THE IMPACT OF THE 2016-ELECTION LAW AND THE INTERNAL DETERMINANTS FOR THE PARTICIPATION OF PARTIES IN THE JORDANIAN PARLIAMENTARY ELECTIONS 2016 AND 2020: A COMPARATIVE STUDY

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ABSTRACT

This study aimed at identifying the impact of the election law No. (6) for the year 2016 and the internal determinants concerning the participation of the Jordanian political parties in the Parliamentary elections that took place in 2016 and 2020. The study used several approaches, including the analytical descriptive approach, systems approach, and comparative approach. The results revealed that the election law No. (6) for the year 2016 has a positive effect with regard to the nomination of the members of parties to elections, whereas it has a negative impact in terms of representing the parties in the house of representatives in 2016 and 2020. The results also revealed that the internal determinants negatively affected the lack of political parties obtaining of seats in the House of Representatives; the study recommended the necessity of modifying the election law No. (6) for the year 2016 by including a numerical threshold that match with the number of licensed political parties in Jordan, listening to the requirements of political parties that are introduced to decision-makers in the government, enhancing the efforts of political parties by having more existence in the Jordanian street to be closer to the Jordanian citizens and recognize their importance within the Jordanian political system and the necessity of urging the Jordanian decision-makers to do more efforts with regard to promoting the existence of political parties in the core of the political system in Jordan.

Keywords: Jordanian Parliamentary Elections, Jordanian House of Representatives, Jordanian Parties Participation, the Election Law No. (6) for the Year 2016, Internal Determinants.

INTRODUCTION

The existence of political parties in the Parliamentary councils is considered as an essential element in the new political systems. Nowadays, almost all the presidential or parliamentary political systems include listened political parties that are officially approved by the state based on its legislations. However, the difference lies in the core of the actual act of parties during their real representation in the political systems, particularly in the parliamentary councils. Indeed, this manifests the differences in the political systems in the current times,

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including the case in Arabic political systems which encourage establishing parties, but without a real representation in the parliamentary councils.

Jordan is one of the Arab countries that have a long experience in dealing with the political parties. However, it is still unable to act well in this domain, particularly after the resumption of the political life in Jordan in 1989 due to a number of social, cultural and economic determinants. In Jordan, there are about (48) licensed political parties; however, they lack the real representation in the Jordanian house of representatives since these parties don't exist effectively in the course of the Jordanian parliamentary life. The existing situation was represented by the parliamentary election laws that varied in the way of voting and the last valid law is the election law No. (6) for the year 2016upon which the elections of the 18thand 19thJordanian parliamentary councils were held in 2016 and 2020, respectively. Despite the lack satisfaction by parties about that law, they strongly participated; however, the law included disadvantages that precluded ensuring a large number of seats in the House of Representatives, in addition to the internal determinants that resulted in low level of representation in the Jordanian House of Representatives.

The Study Problem

The topic of the participation and representation of the Jordanian political parties in the Parliamentary elections is one of the difficult issues that attracted the attention of researchers. Most attention was focused on the strong participation of parties during the period of nomination and their power during the process of representation in the House of Representatives. The main problem of the study lies in addressing the participation of the Jordanian political parties in the process of elections and the following representation by obtaining certain seats in the House of Representatives by measuring the impact of the election law No. (6) for the year 2016 and the internal social, cultural and economic determinants in the power of the participation of the political parties during nomination and their power in obtaining seats in the 18th parliamentary council, in 2016 and the 19th parliamentary council in 2020., in addition to the circumstances that surrounded those elections that considerably affected the participation and representation of the political parties in the parliamentary councils.

The Study Objectives

This study aimed to achieve the following objectives:

- 1. Identifying the election law No. (6) for the year 2016 and the suggestions of the Jordanian political parties
- 2. Identifying the impact of the law of elections on the participation of the Jordanian parties in the Parliamentary elections in 2016 and 2020.
- 3. Identifying the impact of the internal determinants on the participation of the Jordanian political parties in the Parliamentary elections in 2016 and 2020.

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The Study Questions

The study aimed to answer the following questions:

- 1. What is the Jordanian parliamentary election law No. (6) for the year 2016? And what are the suggestions of the Jordanian political parties about it?
- 2. How did the elections law affect the participation of the Jordanian parties in the parliamentary elections in 2016 and 2020?
- 3. How the internal determinants did affect the participation of the Jordanian political parties in the Parliamentary elections in 2016 and 2020?

