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**BRIEF / SURVEY  
OF  
PARLIAMENTARY LIFE  
IN  
JORDAN  
1920 - 1987**

**By  
HANI KHAIR**

**The Secretary General of  
Jordan's House of Parliament**

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BY  
DAVID SHARIF

The Jordanian Council of  
Parliamentary Studies

## PRESENTATION

*TO THE LEADER OF THE COUNTRY, THE BUILDER  
OF ITS RENAISSANCE AND THE GUARDIAN OF ITS  
CONSTITUTION AND DEMOCRATIC PARLIAMEN-  
TARY SYSTEM... HIS MAJESTY KING HUSSEIN.*

الملك الحسين بن عبد الله الثاني  
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PRESENTATION

TO THE FAITH OF THE COUNTRY, THE HONOR  
OF THE SERVICE AND THE COURAGE OF THE  
CONSTITUTION AND NATIONAL PARLIAMENT  
FOR STATE... HIS MAJESTY KING HUSSEIN



HIS MAJESTY KING HUSSEIN OF JORDAN

## **SURVEY OF PARLIAMENTARY LIFE IN JORDAN**

The history of Jordan as an independent country starts with the end of the First World War. It is also connected with the history of the neighbouring Arab countries over the previous ages and is an integral part of Greater Syria; Jordan regards itself - as per the Constitution-a part of the Arab Nation.

This part of the world has - since the beginning of human civilization - a long history of special characteristics and unusual importance. The Canaanites, Babylonians, Persians, Greeks, Crusaders and others competed to control it over different periods. It also witnessed the messages and teachings of various prophets.

On the advent of Islam this country was the base from which the Islamic conquering armies coming from the Arabian Peninsula proceeded to Jordan and Syria. Arabs met the Romans in fierce battles, the last of which was the Yarmouk Valley Battle where the Romans were badly beaten, and consequently the whole country came under the rule of the Arab Moslems. From that day, Jordan has been a Moslem country, and in the era of the Umayyads witnessed great prosperity. However, Jordan was not given by the Abbasides the same care extended thereto by the Umayyads: Palaces and castles were neglected and

destroyed with the passage of time. When the Tolons attained independence in Egypt, they annexed Jordan. The same thing was done by the Fatimids and the Ikhshids. It was thus in this state of weakness and fragmentation that the Crusaders found the country when they started their conquests.

The state which the Crusaders established did not last long. Their rule did not last except for one hundred years. In 1187 Sultan Salladin Al-Ayyubi scored a decisive victory against the European armies in the Battle of Hittin. After that the Mamelukes ruled the country in place of the Ayubites, and their rule of Jordan and Syria lasted until 1516, when the Ottoman Turks extended their rule over the Arabian Peninsula, Greater Syria, Iraq and North Africa.

Thus, after Greater Syria was annexed by the Ottoman State, Jordan became part of the Ottoman Empire.

There were then no parliamentary institutions in Jordan. The only such institution was the Council of Deputies, i.e. the Ottoman House of Representatives which was composed of the representatives of the Ottoman Empire. Jordan was represented in this Council by two deputies: one for the City of Tafleeh and another for the city of Karak.

After the First World War and the assumption of power by the fanatical Society for Unity and Advancement in the Ottoman State and as a result of the

attempts of those who took over power to Turkify the Arabs, oppress them and place obstacles before their just demands for freedom and independence, the Arabs rose in revolt against the Turks. At that Time Sherif Hussein Bin Ali, the Emir of Hijaz, was the most prominent Arab leader, and so asked the Turks to agree to Arab demands.

However, the leaders of the Society for Unity and Advancement ignored Hussein's demands and went ahead with their plans and oppression, which reached a climax with the start of the First World War in 1914. The Arab national leaders got in touch with Sherif Hussein Bin Ali, pledged allegiance to him and requested him to declare revolt and lead them for the attainment of freedom and independence for the Arab countries. Thus the revolt was declared in Hijaz in June 1916 and the Arabs took over all Turkish locations with the exception of Medina. In Autumn 1918, the Arabs and the British launched a general offensive, defeated the Turks and expelled them from all Syrian locations.

