Thus, the Observatory Task Force recommends the meetings of committees; their operations, minutes of meeting, discussions, and trends of voting thereto to be open and accessible to all unless the Committee shall decide it otherwise. This exceptional decision must be vindicated. Moreover, the rules of transparency and pluralism require the reports of committees to include all views and opinions submitted by the members; not only decisions and final recommendations.
- ☑ Members of the Lower House must be served agendas of meetings of committees (24) hours at least prior to their scheduled dates. Attendance of delegates of the Government of the relevant committee meetings must be secured. However, reports of committees must be distributed to the members of the Lower House three days at least prior to their discussion instead of (24) hours as is the case at present.
- ☑ Hold the committees that do not assume their legislative and monitoring role responsible. Proceedings of the second Ordinary Session reveal that some committees did not hold more than one meeting and did not assume the roles they are expected to do in line with their mandates.

4. *Oversight Role:*

- ☑ Observe intervals set for the Government to respond to Parliamentary questions. Noticeably most of the questions are left with no response during the set intervals; it is too late even.
- ☑ The Lower House Presidency must be committed to the set intervals to serve questions and answers on the agenda of the Lower House for discussion.
- ☑ Enforce mechanisms to follow up questions, memos, and requests submitted by the Representatives; secure their registration, documentation, and follow up of the content of public debate meetings and their recommendations. This is meant to increase the level of the monitoring role of the Lower House and enhance its visibility as a monitoring authority as well as increase confidence of the citizen in its role.

5. *Parliamentary Blocks:*

- ☑ Amend the Bylaw to provide for forming Parliamentary Blocks as well as designate an office and financial provisions for each Block from the House budget.

- Represent all Blocks at committees is a right for them that must be provided for in the Bylaw. Representation with relative rates can be applied with a minimal of one representative for each block.

INTRODUCTION

Based on its legislative and oversight function, a parliament is one of the two pillars for a royal parliamentary system; which is the substantial ingredient of the Jordanian political system.¹It is the framework and apparatus of the Jordanian democratic stride. The need to develop its role and improve its performance is an endless need that never stops.

Whether well-established or still emerging democracies, there are civil organizations and other think-tanks that document, monitor, analyze and observe the Parliamentary performance. The “Jordanian Parliament Observatory” looks forward to assuming a similar role at the national level with the hope to roll out this experience in the Arab region as a whole.

The “Jordanian Parliamentary Observatory” is an independent non-partisan project that takes authority from the Constitution and the by-laws of the Lower House. It seeks to provide the best international experiences and practices in terms of the Parliamentary performance. It is to seek accuracy, and scientific and objective methodology when gathering, classify and analyze data and information.

Goals of the Project

- Improve the Parliamentary performance to be in line with the best international democratic practices both at the legislative mechanisms level and the methods/tools of exercising the oversight function of the Lower House.
- Increase the level of transparency and enable citizens to have access to information that would help them make informed decisions, formulate their political awareness, and increase the level of their participation.
- Establish and enhance a partnership between the Parliament and the several civil society organizations, political parties, and the private sector in Jordan through launching mechanisms of interaction, consultation and dialogue.

Methodology

Al-Quds Center for Political Studies which supervises the “Jordanian Parliament Observatory” formed a task force to be responsible for working, investigating, monitoring and analyzing all information and data as taken from relevant sources. The task force is also requested to classify and tabulate the information accurately and objectively in a manner to achieve the goals of the project while enabling citizens to make use of such information.

A software was especially devised for the project in order to facilitate data entry, retrieval, analysis and reporting to help issue summaries and submit proposals. The software issues tables and graphic charts that summarize and highlight the nature and scope of interest for these activities as well as the representatives and blocks responsible for them. All these data will be provided through the Observatory website.

The project methodology is based on monitoring the representative’s performance as well as the Parliamentary block/committee to end up with the Lower House as a whole. Then, this

¹ In compliance with the first article of the Constitution which reads, “The Hashemite Kingdom of Jordan is an independent sovereign Arab State. It is indivisible and inalienable and no part of it may be ceded. The people of Jordan form a part of the Arab Nation, and its system of government is parliamentary with a hereditary monarchy.”

performance will be compared in terms of its political/economic/social priorities with those of the Jordanian citizen in general. This step is meant to identify the “representation role” of the Lower House and the representatives.

The project methodology is also based on monitoring the interaction between the Lower House, committees, blocks, and representatives on the one hand and the citizens, civil society and other social actors in the country on the other hand.

The Observatory website enables each person having interest and visitor to know:

- Deliverables of the Lower House and its committees in terms of legislative tasks and how it has been dealing with the draft laws referred to it from the Government as well as the legislative power of proposals submitted by the Representatives.
- Achievements by the representative or his/her Parliamentary block in terms of oversight and legislative roles through prevailing oversight and legislative tools including questions, interpellations, memos, proposals of intention, and proposals upon a law ...etc.
- Any issue related to our public life as discussed in the Lower House and identifying the map of parliamentary stands with this regard.

The Observatory issues regular reports that monitor and analyze yields (deliverables) of the successive Parliamentary sessions both on the legislative and oversight levels. It also issues reports (qualitative) in relation with the Lower House performance with regard to some issues of a high priority on the National Agenda for Jordan and Jordanians.

The Observatory conducts periodical polls of the Jordanian public opinion to identify its national priorities and monitor its view and opinions in terms of the representatives’ and the Lower House performance as a whole with the intention to measure “the representation role” of representatives and blocks.

The Observatory organizes seminars, meetings and conferences on a wide scale with the civil society organizations and representatives in the several Governorates of the Kingdom. Such activities are organized in a methodological, regular and recurrent manner to ensure their participation in the Observatory activities and explore their opinions and proposals to develop the Lower House performance. This is also meant to enhance principles of accountability and transparency as well as developing the interactive relation among a voter, a representative, the Lower House, and the civil society.

Sources of Information for the Project’s Findings, Analyses and Recommendations

For its data and information, the Project depends on two types of sources:

First: Primary Sources including:

1. Documents and minutes of meetings of the Lower House.
2. Official Gazette.
3. Face-to face interviews with the representatives (men and women).

Second: Secondary Sources including:

1. Reports or observers working for the project.

2. The press and media.

The First Parliamentary Monitoring Report

This report is aimed to be in line with the objectives that the “Jordanian Parliamentary Observatory” set. The Task Force formed before the commencement of the second session of the fifteenth Lower House² started its mandated tasks with documenting and monitoring the Parliamentary performance in the Parliament and outside it. This process was done on a daily basis since the commencement of the second ordinary session till its end. This report summaries the legislative and oversight deliverables of the fifteenth Lower House in its second ordinary session. It is the first report issued by the Jordanian Parliamentary Observatory” among a series of the monitoring reports on the sessions or those with regard to analyzing the Parliamentary performance analysis as relevant to some of the issues of priority for the Jordanian citizens.

This report is laid out in several sections that monitor both the legislative and oversight functions as well as the election of the Lower House Office and its standing committees. In addition, it monitors regularity of sessions, rates of attendance and absence, and conclusions and recommendations.

² The second ordinary session of the fifteenth Lower House started on 5.10.2008 and ended on the morning of 5.2.2009.

CHAPTER ONE

ELECTIONS OF THE PERMANENT OFFICE AND STANDING COMMITTEES

The main event that the second ordinary session of the fifteenth Lower House witnessed in its early days was that division resulting from a wide parliamentary coalition between the National Trend “56 Representatives” and Al-Ikha’ 20 representatives.³ This caused an absolute dominance by these two blocks over leading positions at the House including unlimited control on membership and chairing of the fourteen standing committees.

Representatives from outside the Parliamentary coalition had a consensus to describe the event as an unprecedented in the history of the Lower House as it is based on the principle of excluding the others and dominate the House. They alerted from its negative impacts and repercussions on the intra relations among members as it divides the Representatives into two camps.

In spite of the hard criticisms against this coalition during that time by the Representatives and other observers, the electoral coalition leaders continued with their coalition to a period of time that did not go so long after the end of electing the permanent office of the House and standing committees.⁴

A long controversy took place along the second ordinary session with regard to what some Representatives considered as “mistakes made by Al-Ikha’ and National Trend Blocks due to their electoral coalition which was based on the principle of absolutely dominating the coalition which had at that time [76] Representatives; i.e. the absolute majority of the House. In other words, the absolute majority has the right to rule and achieve whatever it wants.”

This electoral view based on the concepts of the “majority rule” did not go for long between the two allied blocks. Elections of the permanent office marked a clear deviation from the agreements between both blocks and ended with some members of both blocks not voting for the rest of the Office members after the support that the Head of the electoral coalition-Engineer Abdul Hadi Al-Majali yielded. He succeeded as the Speaker of the House as he got 79 votes; that is, he succeeded by getting additional votes from outside the votes of his electoral coalition.⁵

The internal division appeared quickly in the premises of the electoral coalition. Candidate of the National Trend Block- Dr. Abdullah Al-Jazi could not get support of votes of his coalition as a whole; he got only 62 votes. His competitor- the Independent Representative Khalil Atiyyeh got 42 votes out of 109 Representatives participating in the elections. The Committee supervising the elections cancelled four ballots.

³ Members of both blocks is calculated in the time of elections; later the number decreased for both blocks.

⁴ Later on, Al-Ikha’ Block issued a statement to officially announce termination of its electoral coalition with the National Trend Block and ensured in it that their coalition with the “Trend” was for electoral reasons only. It ended as the need for it has come to an end.

⁵ The number of Representatives participating in electing the Speaker counted for 108 Representatives; the Committee supervising the elections canceled 7 ballots; competitor of Al-Majal- member of the National Block-Representative Moh’d Al-Kuz Abu Ra’ed got 22 votes.

Election of the first deputy of the Speaker opened the door for abandoning the previous electoral agreements between the Trend and Al-Ikha' Blocks. This was clearly observed after electing the second deputy-Tayseer Shdeifat who got 66 votes against his candidate from the National Block-Khaled Al-Bakkar who got 36 votes out of 109 representatives participating in the elections. The committee counting the votes cancelled 7 ballots.⁶

The surprise was that of the Islamic Action Front Party Block when it marked an unexpected violation as it asked its member Abdul Hamid Thneibat to run for the Assistant Speaker position. The final result ended with an unexpected success for him in light of a strong electoral coalition. Thneibat got 48 votes whereas the candidate of Al-Ikha' Block Nassar Qaisi succeeded when he got 58 votes.

The surprise was not limited to the success of the candidate of the Islamic Action Block but with the loss of the member of the National Trend Block-Ahmed Utoum who lost to the account of Thneibat with 7 vote difference.⁷ This caused an internal weakness in the voting power of the Trend Block itself which held a meeting to do internal elections to finally decide upon its nominations for the permanent office position before the date scheduled for the session opening. Utoum was nominated as its only candidate; but, his loss triggered doubts in the electoral coalition between the Trend and Al-Ikha' blocks which exchanged accusations.

The National Trend Block found the opportunity available for it to make use of success of the Islamic Trend candidate to respond to Representatives who criticized its coalition with Al-Ikha'. Its Official Spokesperson- Representative Dr. Mohammad Abu Hdeib issued press releases in which he considered success of the Islamic Front candidate as an evidence to his Block participatory view of the elections and that, "it dismisses a pre-intention to exclude anybody from participation in the Executive Office as some try to disseminate." He pointed out, "the political variation in the Permanent Office could be achieved when the member of the Islamic Block joined it; again, another healthy sign for the democratic process."⁸

Blocks of the National Trend and Al-Ikha' Dominate the House Committees

After electing members of the Permanent Office on the October 5th, 2008, the Lower House resumed elections of its standing committees according to its Bylaw. At the Parliament premises, the Representatives reached a consensus to form 10 committees without elections. The Lower House had to do direct and secret elections for four other committees that witnessed a large competition from Representatives who are not within the electoral coalition of the National Trend and Al-Ikha' Blocks.

First: Committees Formed by the Lower House through Consensus without Election:

The Lower House formed ten committees without elections; these are:

⁶ Representative Tayseer Shdeifat attracted attention after announcing his success. He delivered a speech in which he promised the Representatives to pass the Law of Passports they are interested in; and the law was still at the Upper House. His competitor-Khaled Bakkar answered back highlighting what he called as another view at the Parliament.

⁷ Ahmed Utoum got 41 votes and his loss was unforeseen. The National Trend Block experienced its first shock when its member Representative Nariman Rousan refused the decision of its block not to run for election and be committed to the decision to nominate Utoum. Rousan lost after she got 42 votes with one vote more than Utoum. This made the Trend Block announce dismissal of Rousan from its membership.

⁸ According to the statements by Spokesperson in name of the National Trend Block- Dr. Mohammad Abu Hdeib announced after the appraisal meeting of his Block on 7.10.2008 and published in the newspapers on the following day.

- 1- Committee of Public Freedoms: it has 6 members from the Trend Block; one member from Al-Ikha'; one Independent; one member from the Islamic Action Front Party Block and two other members from the National Block.
- 2- The Legal Committee; it has 5 members from the Trend Block; 3 Independents; two members from Al-Ikha' and one member from the Islamic Action Front.
- 3- The Administrative Committee; it has 6 members from the Trend; two members from each Al-Ikha' Block and the Independents; and one member from the National Block.
- 4- The National Guidance Committee; it has 6 members from the Trend Block; two members from each of the National Block and the Independents; and one member from the Islamic Action Front.
- 5- The Education and Culture Committee; it has 7 members from the Trend Block; 3 members from Al-Ikha'; and one member from the Islamic Action Front Party Block.
- 6- The Committee of Health; it has 9 members from the Trend Block and one Independent.⁹
- 7- The Committee of Labor; it has 7 members from the Trend Block; 3 members from Al-Ikha' and one member from the Islamic Action Front.
- 8- The Committee of Energy and Mineral Wealth; it has 8 members from the Trend Block and 3 from Al-Ikha' Block.
- 9- The Committee on Palestine; it has 5 members from the Trend Block; 3 from Al-Ikha'; 2 from the Islamic Action Front; and one Independent member.
- 10- The Committee of Rural Areas and Desert (Badia); it has 5 members from the Trend; 2 from the National Block; and one Independent member.

Second: Committees Elected by the House:

These are four:

- 1- The Financial Committee; it has 7 members elected from the National Trend Block; and 4 members from Al-Ikha'. In fact, 12 Representatives ran for elections therein.¹⁰
- 2- Arab and International Committee; it has 8 members elected from the National Trend Block,¹¹ and 3 members from Al-Ikha' Block.
- 3- The Committee of Agriculture and Water; it elected 5 from the National Trend Block; 3 from Al-Ikha' Block and 3 from the National Block.
- 4- Public Services Committee; it elected 6 members from the National Trend Block; 3 members from Al-Ikha' Block and two Independents.

⁹ She is the Independent Representative- Falak Jam'ani who announced here resignation from the Committee immediately after forming it.

¹⁰ The only candidate who failed elections of this committee is the member of Al-Ikha'- Tareq Khouri who got 44 votes. However, the Trend Block member-Atef Tarawneh announced withdrawal to the account of Tareq Khouri; at that time, this step was described as an attempt by the Trend Block to maintain its electoral coalition with Al-Ikha' block.

¹¹ The Official Spokesperson of the National Trend block Dr. Moh'd Abu Hdeib announced his resignation from the Block membership when he failed to win membership in the Committee according to mutual pre-arrangements between his Block and Al-Ikha'.

Map of Parliamentary Blocks and the Independents in Committees:

1. The National Trend Block:

Results of forming committees and their membership proves in numbers that the National Trend Block has imposed its voting dominance by virtue of its number on ten full committees out of 14 committees; and it secured five other votes in the remaining four committees.

The National Trend Block dominated 10 committees; namely, the Public Freedoms- 6 members; the Administrative, National Guidance and Education Committees with 6 members at each; Health with “9” members, and Labor with “7” members; Energy with “8 members” and Public Services with “6 members”.

It got five members out of 11 in each of the Committees of Palestine, Legal, Rural Areas, and Agriculture.

The National Trend Block chaired 9 committees; namely, the Financial and Administrative Committee, Guidance, Health, Labor, Energy, Public Freedoms, Palestine and Rural Areas. It also got the Rapporteur position in 11 committees. These are: Legal, Arab Affairs, Education,, Health, Guidance, Agriculture, Labor, Energy, Services, Palestine, and Rural and Badia.

The National Trend Committee fully dominated 7 committees in terms of leadership and voting; these are: the Arab and International Affairs, National Guidance, Health, Labor, Energy, Palestine, and Rural and Badia.