LITERATURE REVIEW

Al-Khawaldeh (2017) conducted a study entitled the electoral law in Jordan for the year 2016, an analytical study. The study aimed at identifying the nature of the Jordanian electoral system upon which the parliamentary elections were held in 2016, identifying the way through which the Jordanian constitution and the electoral law of the House of representatives dealt with the electoral system and identifying the right of voting and the right of nomination to the membership of the Jordanian House of representatives as well as the characteristics of the Jordanian electoral system. The study revealed that the Jordanian constitution of 1952 and its amendments stated that election is general, direction and confidential, while it didn't determine the type of the electoral system and referred that to the election law of the House of Representatives. The results revealed that the election law No. (6) for the year 2016 and its amendments adopted the system of relative representative elections (the open relative list).

The study recommended the necessity of amending the law of elections in which the number of parliamentary seats is increased and the mixed election system is adopted, where it integrates between the relative representation system and the system of individual cycles. The study also recommended the necessity of dividing the electoral districts into large electoral districts at the level of governorates and Bedouin areas as well as the smaller electoral districts at the level of administrative divisions inside the governorates and the Bedouin areas.

Al-Tarawneh (2019) conducted a study entitled the laws of the Jordanian Parliamentary elections and their impact on the level of political participation: a study on the electoral systems. The study aimed at identifying the effects of the Jordanian Parliamentary electoral laws on the level of political participation at the level of the participation and representation of the political parties and the woman in each electoral system adopted in the Jordanian Parliamentary elections during (1988 – 2016). The results revealed that the diversity in the electoral systems experienced by the Jordanian Parliamentary life resulted from the exerted efforts towards reform inside the Jordanian state. The results indicated that the laws of elections affected the level of political participation, particularly in the reality of participation and in the representation of political parties and women in the Jordanian House of Representatives, since the elections of the eleventh Council on 8/11/1989 up to the elections of the 18th Council on29/9/2016. The study recommended the necessity of reconsidering the election system of the year 2016, in terms of setting a (numerical ratio) that encourages the political parties to take part in the House of

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representatives, maintaining the woman's right in participation in the laws of elections, either individually or within lists, in addition to urging the male and female youth to affiliate to the membership of the Jordanian political parties to ensure their participation and representation in the House of representatives.

Al-Awamleh (2020) conducted a study entitled the role of election laws in representing the political parties in the parliamentary councils in Jordan after the stage of democratic transition (1989 – 2016). The study aimed at identifying the election laws applied in Jordan after the stage of democratic transition (1989 – 2016)as well as demonstrating the role of these laws in representing the political parties in the Parliamentary councils, where eight parliamentary councils were elected according to several electoral laws and their amendments. These laws included an implementation of electoral system that relied on the system of open list (the group) for the year 1989. However, the most prominent laws and systems are related to following the law of the one vote in 1993, as well as the mixed system and relative representation system (open relative list). The importance of the current study lies in analyzing the role of electoral laws in the ratio of representing the political parties in the parliamentary councils. In order to achieve the study objectives, the study used the legal approach and David Eston approach for system analysis. The study concluded that the laws applied by Jordan, particularly after 1993, didn't contribute to increasing the representation of parties in the parliamentary councils despite the included amendments.

RESEARCH METHODOLOGY

The study was based on three approaches, these are: First, the analytical descriptive approach by describing the parliamentary election law No. (6) for the year 2016and the internal determinants and their impact on the participation of the Jordanian political parties in the elections as well as their representation in the 18th parliamentary Council in 2016 and the 19thParliamentary Council in 2020 and then analyzing their participation and representation.

Second, systems' approach: this approach reviewed the most important requirements provided by the Jordanian political parties towards the amendments of the parliamentary election law No. (6) for the year 2016in accordance with their real participation in the parliamentary elections and the representation in the Jordanian house of representatives.

Third, the comparative approach: by displaying and discussing the partisan participation and representation in the elections of 2016 and 2020 as well as displaying the aspects of similarity and differences about that based on the law of elections and the internal determinants.

The Parliamentary Election Law No. (6) for the Year 2016and the Suggestions of the Jordanian Political Parties About It

Explaining the parliamentary election law no. (6) for the year 2016: The parliamentary election law No. (6) for the year 2016represented an important institutional transmission (Hussainy, 2017) following a number of laws of the Jordanian parliamentary elections since 1989, that included various electoral systems with different content. Indeed, this law introduced a

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new system in elections in Jordan, which is the system of relative open list, and based on this law, the parliamentary elections were implemented in Jordan in 2016 and 2020.