The Arabs placed their total confidence in the Allies. However, the British and the French had been planning to divide the country between them. They concluded the Sykes-Picot Agreement, which provided for the division of Greater Syria and Iraq and for placing Palestine under international control. Britain issued the Balfour Declaration on November 2, 1917 for the establishment of a national home for the Jews

in Palestine and then worked out final plans at the San Remo conference for placing the Arab countries under the Mandate system.

Transjordan remained as a part of the Syrian State until July 1920 when the French put an end to its independence. As this area was treated as a part of the share of Britain, the French forces did not occupy it.

In August 1920, the High Commissioner sent a number of British officials to the country and three separate governments were formed: one in Ajloun, the second in Amman and Salt, and the third in Karak. In June 1920, leaders Said Khair and Oudeh Abu Tayeh cabled King Hussein in Mecca, asking him to send one of his sons to Jordan to lead a movement for the liberation of Syria from French occupation.

In November 1920, Prince Abdullah arrived in Maan, and the leaders of Jordan went to receive him there. In March 1921, the Prince went to Amman where he was warmly received, a matter which angered Britain. Mr. Churchill then invited the Prince to meet him in Jerusalem. They thus met, and the Prince and the British Minister agreed that an independent national government would be formed in Transjordan.

The arrival of Prince Abdullah Bin Al-Hussein in Amman on March 2, 1921 was an important turning point in the history of Jordan, as his arrival saved the

country from inclusion in the policy of the Jewish national home, which had been proclaimed by the Balfour Declaration of November 1917.

The Prince had, since the establishment of the first Jordanian government, been planning for the people to select their representatives to a legislative council. However, that was not to be possible unless Britain recognized the independence of Jordan. So the Prince went to London on October 2, 1922 to hold talks with Britain for securing Britain's recognition of the independence of the Jordanian Emirate.

The Prince's talks proved to be fruitful, as Britain recognized the existence of an independent government in Transjordan under Prince Abdullah, provided that the League of Nations would approve that and that the Government of Transjordan would be constitutionally constituted for enabling the British Government to carry out its international commitments as regards the country through an agreement to be concluded between both parties.

Independence was thus declared on May 25, 1923, a day which has since then been considered as the official Day of Independence, in the presence of the Prince, the Government of the High Commissioner in Palestine (Herbert Samuel), the British Agent in Amman, Mr. John Philby, and a number of Arab delegations from Palestine and Lebanon. As a result of this recognition of the independence of

Transjordan as declared by the British High Commissioner, the British Agent in Amman came to communicate with the Ministry of Colonies directly and not through the High Commissioner in Palestine. The Jordanian Government too, came to deal with the British Government without going through the High Commissioner or the British Agent.

The Jordanian Government did not consider itself as attached to the High Commissioner in Palestine, which was evident in the refusal of this Government to extradite persons who were charged by the French Mandate Authorities with the attack on General Gouraud and in its non-recognition of the Political Criminals Extradition Agreement. As a result of this recognition of the independence of the country, the Prince wanted to set up a council which would play the role of a legislative chamber for the enactment of laws and regulations. Thus, on April 1, 1923, he decided to form a council under the name of "The Advisory Council" presided by the Chief Justice and comprising the Director of Audits, the Court of Appeals Prosecutor, the Director of Education, the Director of Revenues, the Director of Registration, and the Director of General Post and Telegraph, as members.

This Council continued to carry out its functions until April 1, 1927, when it was decided to abolish it in order to start elections for the First Legislative Council.

## THE FIRST LEGISLATIVE COUNCIL

After recognition by Britain of the independence of Transjordan, the idea was to finalize the constitutional elements in the Government institutions. Therefore, in early July 1923, a Royal Decree was issued for the formation of a national committee composed of the leaders of the country to draw up a law for the House of Representatives under the chairmanship of Said Khair and the membership of two persons from each of the six Governorates making up the Emirate, namely, Amman, Karak, Madaba, Salt, Jarash, and Irbid, to be elected by the Administration Council and the Municipality of each Governorate. The following persons were thus elected as members of the said Committee:

For the Governorate of Amman: Said Khair and Shamsuddin Sami;

For the Governorate of Irbid: Ali Khalki and Ali Niazi;

For the Governorate of Salt: Mohammad Al-Hussein and Said Al-Salibi;

For the Governorate of Karak: Za'al Al-Majali and Abdullah Al-Akasheh

For the Governorate of Jarash: Ali Al-Kayed and Mohammad Al-Itan;

For the Governorate of Madaba: Ibrahim Jme'an and Ibrahim Shweihat.