2. Al-Ikha' Block:

National Al-Ikha' Block chaired four committees; namely, Legal, Education, Agriculture, and Public Services. It got only two seats of rapporteurs of the Financial and Administrative Committees.

The National Al-Ikha' Block did not achieve any majority in any of the committees that it agreed with its ally the National Trend Block to share. It got a varied voting capacity in those committees. It got one member in the Freedoms Committee; two in the Legal and Administrative; 3 members in Education, Labor, Energy, Palestine, Agriculture, Foreign Affairs, and Public Services. It also got four members in the Financial Committee.

3. Islamic Action Block:

It got one seat of leadership in the committees when its candidate Suleiman Sa'd was nominated for the Rapporteur of the Public Freedom ad Citizen Rights' Committee.

The Block of Representatives in the Islamic Action Front Party succeeded in getting two seats in Palestine Committee and one seat in each of the Freedoms, Legal, National Guidance, Education and Labor Committees.

4. The National Block:

The National Block succeeded in getting membership seats in some of the committees; these are: the Freedoms Committee- two members, the Administrative- one member; the National Guidance- two members; the Rural- two members; and Agriculture- 3 members.

5. The Independent Representatives:

Independent Representatives got membership of some committees; namely, Committee of Freedoms, Health, Palestine, and Rural Areas- one seat at each; the Legal Committee- 3 seats; the Administrative, and the National Committees- two seats at each.”¹²

Conclusions

The coalition of the National Trend and Al-Ikha' Blocks triggered suspicions of some Representatives who described it a coalition meant for exclusion of the Independents and other Parliamentary blocks.

This resulted in negative impacts on the Representatives' performance during the second ordinary session. However, most of the negative impacts of such a coalition were those on the Trend and Al-Ikha' Blocks which suffered from negative internal impacts that pushed some of the members in both blocks to voice their dissatisfaction with the results of this coalition. The National Trend Block experienced an early abandonment by its member Representative Nariman Rousan for its internal options when Ahmed Utoum was nominated for the Assistant seat. Rousan ran for elections in front of him; which made the Block announce her dismissal from its membership.

Before, this event calmed down, the Spokesperson of the Block- Dr. Moh'd Hdeib announced his resignation from the Block; immediately followed with Representative Yusef Bustanji who also resigned from the membership of the Trend in protest of the results of the Committees' elections.

On the other hand, Al-Ikha' Block received protests against what the protestors described as non commitment of the Trend Block with the previously reached agreements among them. This is clear in the accusation of the member of the Block Adnan Sawa'eer who accused the National Trend Block as not committing with the agreements reached with it. In the same time he announced freezing his membership in Al-Ikha' Block for one week. He gave a hint of his possible resignation later on along with some other members.

In order for Al-Ikha' Block to succeed in maintaining unity of its members, it mentioned in a Press Release termination of its electoral coalition with the National Trend Block. It emphasized in the Press Release that its coalition with the Trend was not meant to be a political or platform coalition; it was rather an electoral coalition.

One member resigned from Al-Ikha' Block in protest of not getting enough support from his Block when running for elections to the Committee of Palestine.

¹² One seat was won by a block that was under creation at that time in name of the Liberals (Al-Ahrar) Block; however, it was not formed and it got one seat in the Public Services Committee.

CHAPTER TWO

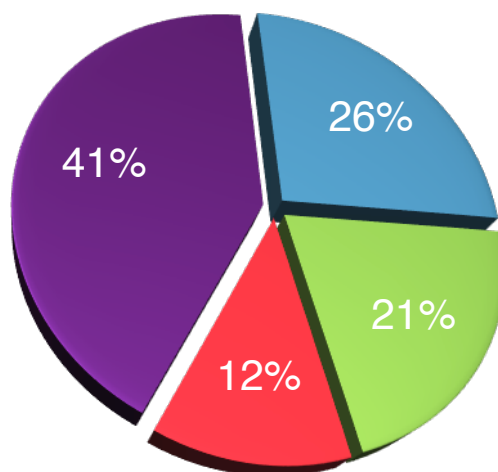
THE HOUSE'S LEGISLATIVE ROLE

According to the Constitution of Jordan, legislation is one of the main tasks of the Parliament. The Constitution assigned the legislative power to the Parliament-(Upper and Lower) Houses and the King.¹³ The Constitution granted both the Government and the Lower House the right to propose laws and submit them to the Lower House. Article No. (91) of the Constitution stipulates, “The Prime Minister shall refer to the Chamber of Deputies any draft law, and the Chamber shall be entitled to accept, amend, or reject the draft law, but in all cases the Chamber shall refer the draft law to the Senate. No law may be promulgated unless passed by both the Senate and the Chamber of deputies and ratified by the King.” The Constitution sets a mechanism for the method to refer laws to the Lower House. According to Paragraph (a) of Article (65) of the Lower House Bylaw, the Prime Minister shall refer “the draft laws to the Lower House Speaker supported with the reasons to submit the same to the House.” Paragraph (b) of same Article grants the Cabinet the right to return the draft law before voting to referring it to the competent committee.

According to the bylaws of the Lower House, “no draft law shall be put for consideration and review at the Lower House unless a copy of the draft law and the reasons for putting it have been served to each member three days at least prior to starting reviewing it.”¹⁴

● Approved with Amendments ● Under Consideration ● Laws Endorsed ● Rejected

Laws Submitted to Second Session



Article (68) of the Bylaw provides for setting a mechanism to submit laws to the Lower House. It stipulates, “on condition that any draft law be read publicly in the Lower House unless the Lower

¹³ Article 25 stipulates, “The Legislative Power shall be vested in the National Assembly and the King. The National Assembly shall consist of a Senate and a Chamber of Deputies.

¹⁴ Paragraph (a) of Article (67) of the Bylaw of the Lower House.

House deems it satisfactory that it has been distributed to member. If the Lower House thinks there is a need for that law, the Speaker shall include his opinion the order to refer it to the competent committee. However, if the Lower House decides that there is no need for such a law, it must refer it to the Upper House.” Paragraph (b) of Article 67 of the Bylaw of the Lower House provides for the right of the House to consider a law as urgent “if there are emergency reasons that call for considering it as urgent.”. The same paragraph requires the Lower House Speaker to “include that issue in the opinion; if the majority approves it, the draft law will be read publicly and discussed to be referred to the competent committee with that vindication”.

The “Draft Law and the Committee relevant decision will be recited unless the Lower House decides to skip recital and be satisfied with the fact that the draft law has been already served to the members. The Draft Law articles will be discussed article per article. After reading each article both in its original form and the amended one along with the competent committee proposal and upon ending debate of the article along with relevant amendments, the opinion is solicited in relation with the amendments first. The House Speaker starts with the wide range amendments and the farthest from the original text. Then the opinion is solicited in relation with the article. It shall be permissible to vote for each paragraph of the one article separately. In this case, voting will not be repeated for the article as a whole.”¹⁵

Upon ending debate of articles, opinion is solicited in relation with the draft law as a whole. The House may postpone opinion solicitation in relation with the draft law as a whole till a next meeting in relation with one or more articles if the Speaker, the Committee Chair/Rapporteur, the Government, or ten of the members. If the majority decides to accept or reject the draft law, it will be submitted to the Upper House.”¹⁶

The Bylaw does not permit the Lower House to introduce any amendments to international agreements and treaties concluded by the Government with other countries; this applies to the international agreements signed by the Kingdom. The Law permits the Lower House to accept the treaty/agreement as is received from the Government or just reject it.¹⁷

Paragraph No. (2) of Article (33) of the Constitution requires approval of the Parliament of the agreements and treaties “that incur some expenditures for the Treasury of the State or a cause prejudice to the rights of Jordanians – lay people and the private.” These treaties/agreements will not enter into force unless the Lower House has approved of on condition that the unclosed terms and conditions in a treaty or an agreement be in contradiction with the disclosed ones.”

¹⁵ According to the Article No. (71) of the bylaw with all its three paragraphs.

¹⁶ According to Article No. (73)

¹⁷ Article (74) of the Bylaw reads, “If a draft law is submitted to the Lower House to the effect of approving a treaty or any other type of an agreement, the House shall have the right to approve or reject the draft law and shall not have the right to introduce any amendment to the draft treaty/agreement . However, it is permissible for the House to postpone consideration of the draft law while drawing attention of the Government to the missing content of the treaty or agreement

Laws Submitted to the Lower House in its Second Ordinary Session

In its second ordinary session, 35 laws¹⁸ were submitted to the Lower House. It approved 14 draft laws and one provisional (interim) law. The Lower House, however, accomplished 9 laws left from previous sessions¹⁹; it approved six laws and rejected other three. The Upper House returned to the Lower House two laws; namely, Law of the Fund to Support Livestock for 2008, and the Provisional Law No. 44 for 2003- Amended Law of the Studies on Drugs (Medicines).²⁰

I- Law Approved by the Council from Previous Sessions:

Laws brought forward from previous sessions counted for 9 laws, 6 laws were approved and other three rejected in the second ordinary session of the Lower House:

Laws approved from previous sessions:

- 1- Provisional Law No. (67) for 2001- Law of Studies on Drugs (Medicines).
- 2- Draft Law of Combating AIDS, Tuberculosis, and Malaria for 2006.
- 3- Amended Draft Law of the National Society for the Jordanian Red Crescent for 2004.
- 4- Amended Draft Law of Higher Education and Scientific Research for 2008.
- 5- Provisional Law No. (25) for 2003- Amended Law of the Jordanian Doctors Association.
- 6- Amended Draft Law for the Association of Nurses (men/women) and Chartered Mid-wives for 2007.

Laws Rejected:

1. Provisional Law No. (44) for 2003- Amended Law of Studies on Drugs (Medicines).
2. Provisional Law No. (25) for 1989- Amended Law of the Jordanian Medical Council.
3. Provisional Law No. (59) for 2001- Amended Law of the Youth Care Law.

II. Laws Referred by the Government and Approved by the Lower House:

Out of the total laws referred by the Government, 14 laws were approved by the Lower House:

1. Draft Law to Ratify the International Agreement to Combat the Use of Amphetamines by the Athletes for 2008.
2. Draft Law of General Budget Preparation for 2008.
3. Provisional Law No. (52) for 2008- Law of the Supplementary General Budget for the Fiscal year 2008.
4. Draft Law of the General Budget for the Fiscal year 2009.

¹⁸ One of them (Draft Law of the Fund to Support and Protect Livestock for the Year 2008); it was returned from the Upper House.

¹⁹ The Provisional Law No. (5) for the 2008- Law to Regulate Dealing with Foreign Stock Exchange is not counted for as the Lower House returned it to its Legal Committee for re-consideration.

²⁰ The Lower House approved of the Livestock Draft Law in the amended copy it received from the Upper House. It postponed consideration of the Amended Draft Law of Studies on Drugs (Medicines).

5. Draft Law to Cancel the Law of the Higher Media Council for 2008.
6. Amended Draft law for the Law of the Hashemite Commission for the Military Injured for 2008.
7. Draft law of the Fund to Support and Protect Livestock for 2008.
8. Draft Law of the Fund of Agricultural Risk Management for 2008.
9. Amended Draft Law of Ifta' for 2008.
10. Draft Law to Combat Human Trafficking for 2009.
11. Draft Law of Governmental Units' Budgets for the Fiscal Year 2009.
12. Amended Draft Law of Sequestrating Immovable Properties as Insurance for Debt for the Year 2009.
13. Draft Law of the Jordanian News Agency for 2009.
14. Draft Amended Law of Antiquities for 2008.

III- Laws Referred by the Government to the Lower House and not Approved yet:

1. Provisional Law No. (50) for 2008- Law to Regulate Dealing with Foreign Stock Exchange
2. Amended Draft Law of the Governmental Jordanian Universities for 2008.
3. Amended Draft Law of Investment Promotion for 2008.
4. Amended Draft law of the Jordanian Industrial Zones' Corporation for 2008.
5. Amended Draft Law of Ratification of the Arab Agreement of Anti-terrorism for 2008.
6. Amended Draft Law of Standards and Specifications for 2008.
7. Draft Law of the Jordanian Commission for Accreditation for 2008.
8. Draft Law of Energy and Minerals for 2008.
9. Draft Law of the Higher Council for Traffic Safety for 2008.
10. Amended Draft Law of Development of Economic Projects for 2008.
11. Amended Draft Law of Investment for 2008.
12. Amended Draft Law of Landlords-Tenants for 2009.

The rate of laws left from previous sessions counted for 17%; the rate of laws received from the Government counted for 79% against 2% of laws returned from the Upper House. Laws proposed by the Lower House counted for 2%, as well.²¹

IV. Laws that the Lower House Decided to Reject:

²¹ A proposal of a law submitted by the Lower House to the Government in its first session; it is the Law of the Fund to Support and Protect Livestock; the Lower House approved of it in its second ordinary session.

The Lower House rejected three laws based on recommendations and decisions of standing competent committees; these are: the Provisional Law No. 59 for 2001- Amended Law of the Youth Care, Provisional Law No. (44) for 2003, Amended Law of Studies on Drugs (Medicines),²² and the Provisional Law No. (25) for 1989- Amended Law of the Jordanian Medical Council.

The Lower House disagreed with the recommendation of the Health and Environment Committee in which it rejects the Draft Law of Supporting Combat of AIDS, Tuberculosis, and Malaria for 2006. Then, it passed the law after amending it at the Parliament.

As a whole, the total laws submitted to the Lower House in its second ordinary session counted for 35 draft and provisional laws; 20 of them were endorsed, 3 rejected; other 11 were not discussed, and one law was returned to the competent committee for re-consideration.²³

Provisional laws endorsed by the Lower House mounted to 5 laws; 3 were rejected and other 18 draft laws were approved.

According to the relative assignment of laws submitted to the Lower House in its second ordinary session, the number of laws approved after amendment counted for 41% laws; laws that are still under consideration count for 26% against 21% laws that were endorsed. However, the rate of laws rejected counted for 12%.

V. Assignment of Laws to the Standing Committees of the Lower House:

Eight (8) committees out of the standing committees of the Lower House²⁴ considered the laws submitted to the House; 6 other committees did not study any laws to be submitted to the House although there are laws left from previous sessions referred to some of these committees.²⁵

The following tables reveal assignment of laws to committees and policies/procedures made by each committee; and the current Lower House decisions in this respect.

The Legal Committee

Name of Law	Type	Policy	How Dealt with	Status
Association of Nurses	Amended	Development and Welfare	Approved as is	Endorsed
Jordanian Doctors Association	Amended	Development and Welfare	Approved as is	Endorsed
Combat Human Trafficking	Law	Democracy	Approved with amendment	Endorsed
Immovable Property Sequestration	Amended	Economic Reform	Approved with amendment	Endorsed

²² Due to Incorporating it in the Provisional Law of Studies on Drugs No (67) for 2001.

²³ Provisional Law No. (50) for 2008, Law to Regulate Dealing with Foreign Stock Exchanges which was returned to the Legal Committee for consideration.

²⁴ The Lower House has 14 standing committees.

²⁵ Such as the Committee of Energy to which the Lower House referred the Draft Law of Energy and Minerals in addition to two provisional laws from previous Lower Houses; the Committee of Arab and International Affairs to which the Law of the Diplomacy Law is referred from the fourteenth Lower House.