The parliamentary election law No. (6) for the year 2016was mainly based on the electoral system of the open relative list, which means that nomination to elections is not individual, but rather the candidate should belong to a group with no less than three candidates (Al-Mashagbeh, 2017). This law included several articles; however, we are more interested in explaining the most important articles and texts that are included in it concerning dividing the districts in the kingdom, the ratio specified for women, the way of forming lists and the method of voting. Article (8) of the law, stated that, the kingdom is divided into electoral districts holding a total of (115) seats according to a specific system issued for this purpose and includes the following: the capital city of Amman (5) districts, Irbid (4) districts, Zarqa (2) districts, while each of Balqa', Al-Karak, Ma'an, Mafraq, Tafila, Madaba, Jerash, Ajloun, Aqaba, North Bedouin, Middle Bedouin and South Bedouin) had only one electoral district. Section (b) of the same article stated that women should be assigned (15) seats, with one sear for each governorate. Section (c) of the same article stated that (the North, Middle and South Badia) should be dealt with as governorates. Section (d) of article (9) stated that candidates for the seats of Circassian, Chechen and Christians should be nominated within lists in the electoral districts in which they have seats. Section (a) of the same article stated that nomination to fill the parliamentary seats specified for the electoral district is performed using the open relative list. Section (b) of the same article stated that the list should include a number of candidates of no less than three and doesn't exceed the parliamentary seats specified for the electoral district. Section (c) of the same article provided that the voter only votes for one list of the determined lists, then he votes for each one of the candidates or some of them (Al-Tarawneh, 2019). The most important recommendations about the law in the studies that addressed the participation of the political parties in the Parliamentary elections in Jordan are:

Determining the ratio of the seats of the political parties with no less than (50%) of the total seats in the house of representatives as well as determining the ratio of (numerical threshold), which is the core of the relative representation system of the political party or list (Al-Mashagbeh, 2017).

Dividing the electoral districts into two types. The first type is the large electoral districts at the level of governorates and Bedouin areas, where the system of relative representation is adopted in them. The system of relative closed system is taken into consideration and these seats are only assigned to the political parties in order to give the political parties a chance to determine their electoral lists based on the internal partisan arrangements. The second type is the small electoral districts at the level of administrative divisions inside the governorates and the Bedouin areas, where the individual electoral system is adopted in them (Al-Khawaldeh, 2017).

Setting a numerical ratio in the law in order to encourage the participation of the political parties in the Jordanian Parliament (Al-Tarawneh, 2019).

Modifying the elections law for the House of Representatives to include the ratio of the threshold in a way that encourages the political parties to participate in the elections and achieving good results. Establishing a mechanism to help parties to reach the Parliament by

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amending the law of elections and assigning more than (50%) of the seats for the candidates of the parties (Al-Awamleh, 2020).

Based on the above, we noticed that all the recommendations were focused on one idea, which is amending the election law No. (6) for the year 2016in favor of the Jordanian political parties by setting a threshold ratio and determining (50%) of the seats for the house of representatives for the political parties. This indicates the importance of the topic that is recommended by the researchers to encourage the participation of the Jordanian political parties.

The Suggested Amendments by the Jordanian Political Parties Concerning the Law of Elections

Several Jordanian political parties introduced a number of suggestions about the election law No. (6) for the year 2016 ,where almost all the suggestions were in favor of those parties in order to maintain their existence within the Jordanian political system and increase their representation in the Jordanian house of representatives.

The Islamic Action Front is considering as one of the first political parties in Jordan that introduced suggestions to amend the Jordanian election law, while it was still in the phase of a planned project of law in 2015. This party suggested that the amended law should include a national list that represents (25%) of the seats. The party also suggested establishing an electoral threshold of about (2%) as we as adopting the method of De Hont instead of residuals (Al-Khawaldeh, 2017).

In 2018, the alliance of the middle parties that consisted of (20) parties, during a meeting with the minister of parliamentary and political affairs, introduced their suggestions about the amendments of the project of the electoral law. The most important suggestions included reducing the seats of the House of Representatives from 130 seats to 100seats, where the ratio of parties is (41%) for the partisan lists and (59%) for the local districts (Amoon, 2018).

In 2019, (24) parties agreed upon a number of basic principles in order to be included in the amended electoral law for the year 2019 in an attempt to transmit the community towards elections based on political bases; these parties included: (the Jordanian future, the national conference, the national current, life and reform, national honesty, Islamic Action Front, Harvest (Hasad), Islamic Middle Party, the Safe Hometown, National Action Front, Jordanian Advocates, Social Justice, Consultation and Nature Party, The Message, the Social Democratic, the National Jordanian, Novelty and Change, Conservatives, the Jordanian Flag, Stronger Jordan, Magnanimity, National Revolution). These parties introduced a number of suggestions about the law of elections, including that the list system is to be held at the country's level, while the local list is to be held at the level of local districts; elections are held according to the relative open list and the voter has the right to vote to whoever he likes in the country's list or the local list. (30%) of the seats of the national list are adopted, while (3%) are considered as an electoral threshold for the national list of the total votes (Jordan's News Agency Petra, 2019).