This Committee (the Legal Advisor of which was Ibrahim Hashim) drew up an elections law on January



9, 1923, drafted on the basis of proper political representation. After approval of the law by the Jordanian Government, the latter proceeded to prepare for elections under that law, and in June 1924 the Administrative Governors completed the preparation of the voters lists for the start of the elections.

Also a preparatory committee comprising leaders and legislators was set up to draw up the Organic Law (The Constitution) in January 1923, which encompassed the rights of the people and was consistent with the needs of the country and reflected a clear picture of the status of the Emirate of Transjordan.

However, the British in their infringement of independence in August 1924, on account of the famous warning they served on the Jordanian Government (to be referred in the following pages), aborted the idea of parliamentary elections and the Draft Organic Law, which was ideal in its drafting and contents.

The attitude of the British in relation to Transjordan was different from theirs regarding Palestine. In the Mandate Deed for Palestine and Transjordan which Britain submitted in 1922 to the League of Nations and which was approved by the League on July 24, 1922, Transjordan was excluded from the provisions contained therein and which provided for the establishment of a national home for the Jews in Palestine pursuant to the Balfour De-

claration as per the agreement concluded between the British Minister of the Colonies, Mr. Churchill, and Prince Abdullah for the establishment of an Arab national government in Transjordan. Moreover, the British were not anxious to directly rule this area for various reasons, the most important of which was the difficulty of imposing direct rule on a people the majority of whom led a primitive life and whom the Ottoman State could not totally rule through its lengthy era, not to mention that this would have entailed for them a large number of troops and vast amounts of money. Another extremely important reason was the secret plan which had prompted them to devise this policy. At that time they did not expect immediate benefits from Jordan since it was an area which they prepared as a reserve land for the absorption of Arab immigrants from Palestine after the land of Palestine would have passed to Jewish hands. It was enough that it remained under their official control until the contemplated day arrived.

In fact, the British welcomed the opportunity that presented itself to them in cooperation with Prince Abdullah for controlling this area, not by the force of their arms and money but by the moral influence of the Prince, he being a descendent of Prophet Mohammad, and by the national feelings of the inhabitants which made them rally around a man who represented their national dignity, self-independence, and self-rule. However, the British true to their habit,

changed their mind after they had come to discover the patriotism of the Prince, his insistence on the rights and sovereignty of the country, his keenness to directly exercise his authority as a constitutional Prince and a Hashemite Arab leader who was to observe the customs and traditions of the people. They did not at all intend to make of Transjordan a sanctuary for those nationals working against them and against their associates, the Mandatory Authority in Syria and Lebanon. Nor did they intend to let Transjordan maintain an armed force subject to its own authority and which was to include Arab officers the majority of whom were known for their far-reaching spirit of independence, nor for it to be a strong country which would in future bring pressure to bear on Britain's undertaking to establish a national home for the Jews in Palestine pursuant to the Balfour Declaration.

The British began to take their planned colonial steps where their most effective weapon was financial aid. They imposed Peack Pasha, a British Officer, as commander of the State units and of the Police. They decided that the British Agent in Amman would be the Deputy of the High commissioner of Palestine. Philby resigned in protest and was replaced by Henry Cox. Finally, there came their severest blow after the attacks by the rebels from Jordan on the French positions in Horan. They thus issued their famous warning (to be mentioned later). Britain used the

subject of paying financial aid to Transjordan as a means to extend its control to the internal administration of the country. The first thing it did in this regard was to put pressure on the Government to attach the police force to the mobile force under the pretence of saving in expenditure. This was done and thus, Peack Pasha became the Commander of the Arab Army, which came to be made up of both forces.