Red Crescent Society 2004	Amended	Development and Welfare	Approved with amendment	Endorsed
Ratification of the Law of Anti-terrorism	Amended	Security and Defense	Not discussed	
Landlords-Tenants 2009	Amended	Development and Welfare	Not discussed	
Higher Council for Traffic Safety	Law	Development and Welfare	Not discussed	
Law to Regulate Dealing with Foreign Exchanges	Provisional Law	Economic Reform	Approved with Amendment	Not endorsed by the House and sent back to the committee for re-consideration

Financial Economic Committee:

Name of Law	Type	Policy	How Dealt with	Status
General Budget for 2009	Law	Economic Reform	Approved with Amendment	Endorsed
Investment 2008	Amended	Economic Reform	Not discussed	
Supplementary Budget Law 2008	Supplementary Law	Economic Reform	Approved as is	Endorsed
Budgets of Governmental Units 2008	Law	Economic Reform	Approved with amendment	Endorsed
Development of Economic Projects	Amended	Economic Reform	Not discussed	
Standards and Specifications	Amended	Economic Reform	Not discussed	
Investment Promotion	Amended	Economic Reform	Not discussed	

Education, Culture and Youth Committee:

Name of Law	Type	Policy	How Dealt with	Status
Law of Jordanian Universities	Amended	Higher Education	Not Discussed	Endorsed
Higher Education and Scientific Research	Law	Higher Education	Approved as is	Endorsed
Ratification of Combating the use of Amphetamines for Athletes	Law	Democracy	Approved as is	Endorsed
Youth Care	Provisional Law	democracy	Rejected	Rejected

Administrative Committee:

Name of Law	Type	Policy	How Dealt with	Status
Cancellation of the Higher Media Council	Law	Democracy and Political Reform	Approved as is	Endorsed
Hashemite Commission for the Injured 2008	Provisional	Security and Defense	Approved as is	Endorsed
Jordanian Commission for Accreditation	Law	Economic Reform	Not discussed	
Industrial Zones	Amended	Economic Reform	Approved with amendment	Not submitted
Budget Preparation 2008	Law	Economic Reform	Approved with Amendment	Endorsed

Services and Tourism Committee:

Name of Law	Type	Policy	How Dealt with	Status
Law of Public Antiquities	Amended	Economic Reform	Approved with amendment	Endorsed

Health Committee

Name of Law	Type	Policy	How Dealt with	Status
Studies on Drugs No. 67	Provisional Law	Development and Welfare	Approved with Amendment	Endorsed
Studies on Drugs No. 44	Provisional Amended	Development and Welfare	Rejected	Rejected
Support Combat of Immunity Diseases (AIDS)	Law	Development and Welfare	Rejected	Rejected
Jordanian Medical Council	Provisional Law	Development and Welfare	Rejected	Rejected

National Guidance Committee

Name of Law	Type	Policy	How Dealt with	Status
Jordanian News Agency	law	Democracy and Political Reform	Approved with amendment	Endorsed
Law of Ifta'	Amended	Education, Higher Education and Religious Affairs	Approved with Amendment	Endorsed

Agricultural Committee

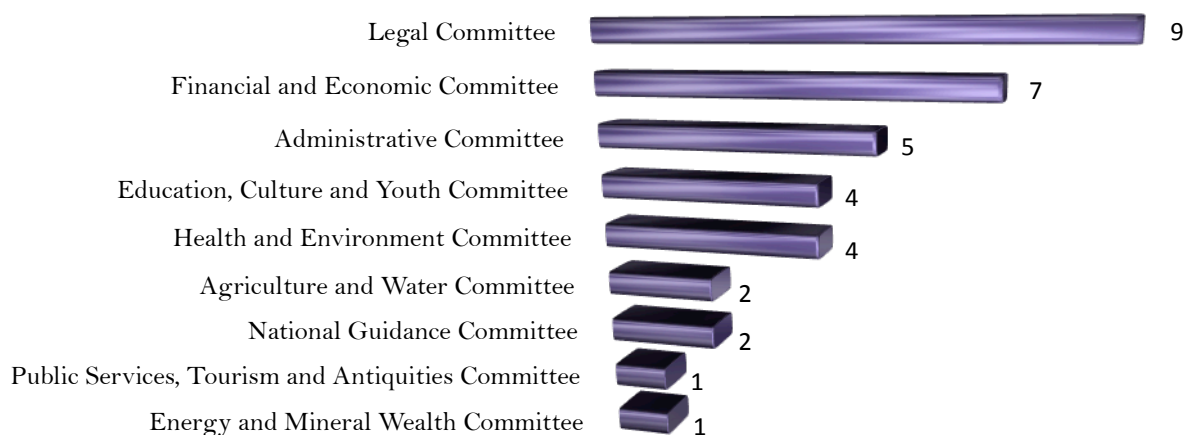
No.	Name of Law	Type	Policy	How Dealt with	Status
1-	Fund of Agricultural Risks Management	Law	Infrastructure	Approved with Amendment	Endorsed
2-	Fund to Support Livestock	Law	Infrastructure	Approved with Amendment	Endorsed

Relative Assignment of Laws to Committees:

The rate of laws submitted during the session to the standing committees differed from one committee to another. The highest rate was at the Legal Committee as 9 laws were submitted to it; followed with the Financial and Economic Committee with 6 laws; the Administrative Committee with 5 laws, and the Committees of Health, Environment, and Education, Culture and the Youth got the same rate- 4 per each.

The Committees of Agriculture and Water, and the National Guidance were equal with two laws for each; also, the Committees of Public Services and Energy were equal with one law for each.

Distribution of Laws Reviewed by Committees during the Second Session



Relative Distribution of Laws According to Components and Policies:

The Economy, Finance and Business Component ranked on top of list of laws submitted to the Lower House in its second session. These counted for 13 laws; the laws of development and social welfare ranked second in terms of interest; they counted for 9 laws.

Democracy policies and political reform component ranked third of total laws submitted; they counted for 5 laws.

The component of education, higher education, culture and religious affairs came in the fourth place in terms of interest. Three laws were submitted in this component; the components security and defense, and the infrastructure were equal as each got two laws.

Distribution of Themes of Laws:

Laws submitted to the Lower House during the session cover 22 themes. The theme of trade unions (syndicates), associations, and civil society organizations ranked first with a total of 5 laws. Second, ranked theme of health and general budget with 3 laws for each.

Themes of administrative reform and development of the public sector, agriculture and livestock, stock exchange and companies, freedom of press and autonomy of the media were equal with two laws for each.

Proposals of Legislation

The Constitution Jordan provides for, “Any ten or more Senators or Deputies may propose any law. Such proposal shall be referred to the committee concerned in the House for its views. If the House is of the opinion that the proposal be accepted, it shall refer it to the Government for drafting it in the form of a draft law, and to submit it to the House either during the same session or at the following session.”²⁶ However, it shall be impermissible to submit any proposal of a law

²⁶ Paragraph (1) of Article (95) of the Constitution

that the House has already rejected to be re-considered and requested in the same session.²⁷ The Lower House Bylaw replicates the Constitution in terms of “proposing a law”. It permits “ten or more of the House members to propose laws. Each proposal supported with the vindication reasons and basic principles will be referred to the competent committee for opinion. If, after listening to the Committee opinion, the House agrees to accept the proposal, it refers it to the Government to be drafted in the form of a law and submitted to the House in the same session or in the following session.²⁸ In line with the Constitution, the Lower House Bylaw did not permit a law proposal to be returned to the House if rejected thereby in the same session.²⁹ The representatives (deputies) submitted 4 law proposals in the second ordinary session against two such proposals in the first ordinary session. The proposals comprise three main political components including legislation and justice, democracy and political reform, education/higher education/culture and religious affairs.

The first law proposal was submitted to the session on October 27, 2008; it is related to amendment of Article (a) of Article (3) of the Law of Commission to Accredit Higher Education Institutions. It was signed by 12 representatives and was referred to the Committee of Education/Culture/Youth. It is still under consideration till the end of session.

The second proposal³⁰ was submitted by 15 deputies requesting an amendment of Article (19) of the Provisional Law No. (66) for the year 1977- The Law of the Socio-economic Corporation of the Military and Veterans. The law was referred to the Legal Committee and continued to be considered till the end of the session.

The third proposal requests amendment of Paragraph (f) of Article (42) of the Law of Press and Publication³¹; it was submitted by 19 deputies and referred to the National Guidance Committee. It is still under consideration till the end of session.

The fourth proposal called for amending paragraph two of Article (26) of the Law of Chambers of Industry³²; it was signed by 18 representatives and submitted to the Financial and Economic Committee and remained under consideration till the end of session.

²⁷ As per the text of Paragraph “2” of the Article (95) of the Constitution which reads, “ Any law proposed by Senators or Deputies in accordance with the preceding paragraph and rejected by either House shall not be presented for a second time during the same session.”

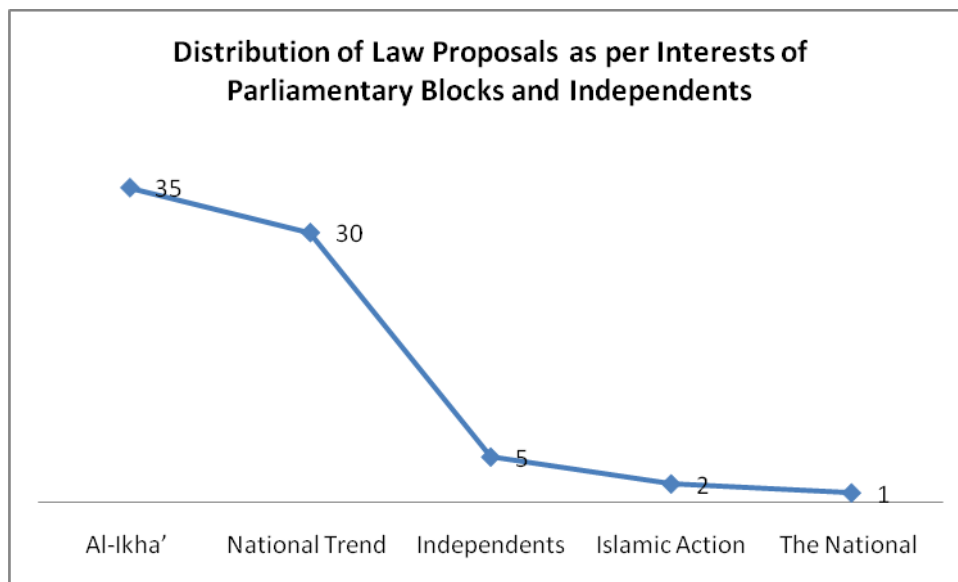
²⁸ According to Paragraph (a) of Article (66) of the Bylaw of the Lower House.

²⁹ Paragraph “b” of Article (66) of the Bylaw of the Lower House which reads, “each proposal of a law submitted by the House members according to the previous paragraph and rejected by the House, cannot be submitted again in the same session.”

³⁰ Submitted on 9.11.2008

³¹ Submitted on 17.11.2008

³² Submitted on 1.12.2008



Distribution of Law Proposals as per Interests of Parliamentary Blocks and Independents

First: Al-Ikha' Block

Al-Ikha' Block ranked on top of other parliamentary blocks interested in submitting law proposals during the session. Its members fixed 37 recurrent signatures on the four proposals. The proposal to amend the Law of Chambers of Industry yielded 11 signatures. The proposal to amend the Law of Press and Publication yielded 15 signatures. The proposal to amend the Law of the Socio-economic Corporation yielded 9 signatures. However, the proposal to amend the Law of the Accreditation Commission yielded only two signatures.

Policies of justice and legislation came on top of concerns of Al-Ikha' Block representatives; and the policies of democracy and political reform yielded 15 signatures against two signatures for the education policies.

Second: the National Trend Block

Signatures of the representatives of the National Trend Block representatives counted for 30 recurrent signatures. They are distributed at 9 signatures for the proposal to amend the law of the Accreditation Commission; 8 signatures to the proposal of amending the Law of Press and Publication; 7 signatures for the amendment of the Law of the Socio-economic Corporation; 6 signatures for the amendment of the Law of Chambers of Industry.

Policies of legislation and justice came on top of interests of the Block with an average of 13 signatures followed with the education and higher education policies. Finally, came the policies of democracy and political reform with 8 signatures.

Third: Islamic Action Block:

The Block of the Representatives of the Islamic Action Front did not show a great interest in adopting the four proposals. The representatives of the Block who count for 6 representatives signed only on one proposal; i.e. the proposal of amending the Law of Press and Publication "policies of democracy and political reform"; only two representatives signed this proposal.³³

Fourth: The National Block

³³ These are Azzam Hneidi, and Sulaiman Sa'd

Members of the National Block did not show interest in signing the four proposals except for the signature of one representative³⁴ of its members as he signed the proposal to amend the Law of the Accreditation Commission “Education and Higher Education Policies”.

Fifth: Independent Representatives:

Three only of them signed two proposals; namely, “amendment of the Law of Press and Publication, and the Amendment of the Law of the Chambers of Industry”. Only one representative³⁵ signed the proposal of the Law of Press and Publication “democracy and political reform policies”.

COMMENTS ON THE LEGISLATIVE ROLE OF THE LOWER HOUSE

- In its second ordinary session, the Lower House marked an obvious drop in its legislative achievements compared to its achievements in the first ordinary session when it endorsed 40 laws against only 23 laws endorsed in the second session.
- Some of the standing committees “4 committees” showed an obvious absence in assuming its legislative role; it did not endorse any of the laws considered thereby.
- There are 64 representatives who submitted four law proposals in the second ordinary session against two proposals in the first ordinary session. The proposals comprised three political components including legislation and justice, democracy and political reform, and education and higher education, culture and religious affairs.
- Remarkably, committees of the Lower House invited a large number of ministers and officials to attend interaction and hearing sessions while discussing most of the draft laws. This was obvious and intense during debates of the Draft Law of the General Budget of the State of Jordan for 2009; committees also solicited help from representatives of trade unions/associations and civil society organizations when discussing some draft laws. However, this interaction mechanism is not well established yet as a fixed approach to work. Still, it has not laid the basis for traditions and heritage in the field of communication and interaction among representatives and the civil society organizations.

³⁴ Representative Mahmoud Al-Udwan.

³⁵ Representative Nariman Rousan

CHAPTER THREE

THE HOUSE'S OVERSIGHT ROLE

First: Questions to Government:

A parliamentary question is but one of the oversight or control tools provided for in the Lower House Bylaw. Each representative shall have the right to address a question to the Executive Branch at any time and along his Parliamentary assignment apart from the fact if the Lower House is convened or in a recess. This is in line with its Bylaw.³⁶

The official documents of the Lower House reveal that 30 representatives from among the members of the House as a whole addressed 104 questions during the second ordinary session. This means that 80 representatives did not address any question to the executive branch during the session.³⁷

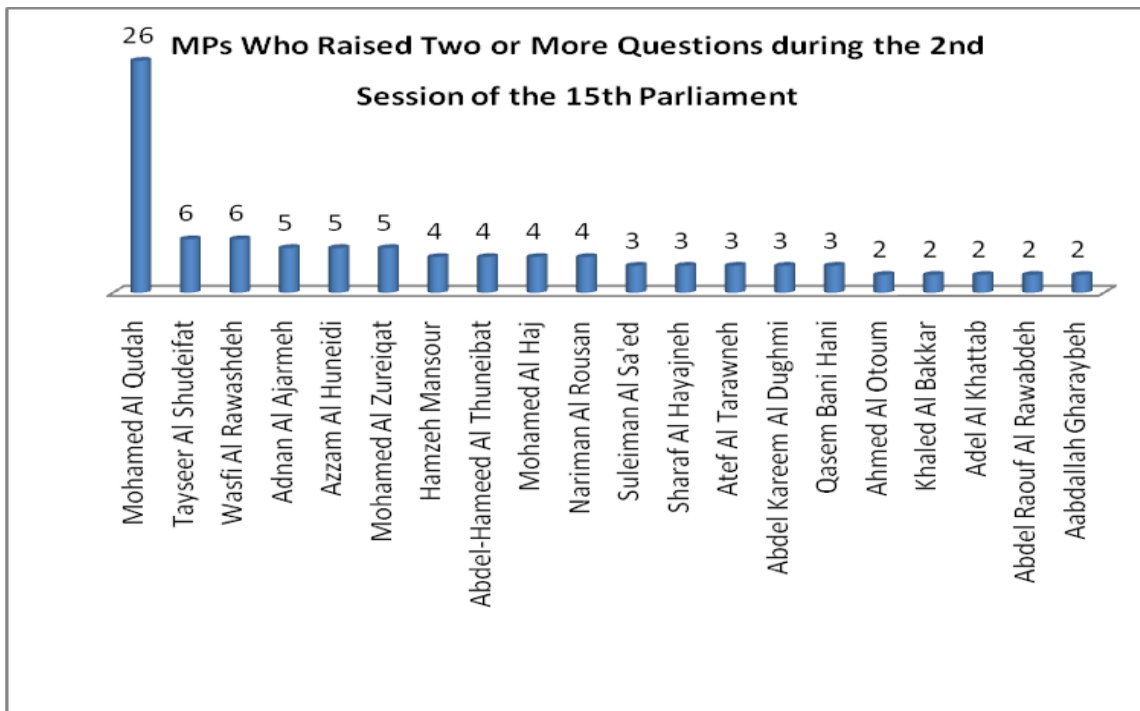
Representative Moh'd Qudah ranked on top of the thirty representatives' list who addressed questions to the Government. He, alone, raised 26 questions. Representatives Wasfi Rawashdeh and Taiseer Shdeifat raised 6 questions each; Representatives Moh'd Zureikat, Adnan Ajarmeh, and Azzam Hneidi raised five questions each. Representatives Nariman Rousan, Abdul Hamid Thuneibat, Hamza Mansour, and Moh'd Al-Haj raised 4 questions each.