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The Impact of the Elections Law on the Participation of the Jordanian Political Parties in the Parliamentary Elections 2016 and 2020

The participation of the jordanian political parties in 2016: The parliamentary elections took place on (20/9/2016) (Manjari, 2017). These are considered as the eighth elections after the resumption of the Jordanian political life in 1989, which differed from the other seven previous elections, since the newest elections applied new electoral laws for the first time in Jordan by adopting the system of open relative list.

These elections were held based on constitutional merit, which requires performing parliamentary elections after resolving the seventeenth parliamentary Council (Al-Mosai'dyin, 2018). The parliamentary elections of 2016 took place in the light of the return of Muslim Brothers (Anja, 2016), and their announcement to ending their boycott of the political parties, particularly after they decided to participate in the Parliamentary elections, where (42) licensed political parties entered the electoral elections out of (50) licensed political parties, while the number of candidates of parties and partisan lists was about (253) candidates, which is a large and unprecedented number of candidates on the lists of parties in the history of the Jordanian elections (Social and Economic Council, 2018).

Here, we should highlight the importance of the sudden decision made by the Muslim Brotherhood group to take part in the parliamentary elections in 2016, as opposed to its decision in (2007, 2010 and 2013); this decision wasn't expected by the governmental authorities, and rather stimulated more fear from its sequences. In this vein, the Islamic Action Front introduced coalition-election lists that included the party members and allies, particularly those who completed the ethnic and religious seats (Circassian, Chechen and Christians). The lists of National Reform Alliance and the other lists representing the Muslim Brotherhood and their allies covered most electoral districts. However, the actual number of male and female candidates under this alliance and sometimes, outside it decreased to (50) male and female candidates; this party maintained its position in terms of the number of candidates with a percentage of (23%) of the total partisan nomination. At the same time, Islamic partisan formations introduced other lists, such as the Islamic center party, with (18) candidates and the International Conference Party (Zamzam), with (14) candidates. As for the level of the parties of the Center Current, there were various numbers about the number of their candidates, since these parties refuse to uncover the names of candidates. However, most of these parties often introduced their candidates in cooperation with tribal. It is worth noting that the left-wing nationalist current introduced only (17) candidates (Hourani, 2016). Table 1 shows the number of seats of parties in the House of Representatives in 2016.

The Table 1 showed that the number of partisan winners was (24), and the percentage of the number of partisan winners as opposed to the total number of seats (130) was (18%). The highest portion of the seats of Political parties in the Jordanian House of representatives was for the Islamic Action Front with (9) seats, whereas the candidates of the lift-wing political parties gained (35) seats in total, and only one candidate won based on the tribal voting (Al-Mashaqbeh, 2017).

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Table 1 NUMBER OF SEATS OF THE JORDANIAN POLITICAL PARTIES IN THE HOUSE OF REPRESENTATIVES IN 2016				
Number	Party	Representation		
1	Islamic action Front	9		
2	National Current	4		
3	National Conference (Zamzam)	3		
4	the Islamic center party	3		
5	Justice and reform	2		
6	National Union	1		
7	Awn	1		
8	Hashid	1		
Total		24		

Source: (Al-Mashagbeh, 2017)

The participation and representation of the Jordanian political parties in 2020: The royal decision was issued on 29/7/2020 with regard to performing the elections of the 19th parliamentary Council after releasing the quarantine related to the prevalence of corona pandemic, which affected the entire world, including the Hashemite Kingdom of Jordan. This decision was taken during the period in which the virus was still existent and several economic and emotional institutions were still closed to avoid the increased prevalence of the virus.

After the issuance of the royal decision, researchers started citing options for these elections which will take place in the midst of corona pandemic. The constitutional consequences of corona pandemic are represented by differentiation between the following available options based on the healthy situation and its effects on life in Jordan: first, the choice of extending the validity time for the existing parliamentary Council; second, applying the rule of a Council that delivers another council; third, holding the parliamentary elections during the current year 2020. Generally, the third option was implemented and the elections were held in the assigned time despite the outbreak of corona virus; there was more reliance on the citizens' awareness and the healthy procedures as well as the existence of security authorities in the voting centers.

Since the independent elections commission is the responsible authority for holding the elections in Jordan, the Council of the commission decided to determine the day (10/11/2020) as a time for holding the parliamentary elections. This decision is based on the provisions of article (34) of the Jordanian constitution as well as article (4)/ section (a) of elections law No. (6) for the year 2016 and article (12)/ section (b) of the law of the independent election commission and its amendments No. (11) for the year 2012 (independent election commission, 2020).