During the government of Hasan Khaled Abu Al-Huda, who was considered a friend of the British, Britain suddenly suspended its financial aid under the pretence of non-confidence in the financial management in Transjordan and the need for its reform. But the question was not confined to financial reform, but was that the British did not want Transjordan to be a base for activities against the French Mandate in Syria. Since the French imposed their rule on Syria, they continued to complain against Transjordan for its being a center for the preparation, arming, and supply of guerillas and the provision of secure refuge for them. They also accused it of organizing incidents against them whenever nationals in Syria staged a revolutionary movement. When some rebels attacked French centers in Horan and so continued their raids until they reached Jadat Al-Sreijah in south Damascus, thus killing some French persons on Daraa-Mzeirib Road, the Mandatory authorities served a warning on the Prince containing the following demands:

- 1 . Extending British control over financial matters, unconditionally and with no restrictions.
- 2 . The expulsion of those accused of instigating the border incidents.
- 3 . The cancellation of tribal representation.
- 4 . Local forces would be subject to inspection by the Commandar of the British Imperial Forces, such to be according the advice of His Majesty's Government.
- 5 . The acceptance of the Agreement for the Extradition of Criminals concluded with Syria.
- 6 . The Prince would be respectable and not responsible for the administration of the government since in any event the rule should be constitutional.

The Prince had no choice but to accept these demands, considering that the situation was critical and that the British threatened to take severe military actions. In intimating his agreement, the Prince wrote down the following: "We are at God's will and to Him we shall return."

The said warning did not only impair Transjordan's independence, but it also did not leave any semblance or indication of such independence. However, this did not take place in one step, but work on it proceeded slowly and gradually for more than two years. Total domination by the Mandatory power did not finally take place until after the resig-

nation of Mr. Rida Al-Rikabi Pasha, the Prime Minister, in 1926.

Clear evidence of this was furnished by the statement effecting the formation of the Executive Council, which embodied the recognition of the right of the British advisers to attend the meetings of the Executive Council, and also the participation by the Arab officials seconded from the Government of Palestine in the membership of the Executive Council. Following is the example of the Cabinet of Mr. Hassan Khaled Abu Al-Huda which was formed on June 26, 1926, and which consisted of:

- 1 . Hassan Khaled Pasha Abu Al-Huda, Prime Minister and Minister of Interior.
- 2 . Sheikh Hussam Addin Jarallah, Minister of Justice and Chief Justice.
- 3 . Aref Bey Al-Aref, Secretary General.
- 4 . Dr. Rida Tawfeek, Director of Antiquities.
- 5 . Abdurrahman Bey Ghareeb, Director of Public Works.
- 6 . Mr. Alen Kirkbride, Financial Advisor.

It will be noted that the members of the Executive Council included three of the Arab officials seconded from the Government of Palestine, namely: Sheikh Hussam Addin Jarallah, Aref Al-Aref and Abdurrahman Ghareeb (a Lebanese), Alen Kirkbride (British), and Mr. Rida Tawfiq, a Turkish official.

In the formation of this Cabinet, the authority and powers of the British Agent were very effective, to the extent that the inter-relations of political responsibility were lost amongst the Cabinet Members, for these acted as mere department directors carrying out whatever was required of them and not as politically responsible officials.

The Agent's Office employed the principle of financial control for imposing its total control of the Government body to the extent that the Prime Minister could not increase the salary of any official or even appoint a messenger without the approval of the Agent Henry Cox, the British Agent at the time, who was possessed of a harsh colonial military mentality.

The Treasury of Transjordan was made to absorb the expenses of the Agent's Office. As an example, its allocations for 1927 totalled (17,906) Palestinian Pounds, compared to (16,220) Palestinian Pounds for the Prince's Headquarters and (5,894) Pounds for the Prime Ministry.

During the tenure of Prime Minister Hassan Khaled Abu Al-Huda the control of powers reached its maximum in the hands of the British Agent, and the heads of the important departments of the Government were now British officials or officials seconded from the Government of Palestine. The policy of Hassan Khaled in this respect was contrary to that of Al-Rikabi Pasha who stood for the idea of

seeking the assistance of seconded British officials and Arabs from the Government of Palestine for the discharge of specialized assignments as the country lacked these. He would thus not agree that such officials should participate in Governmental responsibility, which he considered should be shouldered by politicians who realized their responsibilities towards the country and its citizens. Following are the names of such officials:

- 1 . Dr. Halim Abu Rahmeh, Director of Public Health.
- 2 . Aref Al-Aref, Secretary General.
- 3 . Abdurrahman Ghareeb, Director of Public Works.
- 4 . Reading, Controller of Finance.
- 5 . Alen Kirkbride, Financial Advisor.
- 6 . Champion, Financial Advisor.
- 7 . Seaton, Judicial Advisor.
- 8 . Hooper, Judicial Advisor.
- 9 . Baz Qaawar, Director of Post and Telegraph.
10. Costandi Farah, Head of the Department of Accounts and Audits.
11. House, Head of the Department of Accounts and Audits.
12. Livingstone, Director of Customs.
13. Mitchell, Director of Lands and Survey.
14. Ilias Azar, Controller of Supplies.