Representatives Atef Tarawneh, Abdul Karim Dughmi, Qasem bani Hani, Sulaiman Sa'd, and Sharaf Hayajneh raised three questions each; Representative Adel Al Khattab, Ahmed Al-Utoun, Khaled Bakkar, Abdul Ra'uf Rawabdeh, and Abdullah Gharaibeh raised two questions each.

Ten representatives raised one question each during the session; these are Ziad Shyukh, Tawfiq Kreishan, Ahmed Bashabsheh, Michael Hijazin, Ali Dala'een, Mubarak Abu Yameen, Hani Nawafleh, Salah Zu'bi, Khalil Atiyyeh, and Abdullah Al-Jazi.

³⁶ "Article "114" of the Bylaw of the Lower House defines the question as "the representative inquiring the Prime Minister or the ministers about a matter that he is ignorant of in relation with some affair within their mandate; or a wish to investigate a certain incidence that he came to learn of; or to inquire about the Government intention in relation with a certain matter."

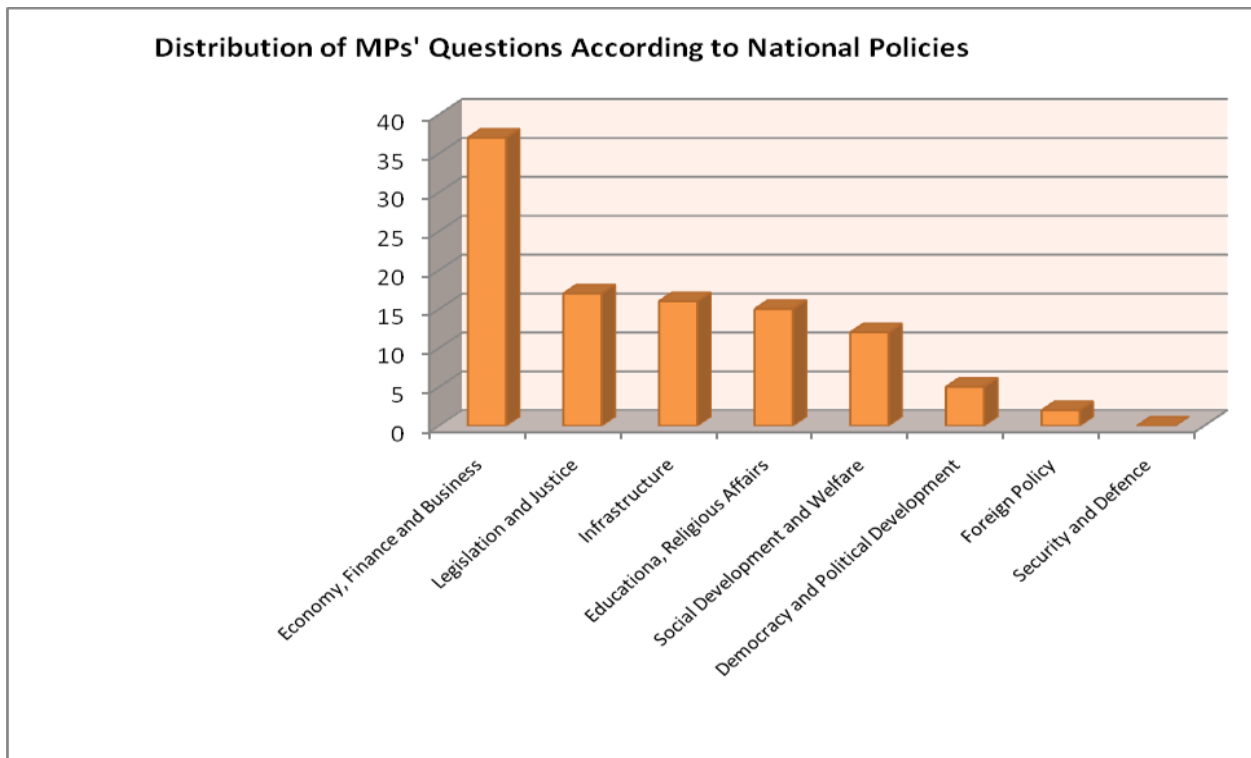
³⁷ The second ordinary session started its duties on October 5, 2008 and ended Thursday morning of February 5 2009.



Questions raised represent all blocks of the Lower House. The Block of the Islamic Action Front Party scored the highest in terms of questions raised. They raised 42 questions- 41% of the number of questions addressed to the Government. They were followed with the National Trend Block which raised 24 questions-22%. Then, Al-Ikha' Block which raised 21 questions-21%; and the National Block which marked a low rate- only three questions or 3%. However, the Independent Representatives raised 14 questions-13%.

Interest by Blocks in Policies:

The present report is based on breaking down the Parliamentary questions into eight main components or policies under which the questions implications of the questions raised by the representatives during the second ordinary session are categorized; these are the policies of economy, finance and business, legislation and justice, infrastructure, education/higher education/religious affairs, development and social welfare, democracy and political reform, foreign policy, and security and defense.



Noticeably, there is a clear variance in the interest of the block representatives and their priorities in terms of questions they raise in relation with policies. While the Islamic Action Front Party Representatives were more concerned with the component of legislation and justice³⁸, the other blocks and the Independents were concerned with the component of economy, finance, and business. They attached the utmost priority to these issues in their questions.

Although the representatives did not show any interest in the policies of security and defense, yet their interest in the foreign policy and international relations was the least. The number of Parliamentary questions raised in this component from all blocks and the Independents were two questions only. The Parliamentary questions were of a focused interest in the component of economy, finance, and business; total questions raised in this respect counted for 37 questions.

The interest shown by the Representatives in the component of legislation rank second in terms of questions raised. These counted for 17 questions whilst policies of the infrastructure ranked third (16 questions) in terms of interest in raising questions. However, interest in the component of education/higher education/religious affairs ranked fourth with 15 questions raised; the component of development and social welfare ranked fifth with 12 questions raised; the component of democracy and political reform ranked sixth with 5 questions raised. In the seventh rank, representatives mark the lowest degree of interest in foreign policy with two questions only raised. Finally, no Parliamentary question was raised in terms of security and defense.

This order of priorities of representatives differs when analyzing the Parliamentary memos. In fact, foreign policy rank on top of priorities; which indicates an inclination by the Representatives to adopt several oversight tools to deal with several themes. Parliamentary questions are focused on local policies whilst memos are the common means to exercise an oversight role in relation with the foreign policies.

³⁸ Representatives of the Islamic Action Front raised 16 questions related to the legislation and justice policies. However, other blocks did not show any interest in such policies. Only the National Trend Block raised one question.

The analytical study of the interests of Parliamentary blocks and the Independents in public policies reveals that the component of economy, finance and business ranked first in the number of questions addressed to the Government; interest of blocks and the Independents in these policies was equal. Representatives of the Islamic Action Front Party, Al-Ikha' Block, and the Independents raised 9 questions each; representatives of the National Trend Block raised 8 questions whereas the National Block raised only two questions.

In relation with the infrastructure component, the interest of the representatives of the Islamic Action Front Block, the National Trend and Al-Ikha' was equal as they raised 5 questions each. However, the Independents raised one question only against zero question for the National Block.

Representatives of the Islamic Action Front Party showed the highest interest in the legislation and justice policies as they raised 16 questions; representatives of the National Trend Block raised on question only; and other blocks and the Independents did not show any interest in those policies and did not raise any question in this respect.

In relation with the policies of education/higher education/ and religious affairs, representatives of the Islamic Action Front raised 6 questions. Representatives of Al-Ikha' Block raised 4 questions; representatives of the National Trend Block raised 3 questions against two questions only by the Independents. However, representatives of the National Block did not raise any question.

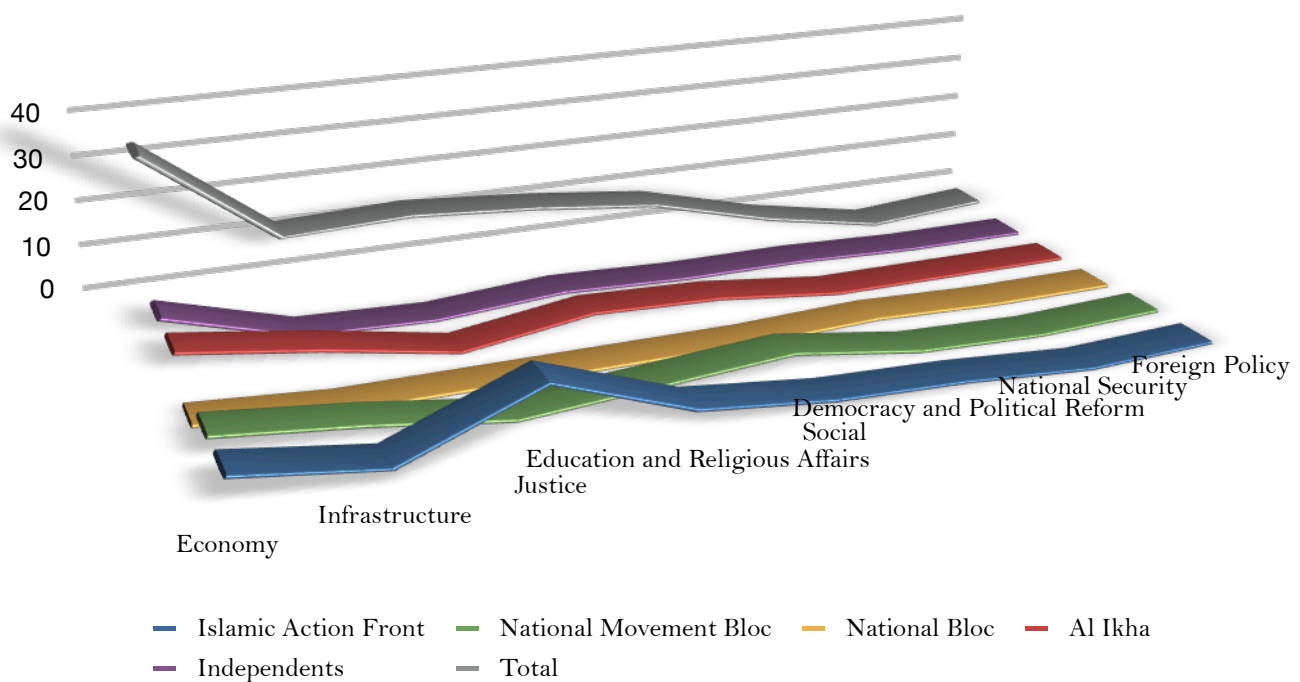
Representatives of the National Trend Block showed interest in the policies of development and social welfare with 5 questions they raised; followed with Al-Ikha' and the Islamic Action Front Blocks with three questions each; and the Independents raised one question only. However, the National Block representatives did not show any interest in that policy and did not raise any question.

Implications of the interest of representatives in the public policies reveal that the policy of democracy and political reform rank low among the representatives' interests. Those of the Islamic Action Front raised two questions only against one question by each of the National Trend and the Independents. However, representatives of Al-Ikha' and the National Blocks did not show interest in these policies and did not raise any question in this respect.

The Independents and both Al-Ikha' and the National Blocks did not show any interest in the foreign policy and international relations. They did not raise any question in this respect. Representatives of the Islamic Action Representatives and the National Trend showed a very low level of interest and raised only one question each.

Policies of security and defense did not yield any significant interest from all representatives and Parliamentary blocks. No single parliamentary question was raised along the session in relation with this policy which remained fully absent from the interests of representatives and the Parliamentary Blocks.

Number of Questions to Executive by Bloc and Policy



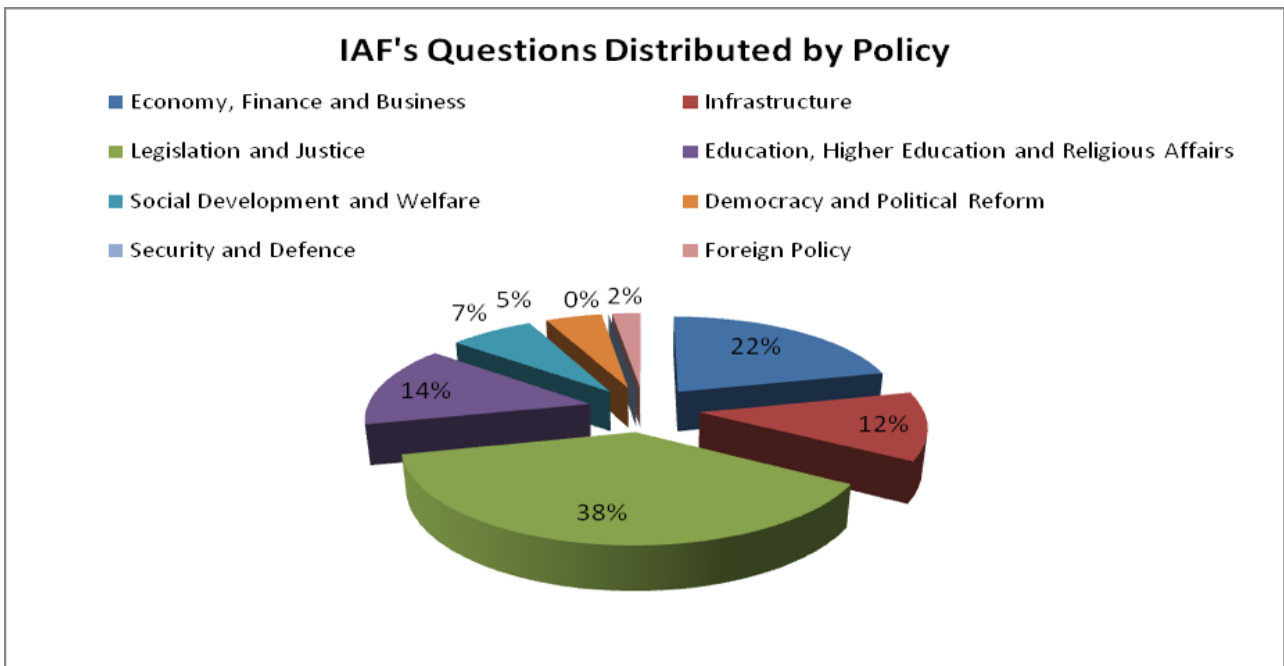
Break down of Questions per Blocks and Policies

Islamic Action Block

Representatives of the Islamic Action Front Party Block³⁹ are perceived as the most to raise questions. In the second ordinary session, they raised 42 questions to the Government. The component of legislation policies and justice ranked first on list of their interests as they raised 16 questions (39%) in this respect. Interest in the policies of economy, finance and business ranked second with 9 questions (21%). However, their interest in the policies of education, higher education and religious affairs ranked third with six questions (14%).

Interest of the representatives in the Islamic Action Front in the infrastructure policies ranked fourth with five questions (12%); representatives in the Block raised 3 questions in relation with the development and social welfare policies (7%). The Block showed a relatively low level of interest in the policies of democracy and political reform; representatives in the Block raised only two questions (5%) in this respect. The lowest level of interest by the Block representatives, however, was in the foreign policy component with only one question (1%); and they did not show any interest in the policies of security and defense.

³⁹ This is the only party block in the Lower House. It is also the block with the fewest number as it has only six representatives.



The National Trend Block:

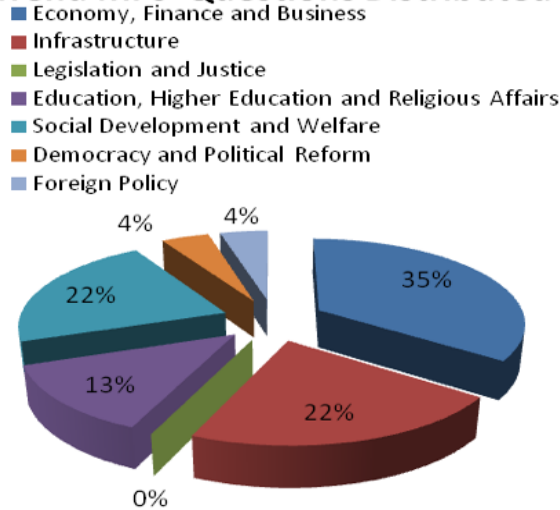
Representatives in the National Trend Block⁴⁰ addressed 23 questions to the Government. The questions covered six components. Interest in the financial and economic reform policies ranked first with 8 questions addressed to the Government (36%). The Block's interest in both the infrastructure and development/social welfare policies was equal and ranked second with five questions on each component (22%).

Representatives of the National Trend Block showed interest in the policies of education/higher education/ religious affairs. This component ranked third in their interests with 3 questions addressed to the Government (13%). However, members of the Block showed equal interest in policies of democracy, political reform and foreign policy with one question per each (4%).

Noticeably, representatives of the National Trend Block did not show any interest in the policies of defense and security, and legislation. They did not address any question to the government on these two components.