As for the partisan participation in the parliamentary elections in Jordan for the year 2020, the minister of parliamentary and political affairs stated that the number of the parties that provided the ministry by the names of their candidates was (41) parties (Jordan's News Agency Petra, 2020) out of (48) parties, where the last established party was the party of Jordan is our home in 2019.

In these elections, participation was not limited to the candidates of Islamic parties, where the number of candidates belonging to political parties was higher as compared to any other time

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in the political history of Jordan (Al-Asmar, 2021). Table 2 shows the seats of parties in the Jordanian house of representatives in 2020.

Table 2 THE NUMBER OF SEATS OF THE JORDANIAN POLITICAL PARTIES IN THE HOUSE OF REPRESENTATIVES IN 2020				
Number	Party	Representation		
1	Islamic Action Front	5		
2	the Islamic center party	5		
3	Unified Jordanian Front	1		
4	Jordanian Loyalty	1		
Total		12		

Source: (Abdullah, 2020; Ghabbon, 2020)

The previous Table 2 showed that the number of the seats of political parties in the 19th parliamentary Council was (12). The Islamic Action Front obtained (5) seats, the Islamic center party (5) seats, the Unified Jordanian Front (1) seat and the Jordanian Loyalty (1) seat; which means that the number of the seats of political parties was (9%) out of (130) seats. The highest portion of seats was for the Islamic Action Front and the Islamic center party, indicating the voting power of the parties that have the Islamic nature in Jordan since the Islamic parties have more popularity in the Jordanian community, especially that they weren't banned or their work wasn't stopped in the Jordanian state as opposed to the other political parties.

Comparing the participation of the Jordanian political parties in the parliamentary elections in 2016 and 2020. The Jordanian political parties entered the competition in the parliamentary elections in 2016 and 2020 based on the election law No. (6) for the year 2016, where the political parties asked the Jordanian governments to perform amendments for the law before holding the elections of 2016 and 2020. However, governments only listened to the requirements of the political parties without responding positively to them, in that the law and its articles remained the same, and were implemented to the 18th and 19th parliamentary councils, but with different electoral conditions. These factors affected the participation of the Jordanian political parties and the number of seats obtained by them in the parliamentary elections in 2016 and 2020.

The election law No. (6) for the year 2016 is supposed to contribute to dedicating the representation of the political parties in the Jordanian house of representatives. However, what happened is quite different, where the criticism was directed towards the system; i.e. the (open relative list systems) which didn't change reality and didn't produce partisan groups. Table 3 shows the number of participations of the Jordanian political parties in the parliamentary elections and the number of seats in the Jordanian House of Representatives in 2016 and 2020 as follows:

Table 3					
THE PARTICIPATIONS OF THE JORDANIAN POLITICAL PARTIES AND THE NUMBER					
OF SEATS IN THE JORDANIAN HOUSE OF REPRESENTATIVES IN 2016 AND 2020					
Number	Parties description	2016	2020		
1	The number of political parties participating in the elections	42	41		
2	The number of seats of the political parties participating in the elections	24	12		

Source: The researcher's analysis based on the previous information

The number of the Jordanian political parties that were licensed until 2016 was (43) political parties and the number of the Jordanian political parties that were licensed until 2020 was (48) political parties. We noticed the following:

The ratio of participation of the political parties in the elections of 2016 was 97.67%, indicating that 42 parties out of 43 parties participated in the elections. The percentage of participation of the political parties in the elections of 2020 was (85%), which means that (41) parties out of (48) parties took part in the elections. Therefore, we noticed that the partisan participation in the elections of 2016 and 2020 was high.

At the level of representing the Jordanian political parties in the house of representatives, we noticed that the percentage of representing the Jordanian political parties in 2016 was (18%) from the total number of seats of (130) seats, and that the ratio of representing the parties in the parliamentary elections in 2020 was (9%) from the total number of seats of (130) seats.

The Jordanian political parties were the most prominent loser in the Parliamentary elections in 2020, particularly the national and the left-wing parties (Al-Kheetan, 2020).

No female partisan candidate obtained a seat inside the parliament in 2020 based on free competition. Furthermore, the electoral law is the main reason that led to a decline in the role of political parties in the Jordanian Parliament; the system of electoral list and the need to only vote for one list, practically, represents the one vote, but in a different way (Abdullah, 2020).