In financial matters, the Agent's Office applied a system which led to the inflation of the budget by

imposing heavy taxes on the Jordanian taxpayer for the maintenance of the British Frontier Force's officers, the Agent's Office and the Financial Control Staff in the form of high salaries, side by side with resorting to various means for reducing British aid.

Thus, the Mandatory Authority, through the efforts of Cox, became an absolute, disagreeable dictatorship with which the Prince, the nationals and Government officials became disgruntled. And the country could not rid itself of this iron fist until twenty or more years later.

With these oppressive and retrograde methods, the days when officials in Transjordan were negotiating on an equal footing with the British Government were over for demanding what they considered to be a right for their country. And it was with these same methods that the British Jordanian Treaty was concluded on February 20, 1928 in Jerusalem by Hassan Khaled Abu Al-Huda, for Jordan, and Lord Bloomer, the British High Commissioner in Palestine, for Britain. On March 26, 1928 the text of this Treaty was officially published.

This Treaty placed the destiny of Transjordan in the hands of the Mandatory power, as it provided that Transjordan was to absorb the expenditures of the British Agent and his staff and that the appointment of employees from outside Transjordan should be subject to His Majesty's Government's approval, and

likewise all the laws and regulations therein. The Prince should also seek the advice of Britain in all matters related to the foreign relations of Transjordan, to those related to the grant of concessions, the utilization of natural resources and the conclusion of loans. Agreements related to the extradition of criminals and to which Britain was a party would equally apply to Transjordan. The Prince would undertake to agree to British financial control and the Budget would be subject to British advice. The King of Britain would maintain armed forces in the country and Transjordan's Treasury would absorb one sixth of the costs of the Frontier Force.

The Government of Hassan Khaled also drew up the new Organic Law on April 16, 1928 after neglecting the draft Organic Law of 1923.

The above Law was published by the Mandatory Government and was based on the spirit of the Treaty, without the people of the country having any say in its formulation.

Organic Law provided for the recognition of the independence of Transjordan and the right of Jordanians to establish societies and that the legislative and administrative powers would be vested in the Prince who would ratify laws, promulgate them and follow up their implementation. It also provided for the formation of an Executive Council in accordance with Article 21 of the Organic Law of 1928, which was

to consist of the Prime Minister and other members not exceeding five, to discharge the affairs of the country and to set up a legislative council consisting of 16 elected representatives in accordance with Article 3 of the Law for the Election of the Legislative Council Members for 1928 and of the Members of the Executive Council in accordance with Article 26, Paragraph B of the Organic Law of Transjordan issued on April 16, 1928 which provided that the Prime Minister and the other Members of the Executive Council were considered as representatives on the Council for three years, which was the constitutional tenure of the Council.

Article 32 of the same Law provided that the Prime Minister was, when attending, to chair all the meetings of the Legislative Council; in his absence, these were to be chaired by whomever the Prime Minister appointed for the purpose from time to time from amongst the non-elected members; if such appointment did not take place, the meetings would be chaired by the most prominent non-elected member of the Legislative Council.

In addition, the laws passed by the Council would not be regarded as valid unless ratified by the Prince, who had the right to conclude agreements. However, His Majesty the King of Britain would - when necessary and on the behalf of Transjordan - conclude any commercial treaty, agreements relating to the extradition of criminals, and international agreements to which His Majesty would be another party for

Britain. As it was necessary to ratify the Treaty and the Organic Law by a national body, the Government of Hassan Khaled took the initiative to suspend the application of the Elections Law of 1923.