⁴⁰ It is the largest of the Lower House Blocks; its members during the session counted for 56 to 54 representatives.

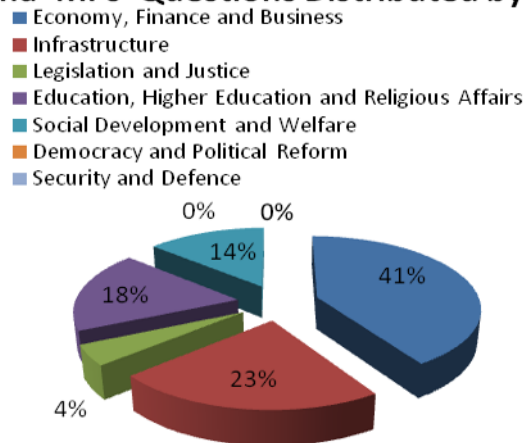
National Trend MPs' Questions Distributed by Policy



Al-Ikha' Block:

Representatives in the National Al-Ikha' Block⁴¹ addressed 22 questions to the Government; 9 were related to the policies of economy/finance/business (40%). Then, came the policies of infrastructure with five questions (23%); the education/higher education/religious affairs with three questions (14%). The component of legislation and justice policies yielded the lowest rate of interest of representatives in the Block as they addressed only one question (5%).

Al Ikha' MPs' Questions Distributed by Policy

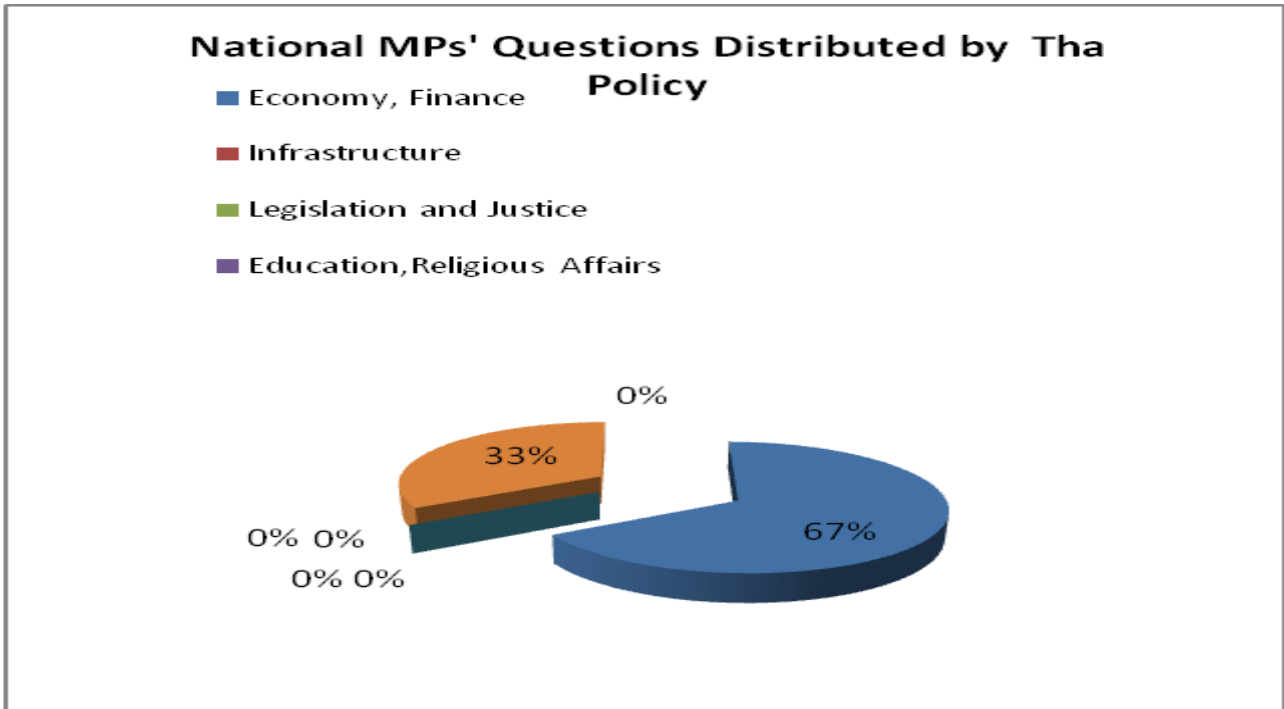


Representatives in the National Al-Ikha' Block did not show any interest in the policies of democracy and political reform, security and defense, and foreign policy.

⁴¹ Its members count for 19 representatives. It is the second largest block at the Lower House after the National Trend Block.

The National Block

The National Block⁴² members were focused on two components only among the three policy components with three questions only. The component of economy, finance, and business yielded two questions only (67%), and one question only on the component of democracy and political reform (33%). The Block did not show any interest in the other components.



Independent Representatives (the Independents)

The Independents addressed⁴³ questions in relation with five components of the eight policy components on which the report is based. Interest of the Independents in the component of economy/finance/business ranked first with 9 questions (65%). Second, ranked the component of education/higher education/religious affairs with two questions (14%). Then, came the components of infrastructure, development and social welfare, and democracy and political reform with one question on each component (7%).

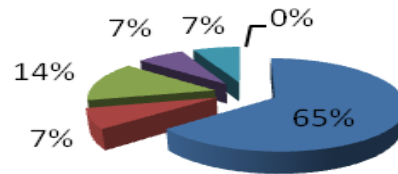
The Independents did not show any interest in the policies of legislation, justice, security, defense, and foreign policy. They did not address any question to the Government on such policies.

⁴² It has 9 member; it is the third largest block at the Lower House.

⁴³ They count for 20 representatives.

Independent MPs' Questions Distributed by Policy

- Economy, Finance and Business
- Infrastructure
- Education, Higher Education and Religious Affairs
- Social Development and Welfare
- Democracy and Political Reform
- Foreign Policy



Noticeably, all questions addressed by the representatives targeted 15 ministers altogether including the Premier. He had the largest share of such questions; 63 questions were addressed to him; the Minister of Labor received 8 questions; the Ministers of Water and Higher Education and Scientific Research ranked third with five questions addressed to each. Then, came the Minister of health who received four questions. Ministers of Transport, Tourism and Antiquities, Public Works and Housing, and the Minister of Awqaf received three questions each. Then two questions were addressed to the Minister of Energy and one question to each the Ministers of Finance, Agriculture, Interior, Justice, and the Minister of the State for the Affairs of Media and Communication.

Official records of the Lower House reveal that out of the total questions addressed to the Government, there are 24 questions that have not been answered during the session. In fact, one Representative withdrew two questions addressed previously to the Prime Minister in relation with the policies of legislation and justice. The same representative canceled one question addressed to the Prime Minister also in relation with the same policies afore mentioned.⁴⁴

The Lower House convened only four meetings during its second ordinary session to discuss questions and the Government answers thereto. On the agendas of these meetings, 163 questions were fixed. Some of them were recurrent as those who asked them did not have the opportunity to discuss them in previous meetings.⁴⁵ Some of these questions are dated back to period before the second ordinary session.

Remarkably, the Government did not comply with the bylaw texts in relation with the grace period given to the Government to challenge questions of the representatives.⁴⁶ The Lower

⁴⁴ This Representative Moh'd Qudah- member of the Islamic Action Front Block

⁴⁵ On the agenda of the first meeting designated for questions, the Lower House fixed 28 questions; other 29 questions were fixed on the second session agenda; for the third meeting, 53 questions were fixed on the agenda; and for the fourth and last meeting, 52 questions were fixed. Most of these questions are dated back to period before the second ordinary session.

⁴⁶ Paragraph "b" of Article 117 of the Bylaw provides for committing the minister to answer in written the question of the representative within a period of eight days. However, Paragraph "c" of the same article commits the Lower House Speaker to serve the answer to this who asked it. The question and answer will be put on the agenda of the first meeting designated for answering questions, interpellations, and proposals of a wish."

House itself used, also, to delay service of questions and answers of the Government for long periods that do not conform with the its Bylaw provisions.⁴⁷

However, the main observation is that the first ordinary session of the Lower House included 249 questions. The Government answered 190 questions. Yet, the Lower House could not discuss all of them during the Parliamentary session. It discussed only 60 questions out of all the questions answered by the Government and served to the Lower House. Some of them were brought forward to the second ordinary session. The Government answered 80 questions of total questions addressed to the representatives during the second ordinary session- 104 questions; the House served 70 questions only.

Reasons for not serving the other ten questions on the agendas of meetings of the session. However, the Lower House worked on rooting a Parliamentary norm; that is to accept a verbal request by the Representative not to serve his question on the agenda.⁴⁸ However, this is a clear violation of the Lower House Bylaw paragraph “c of Article 117 which reads, “the Speaker will serve the answer to the person who asked the question and serve the question and answer on the agenda of the first meeting designated for questions, answers, and proposals with intentions.”

During the second ordinary session, the Lower House served 39 questions that date back to the first year of the Lower House term; it started its assignment on December 2, 2007 and till one day prior to convening the second ordinary session on October 4, 2008.

Two questions were turned into interpellations in the second ordinary session; these are the question by Representative Nariman Rousan with regard to the CV of the Minister of Energy; and a question by Representative Mahmoud Kharabsheh with regard to the President of the Applied University of Balqa'. This triggers the question whether the announcement made by Representatives whether during the Parliamentary session or beyond it to the effect of turning their questions into interpellations must be viewed as a serious announcement or not. Several representatives used to announce during the Parliamentary session that they turn their questions into interpellations. However, the official records of the Lower House do not mention such assumed interpellations.

Second: Interpellations:

Interpellations comprise a main role among the roles assigned to the Lower House; that is the oversight role in accordance with its Bylaw,⁴⁹ one of the main Parliamentary monitoring and accountability functions that enable the Representative to do his oversight role on the Executive Branch functions. The Constitution of Jordan assigns the responsibility of holding the minister

⁴⁷ There are tens of questions and governmental answers that the Lower House received in the first ordinary session. They were delayed in terms of service including the answer of the Premier to the question by Representative Mahmoud Kharabsheh in relation with reduction of duties and taxes on small vehicles. The Premier's answer was dated 23.1.2008 two months prior to terminating the first ordinary session. However, the Lower House served the question and the answer in its meeting of 1.2.2009; i.e. one whole year later.

⁴⁸ According to the newspapers, Representative Dr. Abdullah Al-Jazi addressed a question to the Government in relation with land selling in Aqaba. The Government answered during the session and held more than one Question and Answer meetings. The question was not served on agendas till the end of the session.

⁴⁹ Article “122” of the Lower House Bylaw defines the interpellation as “holding the ministers or any of them for an action they take in relation with public affairs.”

accountable in joint and several to the Lower House.⁵⁰ It also provides for the right of the Lower House to “impeach Ministers, but a bill of impeachment shall not be passed except by a majority of the two-thirds of the members of the Chamber. The Chamber of Deputies shall appoint, from among its members, deputies who shall present the impeachment to, and proceed before, the High Tribunal.”⁵¹

The Constitution of Jordan takes things further when it entitles the Representatives to hold the Ministers accountable. It even entitles, “any Senator or Deputy may address questions or interpellations to the Ministers concerning any public matters, in accordance with the provisions of the internal regulations of the Senate or the House (as the case may be). No interpellation may be debated before the lapse of eight days from the date of its receipt by the Minister, unless the case is of an urgent nature and the Minister agrees to shorten this period.”⁵²

The second ordinary session of the Lower House marked a visible jump in interpellation compared with the first ordinary session during which only two interpellations were made. The second ordinary session marked seven interpellations with six of them served on the last meeting agenda in the session held on February 4, 2009; i.e. prior less than one day before terminating the session. One interpellation was entered in an official manner.⁵³ In the last meeting, Representative Sulaiman Sa’d announced⁵⁴ an interpellation to the Minister of Labor; it was not registered according to the official records of the Lower House.

Noticeably, the way the Lower House handles the issue of interpellations raises several questions in relation with the reasons of delaying the service of such interpellations to the Lower House. The question is also should this delay be seen as a clear violation of the Bylaw or not? Thus, what is the value of Parliamentary norms and traditions that need to be observed?

From the six interpellations⁵⁵ discussed by the Lower House at the end of its session, it was noticed that some of them were submitted early.⁵⁶ However, the House appointed more than one meeting during the session just to discuss the Government responses to the questions made by the

⁵⁰ According to Article “51” of the Constitution which reads as, “The Prime Minister and Ministers shall be collectively responsible before the Chamber of Deputies in respect of the public policy of the State. In addition, each Minister shall be responsible before the Chamber of Deputies in respect of the affairs of his Ministry.”

⁵¹ According to Article 96 of the Constitution of Jordan.

⁵² According to Article 96 of the Constitution of Jordan.

⁵³ Interpellation that Representative Mahmoud Kharabsheh made to the Minister of Higher Education and was not served on the session agenda.

⁵⁴ Representative Sa’d served a copy of the interpellation to journalists during the last meeting of the session on February 4, 2009. However, he did not register it officially at the Secretariat General of the Lower House.

⁵⁵ Representative Bassam Haddadin submitted one interpellation to the Minister of Labor; Representative Nariman Rousan submitted one interpellation to the Minister of Energy; and Representative Awwad Zawaydeh made four interpellations to the Ministers of Finance, Energy, Environment and Industry and Trade.

⁵⁶ Bassam Haddadin made an interpellation on October 30, 2008; he received the Government answer on December 16th, Representative Awwad Zawaydeh made his four interpellation on December 3, 2008 and the Lower House submitted them to the Government on December 28, after the Secretariat General of the Lower House objected to their content as they deemed it in violation of the provisions of the Bylaw in relation with questions and answers. His interpellations were amended and sent to the Government on date; the Government responded to them on January 19, 2009. Representative Nariman Rousan sent her interpellation on January 12, 2009 and the Government answer came promptly on January 19. All of them were once served on the last meeting agenda of the second ordinary session within a table of about 50 parliamentary questions and governmental responses.

Representatives. It had a sufficient period of time to submit the same instead of postponing them till another session.

The six interpellations, however, were in relation with corruption, violation of the Constitution and laws such as the interpellation made by Representative Bassam Haddadin to the Minister of Labor. The four interpellations made by Representative Awwad Zawaydeh related to violations of the Ministers to the provisions of the Constitution as well as provisions of the charters of their ministries. Interpellation by Representative Nariman Rousan was about the place of work of the Minister of Energy after putting him on early pension. Interpellation by Representative Mahmoud Kharabsheh related to violations made in the Applied University of Balqa'.

Representative Bassam Haddadin decided to postpone debate of his interpellation being related to a case that is under consideration in the court and cannot be discussed at the Lower House. Representative Nariman Rousan was satisfied with the response from the Premier- Nader Thahabi. However, the Lower House discussed one of the four interpellations made by Representative Awwad Zawaydeh. A decision was made to postpone consideration till the forthcoming third ordinary session after the Premier pledged to rectify mistakes highlighted by Zawaydeh. The Lower House did not discuss the other interpellations as they all related to one case only.⁵⁷

Three interpellations were made by the Independents,⁵⁸ other four interpellations were made by one Representative member in Parliamentary Block. He did not make the interpellations in name of his Block, though.

Third: Meetings of General Debates:

The Lower House Bylaw defines a general debate as, “exchange of opinion and advice between the House and the Government”,⁵⁹ it permits “ten members or more to submit an application to discuss any issue or a public matter,” and it allows the Government to request a “general debate.”⁶⁰

The Bylaw sets mechanisms to submit an application for a general debate and serving the application on the meeting agenda as well as fixing a date for debate.⁶¹ It also permits those applying for a general debate and other representatives to “disqualify the Cabinet or the Ministers after completing a general debate while observing the provisions of Article 54 of the Constitution.”⁶²

⁵⁷ Zawaydeh's interpellations relate to the concession of the Phosphate Company.

⁵⁸ Reprs Bassam Haddadin, Nariman Rousan and Mahmoud Kharabsheh.

⁵⁹ According to Article (127) of the Lower House Bylaw.

⁶⁰ According to Paragraphs “a” and “b” of Article 128 of the Bylaw.

⁶¹ Paragraph "a" of Article 129 reads, “ the general debate application must be submitted in written to the Lower House Speaker who will serve it on the agenda of the first following meeting. Paragraph “b” of the same Article reads, “the Lower House will fix the date of the general debate on condition that it be within fourteen days unless the House deems the topic as not relevant for debate and decides to exclude it.”

⁶² According to Article 130 of the Bylaw.