People's own beliefs affected the inefficiency of the political parties and the weakness of their experience. As for the Islamic Action Front, it only gained (5) seats, and thus the total number seats achieved with its alliance was (10) seat; its existence in the Parliament in 2016 was only (4) seats (Al-Jonaidi, 2020).

The percentage of Political participation in the 2016-elections in Jordan was (37%); this context had a role in promoting the number of the seats of political parties in the house of representatives to (24) seats which is considered as the highest number achieved by parties in the Jordanian house of representatives since the resumption of the parliamentary life in Jordan. The percentage of political participation in Jordan in the elections of 2020 was (29%), and this reduced the number of political parties' seats to (12) seats, where such a low percentage of participation could be viewed as one of the causes of very low representation of parties in the Jordanian house of representatives.

The dangerous epidemic situation resulting from corona pandemic and avoiding going out to voting centers as a preventive measure as well as the elections law upon which the 2016-elections were held, wasn't satisfactory for several political powers in Jordan and also unsatisfying for the independent people who don't affiliate to any party. These factors had a role in the decline of the partisan representation in the House of Representatives in 2016 and 2020.

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The Impact of the Internal Determinants on the Participation of the Jordanian Political Parties in the Parliamentary Elections 2016 and 2020

The topic of elections and political parties is one of the most important topics that are included under the topic of democracy and one of its important tools in the process of power rotation. It is also closely related to a number of the determinants that exist in the country, including the social determinants, cultural determinants, and economic determinants. The social determinants and cultural determinants were highly related to the law of elections in the Jordanian state, since people are the main motivator for the law of elections; people are the basic foundation of the community and the basis of the political process. During the electoral process, we can test the culture achieved by people, where the political parties are affected by the law and the attitudes of people with regard to voting or not voting for parties. Based on the abovementioned, we notice the strong relationship between the social and cultural determinants as well as the law of elections when addressing the community and the political culture in it. The economic determinant is included within the context of luxury that people gained in terms of their interest in the electoral process and voting for parties. However, the economic factor could not have an impact on voting in elections in general. For example, in Jordan, and despite the bad economic circumstances, the ratio of voting in governorate is higher than the ratio of voting larger cities, such as Amman and Zarqa; a case that can b attributed to tribal considerations in the other governorates.

The Social Determinants

When addressing the social determinant in Jordan and its impact on the parliamentary elections in general and its effect on the participation of political parties, it mainly refers to tribal considerations, where the tribal weight has its own effects on the Jordanian Parliamentary elections at the level of nomination and representation in the House of Representatives. That case was more prominent after the resumption of the political life in general and the parliamentary life in particular; we can conclude that based on the low nomination and representation of parties in the Jordanian Parliamentary life.

Furthermore, as for the purposes of the current study, several laws of parliamentary elections were issued in Jordan, particularly during (1993 – 2013); these laws were represented by the one vote, which was dominant during (1993 - 2010), and then the mixed law (Wattan list, and local districts). Due to the one vote that took away the partisan work from the parliamentary life and despite the issuance of the law of Wattan list and the local districts, the tribal inclination was the most dominant element in the elections in Jordan. After that the law No. (6) for the year 2016 was issued. This law was represented by the open relative list, which encourages parties to take part in the elections, but it doesn't encourage their representation in the parliamentary Council. Indeed, this was obvious in relation to the low number of seats obtained by the parties in the elections of 2016 and 2020, where electoral lists were mainly formed based on tribal alliances, but not partisan ones, a case that was more prominent in the elections of 2020. This

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context was advocated by the law itself which didn't require the formation of closed partisan lists, and this case enhanced the tribal representation over the partisan representation in the house of representatives, which was supported by the lack of a specific electoral or partisan program upon which voters may rely while voting.

The Cultural Determinants

The importance of political culture lies in its results related to political attitudes that determine the attitudes of individuals towards the political systems in general and towards elections in particular. Establishing the atmosphere of political culture among individuals contribute to promoting the cultural and educational level which, in turn, qualifies individuals to practice democracy and believe in the right of others to express themselves. Therefore, political culture is considered as an effective factor in the electoral process. This situation confirms the necessity of promoting political culture in the community as well as between leaders and politicians who are responsible for the management of the country's affairs, since the existence of a center for solid executive and legislative decision is the product of civilized and harmonious political leaderships that can ensure the security of all the domains of the community since those who aim to construct a modern civilized democratic state should have the general culture as well as the professional, legal, judicial and political culture. Achieving all these conditions ensures constructing a strong community and country (Al-Shehab, 2016).