On June 17, 1928, the Government published a new law for the election of the Legislative Council, providing that its members would be 16, elected in two stages. This law took into consideration the representation of Christians and Circassians. This devious British idea as embodied in that new plan became clear in the establishment of a nominal legislative council which enjoyed no power or authority but was to endorse the decisions taken by the Legislative Council, which the British controlled. The Nationalists opposed the said law because it did not realize the aspirations of the people or of the country for a sound democratic life. Demonstrations were staged demanding the boycott of elections and the refusal to register voters on the election lists. The demands of the people were the following:

- 1 . The law contained no provision for the division of constituencies in proportion to the number of the inhabitants, and that it did not fix a quorum for the right of representation as regards either registration or election.
- 2 . That it only theoretically divided the country into constituencies while representatives would in fact be appointed, and that it limited the number

of members of the Council on an incorrect proportionate basis.

- 3 . That the regulations of the above law deemed nomination by two registered persons as enough to bring out a secondary voter, and regarded the nomination of a member by five secondary voters as enough to elect that member as a representative of the Nation in the Legislative Council, which meant that ten preliminary voters could elect a member to represent the whole country.
- 4 . That the Council was not based on governmental responsibility and that it was less representative than the Public Council in the Provincial Centres during the era of the Ottoman Regime, as that Council did not include any appointed members other than the Speaker while in the present Council Government officials would be members in it and their number exceeded one quarter of those elected.
5. That the continued existence of the Council was made conditional upon its ratification of the draft treaty.

The Prince agreed to these proposals but the British Agent insisted on rejecting them.

The drawbacks of the Elections Law were not - in the opinion of nationalists - limited to the foregoing, as the amendments which the Government proceeded to introduce into that Law were considered as reinforcing its absurdity and nullity.

These amendments may be summed up in the following:

1. The amendment which deprived the settled tribes of the right of individual registration and restricted such right to Sheikhs and Mukhtars.
2. The amendment which provided for the reduction of constituencies from four to three and the exclusion of the region of Ma'an (on account of the unanimous abstention of its inhabitants from registration).
3. The extension of the registration and election period for certain areas after the time-limit officially specified for registration had expired.

Despite such violent objection and strong opposition by the people, the Government went ahead with its plans to hold elections. The concern of the people was focussed on the ratification of the treaty, which had been viewed with extreme hostility in Transjordan for the fate of the treaty was dependent on its approval or disapproval by the Legislative Council. The Prince and his Government tried more than once to amend the treaty, but the British refused, insisting on their stand that the treaty should be referred to the Council exactly as it was so it was either to be approved and accepted or to be rejected, in which case the future of the country would be reconsidered.

The attitude of the Prince and his Government was very clear: the treaty could be an evil, but it was an inevitable one. They were concerned over the future of the country because of British threats if the treaty was to be rejected, a course which led them seriously to call for elections. The situation over this issue soon became clear. One party supported this viewpoint and the principle of "take and ask for more"; while another section of the citizens joined the opposition and called for the boycott of elections. Opposition to registration and election was so strong that it was feared that necessary quorum of registration would not be attained for the elections.

Thus the Prince and the Prime Minister made great efforts to convince and induce the people, so that the draft treaty would not be aborted.

It may be said that had it not been for the intervention of the Prince personally with the leaders and prominent figures of the country and for the various administrative methods used by the Government officials, the Legislative Council would not have met then.

In the event, elections were held and the First Legislative Council met on Tuesday April 2, 1929, chaired by Prime Minister, Hassan Khaled Abu Al-Huda.

The first task of the Council was to consider the treaty: either to approve it or to reject it. Although

the majority of the members elected on the Council stood for the necessity of approving the treaty, there was no total agreement among them when the treaty was discussed in the Council. During the discussion of its provisions, the Government and the Legislative Council tried to amend some of its unfair articles, but the British Agent, who was most keen on direct rule, insisted on its approval or rejection without making any change in it, which forced the Members to approve it. On May 7, 1929, the Internal Regulations of the Legislative Council were published.

However, things did not proceed in the normal way: a wave of anger spread through the country against the harsh stipulations of the treaty and demonstrations took place in towns and strikes were announced. Some people thought that some clauses of the treaty provided for the imposition of compulsory military service on the citizens and service outside the borders of Transjordan. In spite of the denial of the Government and the British Agent of this belief, such denial could not calm people and consequently protests continued and petitions were filed.