Although it held five general debate meetings in its second ordinary session and refused to convene a sixth meeting,⁶³ no representatives applied for a meeting to disqualify the Cabinet or the Ministers. Those meetings ended with recommendations that were not processed till the end of the second ordinary session. Early in its second ordinary session, the Lower House held the first general debate meeting to discuss the international financial crisis and its implications for the Jordanian economy,⁶⁴ the meeting started with listening to a governmental statement submitted by the Premier-Nader Thahabi; 41 representatives delivered speeches during the meeting.

The second general debate meeting was designated to investigate the international stock exchange issue and its impact on the citizens,⁶⁵ the House could not complete debate during the first meeting⁶⁶ held on November 5, 2008 at which 28 representatives spoke. Thus, they had to complete debate in the second meeting when 30 representatives spoke,⁶⁷ the Premier and the Minister of Justice submitted an explanatory statement each with regard to procedures made by the Government to contain the crisis.

The Lower House held its third debate meeting to discuss the substance abuse in the Kingdom upon a request signed by 11 representatives,⁶⁸ the Premier-Nader Thahabi submitted a statement in name of the Government with regard to substance abuse in the Kingdom, and was followed by the Minister of Interior; 35 representatives delivered speeches and intervened during the meeting.

The Lower House set the fourth debate meeting to discuss the status quo of university education in Jordan upon a request submitted by 21 representatives,⁶⁹ the House could not complete the debate in its first session and had to reconvene on the following day to complete it.⁷⁰

The Premier started with reading a Government statement followed with the Minister of Higher Education who delivered a long speech. The meeting convened late of its scheduled as per the

⁶³ An application signed by 27 reps to hold a general debate meeting in relation with the Government intention to privatize the post.

⁶⁴ The application for debate was signed by 23 representatives on October 22, 2008; the meeting was held on November 3, 2008.

⁶⁵ Upon a debate application of October 22, 2008 and was signed by 22 reps.

⁶⁶ Due to lack of a quorum at 13:30 as only 41 reps stayed at the meeting. This required the Lower House Speaker to announce adjournment of the meeting due to lack of quorum. This is the first meeting lacking quorum in its second ordinary session.

⁶⁷ The Lower House held its complementary meeting to discuss the international stock exchanges issue on Sunday November 9, 2008.

⁶⁸ The request is dated November 25, 2008; the meeting was held on December 22, 2008.

⁶⁹ Dated November 27, 2008.

⁷⁰ The first meeting was held on December 23, 2008 and was completed on the following day; 25 reps spoke in the first meeting and other 34 spoke on the second one.

Bylaw.⁷¹ In fact, right from the beginning, the meeting was under the threat to lose quorum; this impeded debates and made it necessary to postpone it to the following day.

Providing a quorum for the second meeting of discussing the university (third tier) education remained unsure. The number of representatives attending the meeting ranged between 56 to 58; it was delayed for 38 minutes in a recurrent violation of the Bylaw.

The Lower House held the fifth meeting of general debates to discuss the status of water in the Hashemite Kingdom of Jordan upon a request submitted by 15 representatives and dated December 28, 2008. The meeting was held on January 11, 2009.

The Premier started with a Government Statement followed with the Minister of Water and Irrigation who read another statement. Then, 25 representatives spoke in the meeting which lacked quorum before completing the debate.⁷² The House Speaker- Engineer Abdul Hadi Al-Majali had to adjourn the meeting and presume at an evening meeting at which 14 representatives spoke and intervened.

The House could not hold the sixth meeting requested by 12 representatives to discuss privatization of the Jordanian post; 59 representatives voted against it, other 23 voted in favor of convening it. Total representatives voting in relation with the debate application counted for 82.⁷³

Noticeably, the five debate meetings convened by the Lower House in its second ordinary session did not reach any tangible results to draw policies and objectives to solve problems resulting from the five debate meetings. The representatives' reluctance to hold a sixth debate meeting to explore intentions of the Government to privatize the Jordanian post. These are critical questions with regard to the reasons causing the Parliamentary majority to refuse a "yes" vote to hold that monitoring meeting. If convened, it would have enhanced the oversight role of the Lower House in its second ordinary session compared to the first one when it held four general debate meetings only.

Figures and statistics reveal that the number of representatives signing the six requests to hold the general debate meetings counted for 56 representatives; however, 44 representatives did not sign at all any of the requests to hold a general debate meetings.

Signatures of the 56 representatives recurred on the six requests to reach a total of 113 signatures ranged between 5 to one signature. These represented all Parliamentary Blocks and the Independents.

⁷¹ Article 79 of the Lower House Bylaw reads, "the Speaker shall open the meeting at the appointed timing. If two thirds of the members are not present, the opening will be delayed for half an hour. If this period lapses and the quorum is not achieved, the following meeting will be appointed." If the meeting is convened late 58 minutes and within a period that exceeds in 8 minutes the period provided for in the Bylaw. This caused the reps to challenge its legitimacy. This is what Rep Dr. Moh'd Abu Hdeib highlighted in his intervention when he said, "the debate meetings will end when not achieving the quorum. Thus, the majority of these meetings are illegitimate," this triggered the Legal Committee Chair, Rep Mubarak Abu Yamin who commented, "what my colleague said (meaning Abu Hdeib) is a serious issue and the House Speaker has to answer and the House has to assume its role as per the Constitution."

⁷² The Lower House Speaker- Engineer Abdul Hadi Al-Majali could not complete the meeting as it lacked quorum and he had alerted the representatives twice that it is possible that the meeting will lack quorum; in addition, he called some representatives who left to another hall to come back, but they did not respond. Thus, he had to announce, "I have to adjourn the meeting as the quorum does not enable us to presume it."

⁷³ The meeting was held on January 14, 2009; chaos was visible right from the beginning. Then, it lost quorum and the Deputy Speaker-Dr. Abdullah Al-Jazi announced adjournment.

As for the break down of signatures per blocks, 16 representatives from Al-Ikha' signed the requests with 42 recurrent signatures; other 25 representatives from the National Trend Block with a total recurrent number of 38 signatures.

Representatives in the Islamic Action Front Party "6 representatives" signed the requests with a total rate of 21 recurrent signatures; other 3 representatives from the National Block signed some requests in a rate of 4 recurrent signatures; 6 representatives from the Independents signed requests with rate of recurrent 8 signatures.

Three of the National Block signed the application to discuss the international crisis and its impact on the national economy; it was signed by two representatives from the Islamic Action Front; it was also signed by 8 representatives from the National Trend Block, 6 representatives from Al-Ikha' Block; and other 4 from the Independents.

One representative only from the National Block signed the request to debate the foreign exchange crisis, 6 representatives from the National Trend Block, 6 representatives from the Islamic Action Front Block, and 5 from Al-Ikha' Block.

The request to debate the substance abuse issue and its repercussions was signed by 5 representatives from the Islamic Action Front Party Block; one from the National Trend Block; 5 representatives from Al-Ikha'; however, it was not signed by any of the representatives or from the National Trend Block.

The general debate request in relation with Education and Higher Education yielded 10 signatures by the representatives from Al-Ikha' Block; 5 representatives from the National Trend Block; and 6 representatives from the Islamic Action Front Party Block.

No representative from the Islamic Front and the National Block signed a request for a debate on water which was signed by 8 from Al-Ikha' representatives, 3 signatures from the National Trend Block and two signatures from the Independents.

None of the National Block representatives signed the debate request in relation with the Jordanian post privatization. The same request yielded signatures of 12 representatives from the National Trend Block, 8 from Al-Ikha', 5 from the Independents; and two signatures from the Islamic Action Front.

Break down of Blocks as per Policies in the Requests of General Debates:

First: Component of Economy, Finance and Business (the International Financial and Stock Exchange Crisis)

Representatives signing the two requests to discuss the international financial crisis and the stock exchanges under the economic reform policies counted for 41 representatives with recurrent number. Those signing from Al-Ikha' Block counted for 11 against 15 representatives from the National Trend Block. Representatives of the Islamic Action Front counted for 8; representatives from the National block counted for 4 against 3 from the Independents.

Second: Infrastructure Component (Status of Water and Post Privatization)

Representatives signing the two requests to debate the post privatization and status of water counted for 40 with the recurrent number. They represent the National Trend Block with 17 signatures yielded from its representatives; followed with Al-Ikha' Block with 16 signatures; then,

the Islamic Action Front representatives with two signatures. The Independents gave 5 signatures.

Noticeably the National Block representatives did not sign any of the two requests of debate which fall under the infrastructure policies.

Third: Component of Education/Higher Education/Religious Affairs (Status of Higher Education in the Kingdom)

Representatives in the National Block and the Independents did not show interest in signing the request of a general debate in relation with the policies of education which was signed by 21 representatives. Those from Al-Ikha' Block showed a visible interest as 10 of them signed the debate request; other 6 representatives from the Islamic Action Front signed the request against 5 from the National Trend Block.

Fourth: Component of Development and Social Welfare (Substance Abuse)

Again, representatives from the National Block and the Independents did not show interest in the request to hold a debate meeting in relation with substance abuse; it is the request signed by 11 representatives- half from Al-Ikha' and the Islamic Action Front with five signatures each; and one representative from the National Trend Block.

Fifth: Proposal with an Intention

The bylaw of the Lower House defines a proposal with an intention as, "inviting the government to do any action of importance within its mandate."⁷⁴ It requires the Lower House member to submit the proposal with an intention in written to the Lower House Speaker who must refer it to the competent committee."⁷⁵ Three proposals with an intention were submitted by two representatives in relation with service matters and demands of their electoral constituencies.

The first Representative to submit a proposal was Adnan Ajarmeh from Al-Ikha' in relation with the creation of a health directorate in Na'ur District.

Representative Moh'd Al-Haj from the National Trend Block submitted two proposals of intention in relation with an extra significant allowance for teachers; the second proposal was in relation with creating a health directorate in Rusaifa.

These proposals were focused on two basic components; namely, the policies of development and social welfare with two proposals by Representatives Ajarmeh and Al-Haj; the second on the education/higher education/religious affairs policies with one proposal by Representative Moh'd Al-Haj. Official records of the Lower House do not show referral of any of the proposal of intention to any of the competent committees⁷⁶ according to the Lower House Bylaw which requires its Speaker to refer it to the competent committee. Provisions of Article 133 of the Lower House Bylaw require the competent committee to, "submit a brief report on the proposal within fifteen days as from the date of being referred to it. It shall recommend in this report either to refuse or accept the proposal. If the House accepts it, the Speaker will serve it to the Premier."

⁷⁴ Article (131) of the Lower House Bylaw

⁷⁵ Article (132) of the Lower House Bylaw.

⁷⁶ Representative Adnan Ajarhneh, submitted his proposal on 21.10.2008; Representative Al-Haj submitted his proposal to announce a significant allowance for teachers on 5.11.2008; he submitted his second proposal to create a health directorate in Rusaifa on 15.12.2008.

Thus, the Lower House agendas during the session did not have any item on reports from the competent committees with regard to the three proposals. This triggers questions in relation with their status and opens the door wide to inquire about the parliamentary mode of operation and to which extent they conform with the House Bylaw.

On the other hand, the proposals with intention submitted by the representatives in the first ordinary session were limited to two proposals only and their status is still unknown.⁷⁷

Sixth: Petitions and Complaints

Records of the Lower House reveal one complaint submitted in relation with governmental schools,⁷⁸ and the House did not receive any petitions or complaints along the whole ordinary first session.

The topic of complaints and petitions triggers questions whether the mechanisms used by the Lower House to handle petitions and complaints received from its standing committees are poor or exist in the first place.

There are tens of petitions and complaints submitted by citizens to the Lower House committees especially that of the public freedoms and rights of citizens as well as other committees.

The Lower House Bylaw includes one whole chapter about Petitions and Complaints; this signifies their importance in accordance with Article (17) of the Constitution of Jordan which reads, "Jordanians are entitled to address the public authorities on any personal matters affecting them, or on any matter relative to public affairs, in such, a manner and under such conditions as may be prescribed by law."

The Lower House Bylaw bases its Article 143 on the Article (17) of the Constitution as it stipulates, " Each Jordanian shall have the right to submit a petition to the Lower House in relation with public affairs or a complaint in relation with personal matters."

Article (145) of the Lower House Bylaw requires, "complaints and petitions to be entered into general tables with serial numbers according to the date they are received; the table must show the name of applicant, his address and a summary of it."⁷⁹

Paragraph "a" of Article (146) of the Lower House Bylaw requires the Lower House Speaker to refer petitions and complaints to the "Permanent Office" of the House to be considered, and can keep them or refer them to competent committees or the competent minister or council.

Paragraph "b" of same article stipulates, "if the petition or complaint is submitted to the competent committee, the latter will study it and decide whether to keep it or process it with the themes submitted thereto; otherwise, they will be referred to the competent council or minister."

⁷⁷ The first ordinary session started on 2.12.2007 and ended on 1.4.2008.

⁷⁸ Hosha Secondary School for Boys.

⁷⁹ Article (144) of the Bylaw sets requirements for a sound petition or complaint to be accepted by the Lower House; it must show name of applicant, his job and full address. It must be free from any prejudice to the Crown, the Parliament, or the judiciary. It must be free from any bad or indecent expressions. It provides for the right of the Speaker to keep petitions and complaints that do not fulfill requirements in files without a motion in relation therewith.

There is no indication in the Lower House records to the referral of the petition to the competent committees,⁸⁰ the records do not indicate also if there is an action taken in relation with the petition as stipulated in the Bylaw of the Lower House.

Remarkably, complaints and petitions submitted to the current Lower House in its two ordinary sessions do not count for a significant number;⁸¹ thus, questions are triggered in relation with mechanisms to submit complaints and accept them as well as the procedures taken by the Lower House in this respect. Questions ask whether the this insignificant number of petitions and complaints submitted by citizens to the Lower House indicates a low confidence or lack of conviction at citizens of feasibility to submit such complaints/petitions. However, some committees receive complaints from citizens and they are processed immediately but they are not entered into the official records. The Lower House deals with petitions submitted to the Lower House Speaker in their capacity as official petitions entered into the records. However, petitions and complaints submitted by citizens directly to the standing committees of the Lower House are not deemed as official and are not entered into the official registers of the Lower House; they are entered into the committees' records.

Seventh: Memoranda

Neither Constitution of Jordan nor the Lower House Bylaw provide for the Parliamentary memos. Yet, the Parliamentary norms have created this mechanism which has become one of the important oversight methods that the Lower House applies to monitor the Executive Branch operation. The main reason to apply this important monitoring method might be its easiness and promptness. It is not required to go through the legislative channels as is the case with other oversight methods "Questions and Interpellations." The Representative or a group/block of Representatives prepare a memo on a certain topic and the memo is served to the Lower House Speaker to address complaints submitted thereto from laypeople. In fact, Parliamentary memos can be seen as one method of the Parliamentary performance and one factor of change and Parliamentary pressure on governments."⁸²

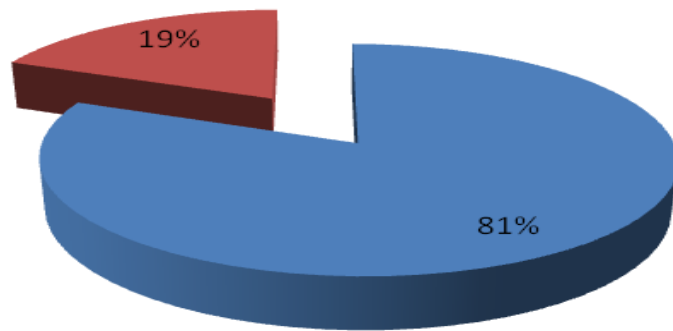
⁸⁰ That petition should have been referred to the Education/Culture/Youth Committee.

⁸¹ It is sufficient here to mention the number of petitions and complaints submitted by the citizens to the eleventh Lower House which counted for 2399 complaints against 684 in the thirteenth Lower House (684) complaints and (763) complaints in the thirteenth Lower House.