Accordingly, we can say that the cultural determinant adversely affected the Jordanian Parliamentary elections and negatively affected voting in favor of the political parties despite the high educational level that individuals enjoy inside the Jordanian state, especially in the current time. This can be attributed to a number of reasons: first, the decision related to preventing the activities of political parties in Jordan which resulted in a rapid decline for the political parties in the Jordanian Parliamentary life, and this was really noticed in the weak representation of parties in the Parliamentary elections in 2016 and 2020. Second, after the long absence of parties and their returning back again, people had totally realized that there is no benefit from the partisan work, especially that the decision of banning their activities was made by the state itself, a case that created a melancholic image from the perspective of the Jordanian people. Third, it was weakened by most legislation which weren't cited in a realistic way with regard to a partisan existence in the Jordanian House of Representatives. Fourth, the governments don't care about establishing a partisan existence in the House of Representatives by increasing people's awareness about the importance of parties in the Jordanian political system since it is a parliamentary, royal and hereditary ruling system. Fifth, despite all the difficulties, the Jordanian parties don't attempt to increase their existence in the Jordanian street by holding seminars and dialogues that aim to increase people's interest in the political parties and promote their political culture about those parties effectively; this led parties towards a weak status.

The Economic Determinant

The economic determinant affects the level of political participation, particularly in the elections that take place in the country, where its effect could be either positive or negative based

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on the citizens' economic status. In this context, Jordanian economy has a negative impact on the living of citizens, either during the elections of 2016 or the elections of 2020, where poverty, unemployment and low income are considered as causes that prevented them from being interested in the political life in general, and in elections in particular. Also, the effects of corona pandemic were obvious on the percentage of voting which reached (37%) in 2016 and (29%) in 2020. This case reflects the decreased interest in the participation in political life as opposed to more interest in the economic status and living circumstances.

The decline in economic status of the Jordanian citizens can be demonstrated based on documented, where the annual average income of the Jordanian citizen decreased from (3276.8) JD in 2011 to (2782) JD in 2016, with an average decrease of (3.2%) .This decline could be attributed to two reasons: first, the unusual increase in the number of population that resulted from the increased flow of the Syrian refugees. The second cause is related to the decline of the rates of economic growth during the same period (Jaradat, 2017). In 2019, a report by the World Bank stated that the average annual income of the Jordanian citizen was (3400) \$, about (2408) JD, which means that the monthly income of the Jordanian citizen is about (200) JD (Al-Maqar, 2019). Here, we can notice the decline in the annual income in 2019 as compared to 2016. However, in 2020, the economic conditions became even worse due to the effects of corona pandemic, the decline in growth rates, the increase in unemployment and poverty rates (Al-Momani, 2020).

RESULT

The study concluded with the following results: The Jordanian state adopted the election law No. (6) for the year 2016, which included the implementation of a new electoral system, represented by the (open relative system). This law included a new way of forming electoral lists that are specific for each governorate, where each governorate has a certain number of the lists that should be formed and the number of candidates should not be less than three in each list. As for the method of voting, each voter has the right to vote only for one list, where he firstly votes for the list as a whole, and then chooses a certain candidate or group of candidates in the same list. As for the suggestions of the political parties about the law of elections, they included, first, including the law a national list that represents (25%) of the seats in the House of Representatives with no less than (2%). Second, adopting the system of the two lists at the kingdom's level and the local level, where voting is performed based on the open relative list by adopting a threshold of (3%).

Based on the Tables (1,2 and 3), we found that the number of the political parties that participated in the elections of 2016, was (42), with a percentage of (97.6%). As for the level of representation, they held (24) seats, or (18%) of the total seats. As for the elections of 2020, the number of parties that participated in the elections was (41) political parties, about (85%) of the total parties of (48) parties. These parties represented (12) seats, about (9%) of the total number of seats of (130) seats. Here, we noticed the positive effect of the elections law related to the nomination of political parties in 2016 and 2020; however, it effect was negative on the representation of parties in the House of Representatives.

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The social, cultural and economic internal determinants negatively affected the participation of political parties in the Jordanian Parliamentary elections that took place in 2016 and 2020, where the social effect was represented by voting to those affiliating to tribal alliances. The cultural effect was related to the stereotypical image that avoids voting to political parties. The economic effect wasn't only negative at the level of voting to political parties, but also at the level of elections as a whole; indeed, the low economic status affected the opinions of citizens where (63%) preferred not to vote in the 2016-elections as compared to (71%) who refused to vote in the elections of (2020) . This conclusion suggested that the economic situation is one of the most important causes of not voting to any parties in the Jordanian Parliamentary elections.

RECOMMENDATION

The study recommended the following: The necessity of amending the election law No. (6) for the year 2016 by including it a numerical threshold that corresponds with the number of the licensed political parties in Jordan, so that competition will be fair, and that encourages the parties to participate and compete in all the types of elections.