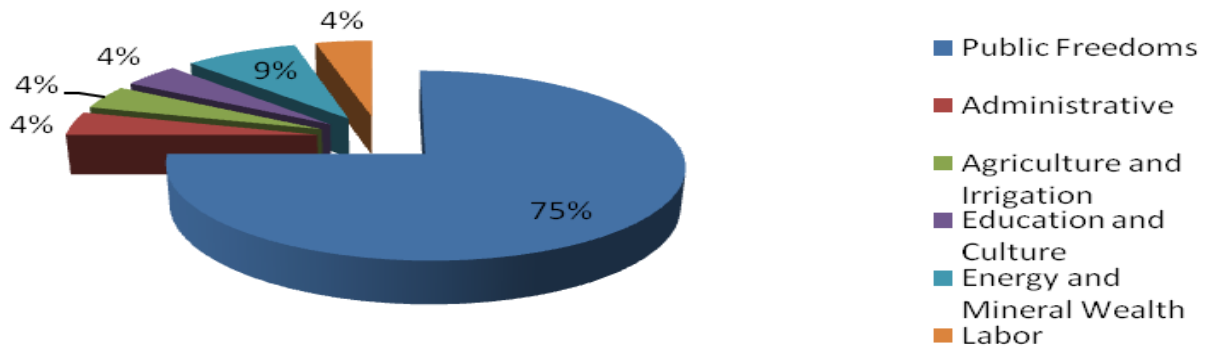
⁸² Refer to the Parliamentary Monitoring Book at the Jordanian Lower House 19892001, compiled by Fa'ek Fantoul AzZeidan, supervised by Dr. Moh'd Masalha- documentary publications of the Secretariat General of the Lower House- Edition One- Amman-2002, page 70.

Distribution of MPs' Petitions in Terms of Government's Responses to Them

- Number of Petitions Submitted by MPs
- Number of Petitions Responded To



Distribution of Petitions Submitted by Committees during the Second Session of the 15th Parliament



Memos submitted by Representatives in the first ordinary session of the fifteenth Lower House counted for 44 memos; 6 received a response and are broken down into 31 memos from the standing committees of the Lower House, and 13 memos from Representatives.

In the second ordinary session of the Lower House, Representatives submitted 56 memos⁸³ as included in its official records.⁸⁴ The Government responded to 13 memos only; other memos did not receive any answer till the end of the session.

Following is the break down of such memos:

First: 3 memos from individual representatives; one in name of Representative Moh'd Sa'udi, and two in name of Representative Rasmi Mallah.

Second: 24 memos from standing Parliamentary committees as follows:

- 1- 18 memos sent by the Public Freedoms and Citizens' Rights.
- 2- One memo to the Administrative Committee.
- 3- One memo to the Committee of Agriculture and Water.
- 4- One memo to the Committee of Education and Culture.
- 5- Two memos to the Committee of Energy and Mineral Wealth.
- 6- One memo to the Committee of Energy.

Third: Representatives submitted 29 collective memos on several issues and policies. The number of signatories differed from one memo to another.

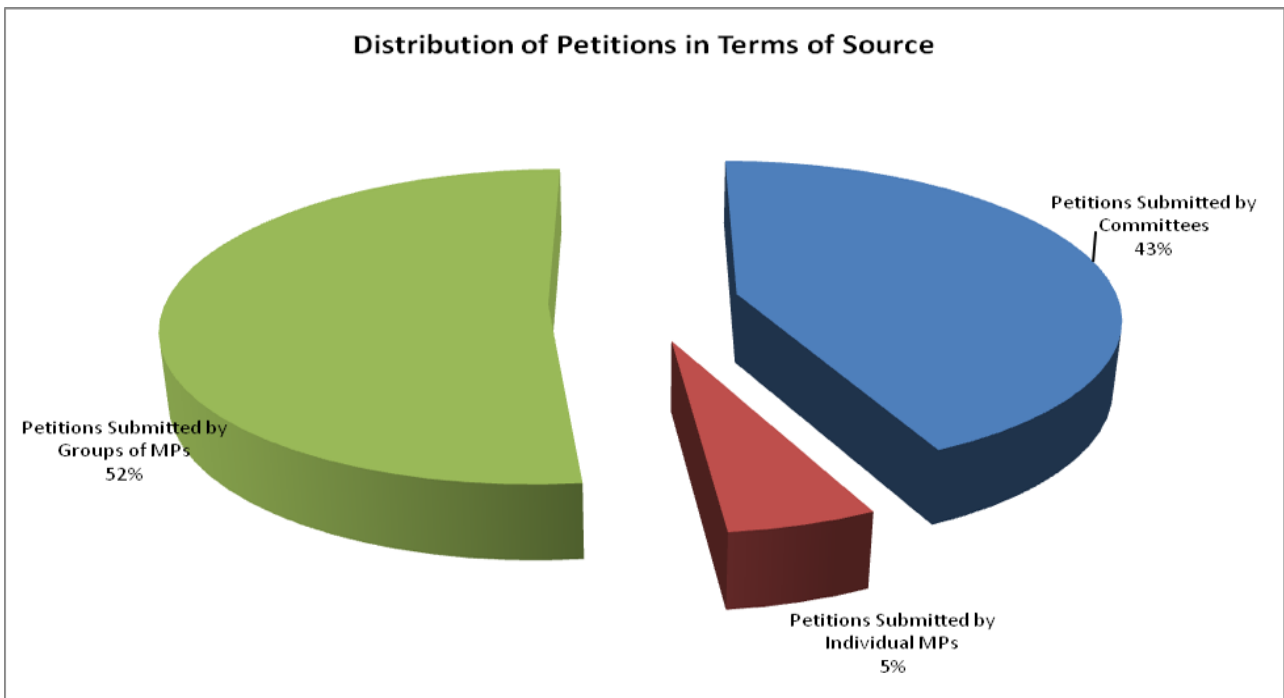
Fourth: The Lower House served three memos on its agendas during the session as follows:

- A memo requesting the Parliament to send a ship to break the embargo on Gaza.
- A memo the signatories of which require a Parliamentary Investigation Committee to be formed to investigate the deal of selling the "Power Supply and Distribution" Company, and the deal of selling the Industrial Development Bank.
- A memo the signatories of which call upon the Legal Committee at the Lower house to study the possibility to submit a memo to the Prosecutor General of the International Criminal Court to hold a trial of Israel leaders on the ground of war crimes they committed.⁸⁵

⁸³ Records of the House reveal that Memo No. (3) was canceled. It was about purchasing oil for a lower price to mitigate burdens of the citizens. It was signed by 14 representatives.

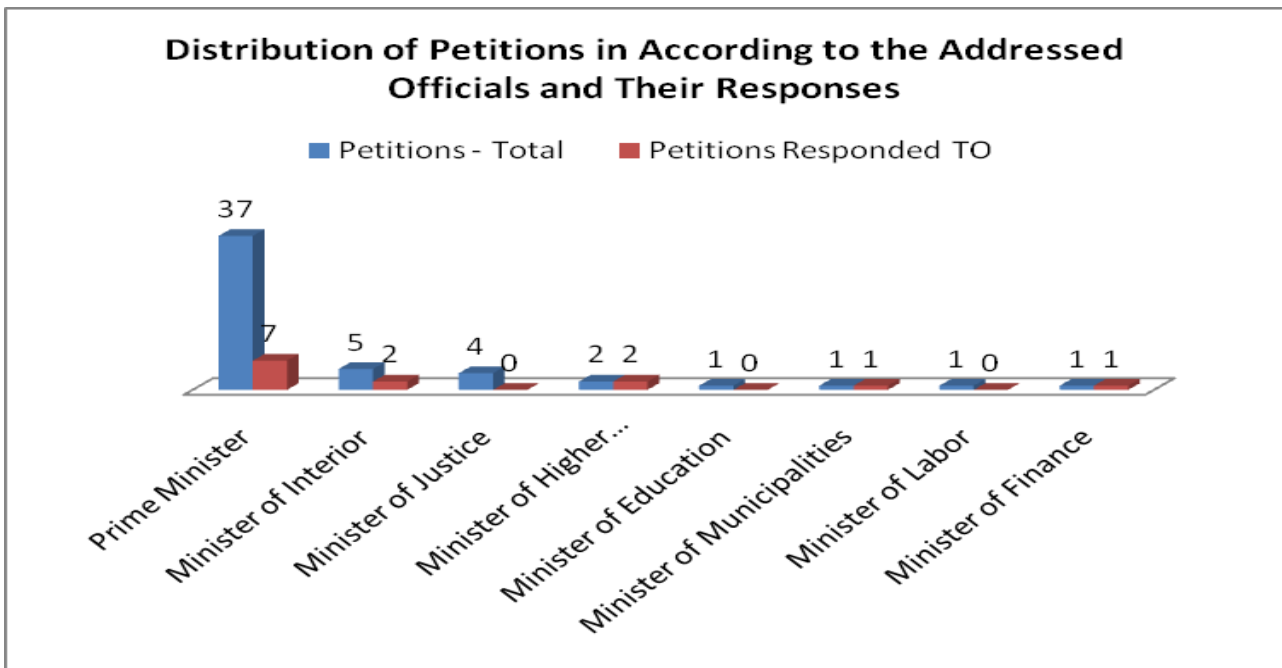
⁸⁴ The Official records of the Lower House and daily coverage of the Lower House operation published in the newspapers.

⁸⁵ The memo was referred to the Legal Committee and considered it in several meetings. The Committee submitted its report to the Lower House and approved it.



Procedures made by the Lower House presidency and its permanent office with regard to the total memos submitted by the Representatives (56 memos) reveal the following:

- 37 memos to the Premier; 7 received responses.
- 5 memos to the Minister of Interior, two received response.
- 4 memos to the Minister of Justice; none received a response.
- Two memos to the Minister of Higher Education and Scientific Research; they received response.
- One memo to the Minister of Education; it did not receive a response.
- One memo to the Minister of Interior and received a response.
- One memo to the Minister of Municipalities and received a response.
- One memo to the Minister of Labor; it did not receive a response.
- One memo to the Minister of Finance; it received a response.



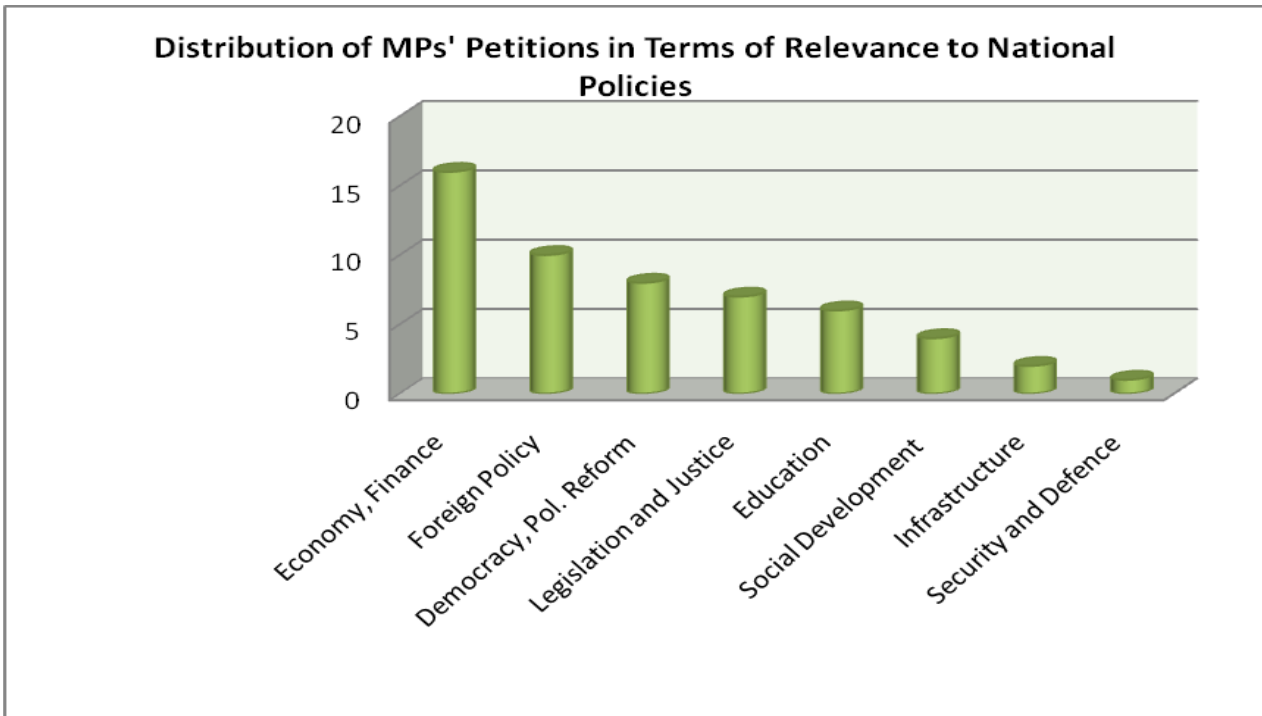
Memos covered the eight policy components as provided for in the present report but with a visible variance. The memos submitted on Economy/Finance/Business counted for 16, followed with the component of foreign policy which yielded 10 memos.

In third place of interest, came the component of democracy and political reform which yielded 8 memos followed with the component of legislation and justice which ranked fourth and yielded 7 memos. Interest in the component of Education/Higher Education/ Religious Affairs ranked fifth with 6 memos submitted by Representatives. The component of development and social welfare ranked sixth in terms of interest and yielded four memos; and the infrastructure component ranked seventh with two memos. Interest of Representatives in the security and defense component ranked the lowest and yielded only one Parliamentary memo.

Records reveal two memos submitted to the Lower House Speaker from each of the Chair of the Committee of Agriculture in relation with a debate on the agricultural status in the Kingdom; and from the Chair of the Financial and Economic Committee requesting the Government to inform the Committee of the new draft laws to be referred thereto for consideration.

Parliamentary Memos Break Down per Components and Policies:

First: Foreign Policy



Memos submitted counted for 10 in relation with topics of “Children of the Jordanians incurring damage and harm due to the war against Iraq; condemn the attack against Syria, stop Jewish procedures against Jerusalem, the Jordanians harmed because of the war against Iraq, sending a ship to break the embargo against Gaza, nullifying the Peace Treaty, one arrested person in Saudi Arabia, dismissal of the Israeli ambassador, trial of Israel leaders and withdrawal of Noble Prize from Shimon Perez.

Second: Economy, Finance and Business:

Memos served counted for 16 memos in relation with “increasing collaterals for depositor accounts, reduce oil derivative prices, thanking the Government and accelerate the reduction of gas and oil derivatives’ prices, thanking the Armed Forces for decreasing prices, condemn the private sector stand towards decrease of prices, the Company of the South, upgrading the agricultural office of Sahab district, increase wages and remuneration of the free zone, health insurance, decrease gasoline price to the account of kerosene, subsidize animal feeds, the committee to discuss status of the national company, Rusaifa municipality, selling the Electricity Company and the Industrial Development bank, the Education Cooperative Society, recommendations of the Agriculture and Water Committee.”

Third: Democracy and Political Reform:

Memos in this respect counted for 8 in relation with “trade unions, association of workers in construction, complaint did the security forces, amend the law of municipalities’ employees, laws, issuance of passports, a political refugee, and re-consideration of the decision to merge municipalities.”

Fourth: Legislation and Justice

Memos addressed counted for 7 memos in relation with 4 memos with regard to arrested people, stop procedures to move the prison of Balqa’ Governorate, release the soldier Dagamseh, and the prison of the public security members.”

Fifth: Higher Education and Scientific Research

The memos submitted counted for 6 memos in relation with, “the general secondary examination system, transfer from universities, re-draft the system of remote learning, abstain from increasing the university fees, status of the Arab Academy of Financial and banking Science, and amending the class of the Education employees.”

Sixth: Development and Welfare

Memos submitted in this respect counted for 4 memos in relation with “amendment of contracts of workers at the Minister of Health, increase salaries of retired governors, Prince Hamza Hospital, and referral of patients.”

Seventh: Infrastructures

Memos submitted in relation with infrastructure policies counted for two memos in relation with “considering purchasing oil for low prices, and decrease the price of gas [LPG]”

Eighth: Security and Defense

Only one memo was submitted in relation with “enforcing the compulsory national service.” Noticeably, Representatives who signed some memos did not follow up those memos. This is a recurrent phenomenon not only in terms of the memos, but also in terms of other issues such as questions. It is also noticed that some of the memos approved in this report did not yield any follow up from those submitting them.

When attempting to inquire about the memo related to enforcing compulsory national service, we received no answer. We could not get an answer also in relation with the Parliamentary memo the signatories of which requested withdraw of Noble Prize of Shimon Perez.

The vague status of that memo, just for an example, triggers questions about the seriousness of Representatives when drafting and signing memos; and whether it is just a gesture to draw the Media attention with no consideration of the importance of follow up and detecting status of the memo.

Seventh: Other Business Item

This is one of the oversight functions of the Lower House and it is a result of the Jordanian Parliamentary norm which established such a monitoring process on the Executive Branch. In the meantime, it is not provided for in the Constitution of Jordan or the Lower House Bylaw. The “Other Business” item is usually inserted into the agenda in agreement and coordination between the Lower House Speaker and the Representatives on condition that the Representative wishing to intervene upon this item register this wish before the relevant meeting is convened. The Lower House uses this monitoring method to keep the quorum. The item is left till the end of the meeting so that the Representatives will stay in the Conference Hall in order to complete the legislation pieces under consideration.