Listening to the demands of the political parties introduced to decision makers, particularly increasing the intensity of dialogue between parties and the ministry of parliamentary and political affairs.

Enhancing the efforts of political parties by promoting their existence in the Jordanian street, so that they become closer to people who recognize their importance within the Jordanian political system.

The necessity of urging the Jordanian decision makers to do more efforts with regard to promoting the existence of the political parties in the Jordanian political system in Jordan, particularly about what is considered as a starting point in the political action, which is the Jordanian House of Representatives.

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REFERENCES

- Abdullah, F. (2020). Parliament 2020 without partisan representatives. What is the form of the woman's role in supervision and legislation? Retrieved from https://alghad.com
- Al-Asmar, M. (2021). The Jordanian political elections, 2020: Attitudes and ramifications. *The journal of Middle Eastern studies*, 24(94), 177-186.
- Al-Awamleh, R.A. (2020). The role of election laws in representing political parties in parliaments in Jordan after the democratic transition (1989-2016), Studies. *Humanities and Social Sciences*, 47(1), 786-795.
- Al-Jonaidi, L. (2020). The retreat of the Jordanian parties in parliament popular conviction or political desire. Retrieved from https://www.aa.com.tr/ar/

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- Al-Khawaldeh, S. (2017). The participation of Islamic political parties in the Jordanian parliamentary elections in 2016: The Islamic Action Front Party as a model. *The Journal of Political Science and Law, 1*(4), 158-169.
- Al-Khawaldeh, S. A. F. (2017). The electoral system in Jordan for the year 2016, an analytical study. *The Algerian Journal of Human Security*, 3(1), 1-9.
- Al-Kheetan, F. (2020). The parties are the biggest losers in the elections. Retrieved from https://alghad.com/
- Al-Maqar. (2019). *The World Bank: Jordan is the tenth Arab country in terms of per capita income*. Retrieved from https://maqar.com/archives/364790
- Al-Mashaqbeh, A. (2017). *The elections for the eighteenth Jordanian Parliament: An analytical study*. National Library Department, the Hashemite Kingdom of Jordan.
- Al-Momani, M. H. (2020). Economy and elections. Retrieved from https://alghad.com/
- Al-Mosai'dyin, M. S. (2018). The impact of the political party's law for the year 2015 on partisan participation in the eighteenth Jordanian Parliament Elections in 2016. *The Journal of the Faculty of Economics and Political Science*, 19(1), 1-19.
- Al-Shehab, S. (2016). Political culture and elections in Jordan 1989-2013. *Humanities and Social Sciences*, 43(2), 941-942.
- Al-Tarawneh, B. A. (2019). The Jordanian Parliamentary Election laws and their impact on the level of political participation: A study in electoral systems. *Humanities and Social Sciences*, 46(2), 562-568.
- Amoon. (2018). *Center parties introduce their proposals on the electoral law*. Retrieved from https://www.ammonnews.net/article/374091
- Anja, W. (2016). Parliamentary Elections in Jordan. Fried Rich Ebert Stiftung.
- Ghabbon, H. (2020). *Elections 2020 four parties exceed the threshold of 1% of the votes*. Retrieved from https://alghad.com/
- Hourani, H. (2016). A representation crisis: The fragmentation of parties and the deterioration of political participation in Jordan, Al Jazeera Center for Studies. Retrieved from https://studies.aljazeera.net/
- Hussainy, M. (2017). Jordan 2016: Electoral reform and political continuity. Retrieved from http://www.rosaluxemburg.ps/wp-content/uploads/2017/01/Rosa-Luxemburg-Articles-English-Mohammed-Hussainy-Paper.pd
- Independent Election Commission. (2020). The parliamentary elections 2020. Retrieved from https://www.iec.jo/ar Jaradat, H. (2017). Report: The development of the average per capita income during the period of the Fourth Kingdom. Retrieved from http://alrai.com/article/10399110/
- Jordan's News Agency Petra. (2019). *Proposals to amend the electoral law*. Retrieved from https://www.petra.gov.jo/Include/InnerPage.jsp?ID=37695&lang=en&name=local_news
- Jordan's News Agency Petra. (2020). Al-Ma'aitah announces the names of the party candidates for the parliamentary elections. Retrieved from https://petra.gov.jo/Include/InnerPage.jsp?ID=156909&lang=ar&name=news
- Manjari, S. (2017). Parliamentary election in Jordan. Retrieved from https://doi.org/10.1177/2347798917711296.
- Social and Economic Council. (2018). A report on the state of the country's political development.