A Representative is permitted to speak for three minutes during which he/she introduces the urgent matters; then, the Premier or the competent minister will respond.⁸⁶

⁸⁶ Noticeably, the Ministers did not respond to tens of Parliamentary interventions under this item. In some few cases, the Premier had to pledge to serve information and responses to some interventions. There are very few and insignificant cases in which Ministers requested to respond to previous interventions by the Representatives.

None of the representatives can participate in the discussion and the Representative shall not be allowed to respond to the Minister; that is it shall be impermissible to open the floor for discussion and debate.

Representatives use this method to introduce problems of their electoral constituencies in relation with services and the way some political issues are handled. This type was used in a relatively wide scope in the successive Parliaments. It critically contributed to criticize actions of the Governments in relation with some conditions that need to be rectified.

The “Other Business” item was fixed on the agendas of 13 meetings; yet, it was not discussed in some of the meetings due to lack of quorum of the meeting or due to reluctance of the Lower House to discuss this item. This applies to the last meeting in the second ordinary session when the “Other Business” item was entered but was not discussed.⁸⁷

Eighth: Statements

This type of the House business is not of a monitoring capacity; yet, it is usual for the House to issue statements to highlight its stand towards hot political issues emerging in the region.

In its second ordinary session, the Lower House issued only two statements against five statements it issued in its first ordinary session.

Noticeably, statements issued by Lower House in its name relate to current and emerging political events. It issued its first statement to condemn the American attack against Syria; and its second statement to condemn the Israeli war against Gaza.

Ninth: the Oversight Role of the Standing Committees:

In addition to their legislative function, Standing Parliamentary Committees assume an oversight role on the Executive Branch functions. This oversight role takes several forms.

During the second ordinary session, Parliamentary committees exercised their oversight roles on two tracks; first, field visits to official institutions; second, inviting the concerned ministers to discuss urgent issues.

Obviously, the oversight role of some standing committees is absent; for instance, “Committees of Palestine, Rural and Desert Areas, and Tourism and Antiquities”. Other committees were active in this respect in addition to their legislative activity. The Legal Committee held three meetings during the session to investigate whether there is a responsibility in relation with the stock exchange collapse and the loss of citizens’ rights.

The Committee held five meetings to consider the memo referred to it from the Lower House and signed by 37 representatives including the its designation to submit a legal memo at the International Criminal Court against the Zionist criminals for their crimes against the Gaza people.

The Financial and Economic Committee held one meeting during the session with the officials of the Audit Bureau to discuss mechanism of operation to study reports of the Audit Bureau in the extraordinary session.

⁸⁷ The last meeting was held on February 4th, 2009, questions and answers were inserted into its agenda; the “Other Business” item was also inserted; but, the House discussed the questions and interpellations and the meeting Chairperson adjourned the meeting before discussing this item.

The Committee paid two field visits to the Audit Bureau to follow up its actions in relation with the method of operation and follow up of violations received in the Bureau reports; they also visited the Civil Consumer Corporation to get an idea about prices and their decrease to be in line with the income of the Jordanian citizen.

The Committee convened two meetings to discuss two topics in light of complaints it received. The first with regard to owner of offices to recruit non-Jordanian domestic workers; and the other in relation with the Committee of the Jordanians Harmed in Iraq.

The Arab and International Committee met during the session twice with the Minister of Foreign Affairs to review the overall political developments and the Jordanian stand towards them; it also held a meeting to discuss the Israeli attacks against Gaza Strip.

The Administrative Committee held a meeting to consider the complaint submitted by the residence doctors in presence of the Minister of Health. It also paid 6 field visits; the first to Queen Alia Hospital to be assured of status of those injured in Gaza and were moved to the Hospital; the second to Petra Region Authority and Queen Rania Hospital there.

The Committee visited the Aqaba Special Economic Zone Authority and met with the Authority Commissioners. Then, they visited one of the medical laboratories in Aqaba in addition to visiting the Corporation of Jordanian Ports and the Jordanian Marine Authority.

The Committee of Education/Culture/Youth held a meeting to investigate the problem of the Arab Academy for Financial and Banking Sciences-Jordan branch. It held another meeting to discuss several topics in relation with the Education Sector in general including English teachers and their appointments in addition to investigating the topic of violence at universities.

The Committee held a meeting to investigate the problem of those holding PhD in Computer Engineering as they are denied the permission to teach at IT faculties at universities. It also held a meeting to discuss the problem between the Applied University of Balqa' and the Representative Mahmoud Kharabsheh.

The National Guidance Committee met upon an invitation by the Minister of Awqaf and Islamic Affairs and Religious Sites to discuss issues and cases related to Pilgrimage.

The Health and Environment Committee held a meeting with the Minister of health to discuss restructuring of the Ministry of Health; the Committee, however, paid 4 field visits during the session.

It visited Maisaloun Schook in Rusaifa to be assured of the health status of the students who were poisoned; the Committee visited Queen Alia Hospital to see the injured from Gaza Strip; it also visited Petra Region Authority and Queen Rania Al-Abdullah Hospital. Its last visit in this series was to Aqaba Special Economic Zone to get assured of the environmental and health condition through visiting a medical laboratory.

The Agriculture and Water Committee held a meeting to discuss the status and problems of the Sector of Agriculture; it held another meeting to discuss problems of exportation for the Agricultural Sector. Then, it held a meeting to discuss the topic of Agriculture and problems related to production, exportation, packaging and filling, and marketing. They held a fourth meeting to discuss the process of exportation, packaging, and loading and unloading.

All meetings of the Committee were convened in presence of officials from the Ministry of Agriculture in addition to the Minister of Agriculture and all public and private parties concerned with the meeting subject. It submitted recommendations to the Government through memos entered into the official records of the Lower House.

The Committee of Labor and Social Development met with leaders of trade unions and paid three field visits. The first, to Greater Amman Municipality where they met with the Mayor; the second to the Vocational Training Corporation; and the third to the Independent Commission of Social Solidarity.

During the session, the Committee of Energy and Mineral Wealth met with a delegation representing regulatory commissions of the infrastructure sector in Colorado State, USA. It also held a meeting to hear and discuss the alternative energy project- the meeting convened in presence of officials, experts and other consultants.

Committee of Public Freedoms and Citizens' Rights held several meetings to discuss complaints and petitions submitted by citizens to the Committee. In addition to its regular meetings to review complaints it received, the Committee met with some officials to follow up with them. It met with the Minister of Higher Education and Scientific Research. In another meeting, it met with the Minister of Public Sector Development and President of the Civil Service Bureau to discuss bases of appointment and cases put on pension. It met with the Minister of Water and Irrigation in presence of the Minister of Parliamentary Affairs to discuss complaints and petitions referred thereto.

During the session, the Committee paid field visits to the National Center for Human Rights, the Department of Public Security, the Public Corporation for Housing and Urban Development, and the Juwaideh Center for Reform and Qualification. The Committee also issued a statement in its name to condemn the Israeli attacks at Gaza Strip.

Palestine Committee paid one visit during the whole session to the Department of Palestinian Affairs to follow up on the performance and activities of the Department. According to the House records, the Committee held only one meeting since formation and considered its mode operation; a mode that has never been operated.

The Committee on Rural and Desert Areas is no better; it paid one visit during the session to the Hashemite Fund to Develop the Jordanian Desert. It reviewed the existing projects of the Fund in addition to future plans and programs.

The Public Services and Tourism/Antiquities Committee was fully absent during the session as it held only one meeting in which it endorsed the amended Law of Antiquities for 2008.

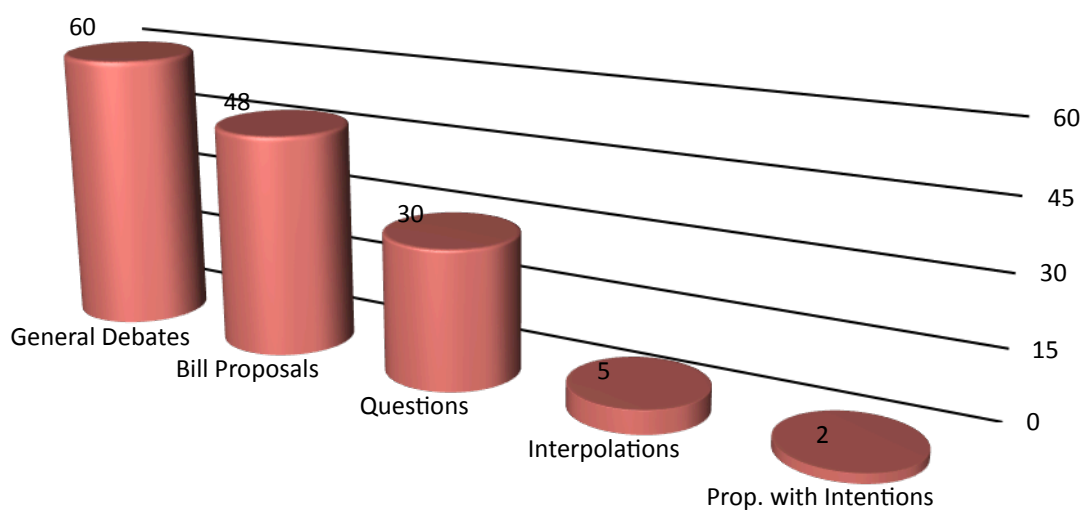
Observations in relation with the Oversight Role of the Lower House

- The fifteenth Lower House maintained its oversight role with all its tools during the second ordinary session, this role improved especially in terms of the public debates. This is a point to be marked in favor of the House as well as the fact that it reflects the increasing experiences of the new members who had access to the Parliament for the first time in 2007 elections.
- This oversight role “questions and answers, memos, and public debate meetings...etc.” is obviously poor in terms of follow up. It seems that the mechanisms to follow up demands of the representatives and their questions are not effective nor are they dynamic and persistent.

Many questions and memos do not yield sufficient interest or a satisfactory answer. In addition, recommendations and results of the five public debate meetings held during the session did not yield enough follow up.

- There is a clear violation of the Lower House Bylaw in relation with oversight issues such as fixing questions on agendas after four meetings in a row. Oversight results reveal that the Government did not observe the time intervals provided for in the House Bylaw in relation with answers to the Representatives' questions and interpellations. The House itself did not ask about the reasons for delay and did not work on controlling this matter.

Distribution of MPs by Oversight Activities



- The House postponed interpellations till the last meeting; which caused a shortage in interest given to this issue and raised some questions about the real reasons for this delay.
- The Lower House Committees acted in clear relaxation with regard to proposals with intention submitted by the Representatives during the session; however, the Bylaw commits them to submit their relevant report to the House.
- Conclusions reveal that several representatives declare at the Parliament that they move their questions into interpellations. Yet, they did not implement that as if they just mean to address the public opinion or the voters rather than carrying their questions further into real interpellations.
- Results of monitoring showed a clear variance in the Representatives' performance. Noticeably, only thirty Representatives addressed questions; this number drops well to become only two Representatives when it comes to proposals with intention. However, those participating in signing memos and proposals of laws (group activities) count for 50-60 representatives. It seems that the Representatives avoid "individualized" oversight roles and are enthusiastic to exercise "group" oversight roles. This can be attributed to several causes including the Representative's capacity and level of his qualification as well as his desire to challenge a certain problem...etc.

CHAPTER FOUR

THE QUORUM AND THE REGULARITY OF THE SESSIONS

First: the regularity of the meetings

The Lower House Bylaw of the Lower House lays big emphasis on attendance and absence. It designates one whole chapter to regulate the Representatives' attendance of and absence from the official meetings of the Lower House.⁸⁸ In Paragraph "a" of Article 148, the Bylaw stipulates, "the Representative must submit an application for a leave before processing it." The Speaker shall have the right to, "approve the application if the leave is for two weeks or less; should the leave exceed two weeks, the Speaker shall refer the matter to the House for approval. In all cases, the House must be informed of names of Representatives on leave."⁸⁹

Article (149) of the Bylaw did not provide for any member in the Lower House to "be absent from one meeting of the House or its Committees unless informing the Speaker of this supported with the excuse."

Article (150) of the Bylaw requires the Secretary General of the Lower House to set a "table with the names of the absent representatives without an excuse. This table will be served on the agenda of the meeting which follows the meeting that was not held due to lack of quorum.

During its second ordinary session, the Lower House held 18 meetings with quorum⁹⁰ as two thirds of the members were present in line with the provisions of Article (84) of the Constitution.⁹¹ And Article 79 of the Bylaw.

The Lower House held 16 complementary meetings that require only presence of the absolute majority according to the Constitution provision and provisions of Article 86 of the Bylaw.⁹²

The Lower House designated four meetings out of its total meetings to discuss responses of the Government to the questions of Representatives; one meeting per month. This was in contradiction of the Bylaw⁹³ which provides for "the question, interpellation and proposals with an intention meeting will be scheduled after each four meetings maximum."⁹⁴ Noticeably, the

⁸⁸ Chapter Seventeen of the Bylaw with the title "Leaves and Absence."

⁸⁹ Paragraphs "b,c, and d" of same Article.

⁹⁰ In accordance with provisions of Article 79 of the Bylaw which stipulates, "the Speaker shall open the meeting on the scheduled date and timing; if two thirds of the House are not present, the opening will be postponed for half an hour. If this time lapses and the quorum is not achieved, the following meeting date will be scheduled."

⁹¹ Article 84 of the Constitution of Jordan stipulates, "No meeting of either House shall be considered duly constituted unless attended by two-thirds of the members of either House, and shall continue to be valid as long as an absolute majority of the members of either House is present."

⁹² Article (86) of the Bylaw stipulates, "if any meeting is adjourned before completion of the discussion subject matter, the Speaker shall have the right to announce the meeting as open and the following meetings held to complete discussion of the same subject shall be seen as a continuity of the first session."

⁹³ Although the Lower House violates the Bylaw in relation with meetings of questions and answers, the second complementary meeting of "meeting eight" designated for questions was impeded.

⁹⁴ According to Article (87) of the Bylaw, and usually the House convenes eight meetings per month- two each week. It can convene more than two meetings a week if the Speaker deems it an imperative need.

reason for this large number of complementary meetings is the obsession of legislative achievement and the fear of not securing the quorum for main meetings that require two thirds of the members to be present.

Second: Attendance and Absence

The House has the habit of counting for each coming to the Parliament before and during the meeting even if present there for some minutes. So far, there is no clear and strict mode of operation applied by the House in relation with counting for attendance and absence. It fully lacks a mechanism to control the phenomenon of “absence without an excuse.”

It is worth emphasizing in this context that the data of attendance and absence in the first ordinary session are based on the content of the minutes of meetings as published in the Official Gazette. These minutes consider any person coming into the Lower House premises at any time during the meeting as attending it. In our report on the second session, we depended on calculating the number of attendants at the commencement of the meeting and announcement of quorum. We did not count for any representative entering into the premises after the Speaker has announced the quorum and commencement of the meetings. Based on the different standards and bases adopted by the Lower House in registering attendance and absence, and the standards adopted in the present report, there is, of course, a clear difference between calculations of the House and our calculations.

Attendance and absence registers kept at the House⁹⁵ reveal that the rate of attendance in the first ordinary session⁹⁶ counted for 99.4; the excused absence counted for 4.7 against 9.5 for non-excused absence. Although our calculations indicate an average of 75.5% of attendance by representatives to the second ordinary session when commenced, the excused absence counted for 7.6% with a non-excused absence rate of 26.9%. By comparison, the rates of attendance and absence with or without an excuse in the first and second ordinary sessions will show a very large difference between the two sessions. For, the standards of calculating attendance and absence differ between the first session methodology “standards of the House” and the methodology of the second session.

It must be mentioned here that the non-excused or excused absence phenomenon used to be and is still a visible mark in the Lower House operation. You can hardly detect any one meeting without a clear absence.⁹⁷ In many meetings the continuous absence marked an explicit violation of the Bylaw as it caused those meetings to lack quorum.

Another visible phenomenon in the Lower House operation during the second ordinary session is that all meetings were held late from the scheduled timing. In many meetings, the grace period of half an hour provided for in the Bylaw would lapse before the quorum is achieved.

⁹⁵ The average is calculated based on the total number of the House members; (110).

⁹⁶ Attendance and absence of the first ordinary session is calculated for thirty meetings only out of 35 meetings. This is due to the lack of information about non-excused absence from those meetings.

⁹⁷ Even the Opening of the second ordinary session by His Majesty the King with the Royal Speech according to the Constitution marked one excused absence.