Nationals now came to realize that the submission of petitions to the Prince, the Prime Minister, and the British Agent was to be without avail. They therefore called for the convening of a general conference representing the country and its people. This was held in Amman and was attended by some 150 representatives.



An Executive Committee was elected consisting of Hussein Al-Tarawneh, Hashem Khair, Nimr Al-Hmoud, Shamsuddin Sami and Taher Al-Jokkah. It elected Hussein Al-Tarawneh as Chairman of the Conference.

The demands of the Conference were confined to the following:

- 1 . The Emirate of Transjordan is an independent Arab sovereign State within its known natural borders.
- 2 . Transjordan is to be administered by an independent constitutional government under the leadership of HRH Prince Abdullah Bin Al-Hussein and after him by his descendants.
- 3 . Transjordan does not recognize the principle of mandate except as an honest technical assistance for the benefit of the country. Such assistance should be defined under an agreement or treaty to be concluded between Transjordan and Great Britain, the ally of the Arabs, on the basis of reciprocal rights and mutual interests and without prejudice to national sovereignty.
- 4 . Transjordan regards the Balfour Declaration for the establishment of a national home for the Jews in Palestine as a breach of Britain's undertakings and its formal promises to the Arabs and as an act which is contradictory to the religious and civil codes of the world.

- 5 . Every election to be held for parliament in Transjordan which takes place on any other than the sound basis of representation and on the basis of the non - responsibility of the government to Parliament will not be considered as an election representing the will and national sovereignty of the Nation consistent with constitutional rules but an artificial election devoid of any sound representative value. The termination of members elected on its basis for a political, financial or legislative right detrimental to the basic rights of Transjordan, shall not have the force of right recognized by the people but shall be part of the conduct of the Mandatory power and at its responsibility.
- 6 . Transjordan rejects all military service which does not stem from a responsible constitutional government, as military service is an integral part of national sovereignty.
- 7 . Transjordan refuses to incur the expenditure of any foreign occupation force and regards any levies imposed on it in this regard as money extracted from the toil and sweat of its workers and farmers.
- 8 . Transjordan considers that its resources-if it were given the option to organize its civil governments - are sufficient to establish a sound constitutional administration under the legitimate leadership of HRH the Prince. As for the

financial subsidy paid by the British Government, Transjordan regards this to be necessary expenses for the lines of communications of the Empire and the military forces intended for the service of British interests. Thus, such a subsidy, to which is now added a portion of the country's revenues for the achievement of objectives that in reality have nothing to do with Transjordan, does not authorize Britain to control the finances of Transjordan, and this, in a centralized and detrimental manner. We therefore regard the present financial situation, based as it is on the policy of reducing the financial subsidy from the British taxpayer at the expense of the Jordanian taxpayer to be detrimental and unlawful and one which cannot be sustained by the country's resources and should therefore be abolished and replaced by a system that reinforces the financial independence of the Government of Transjordan. And in this regard we hold that the present financial action should not be taken by such a rich ally as Britain in the face of such a poor country as Transjordan.

9. Transjordan considers every exceptional legislation which is not based on justice, public interest and the real needs of the people, as null and void.
10. Transjordan does not recognize any financial loan

contracted before the formation of the House of Representatives.

11. Disposal of government land may not take place before being submitted to and approved by the House of Representatives. Every sale effected before the meeting of the House is regarded as null and void.

These demands were submitted to the Prince who in his turn referred them to the British Agent. The latter replied that progress towards parliamentary rule cannot take place except after the people had proved their ability to shoulder larger responsibilities and that it was wrong to establish a political executive council (Government) at the present time. A meeting was then held between the British Agent and the Chairman of the Conference, at which the Agent stuck to his stubborn stand, alleging that the delay in the conclusion of the treaty after the approval of the Mandate Deed was caused by the fact that the Jordanian Government had in the early days of the establishment of Transjordan shut itself farther from the principles of constitutional rule and that the people of the country did not prove that they were worthy of the assumption of administration. He thus called for following a policy of progress with caution against haste, a course which forced the Conference to submit a new Memorandum to the League of Nations through the Executive Committee which in part stated:

"The Legislative Council which is convened on the bases of and in accordance with the methods mentioned above does not represent Transjordan at all but represents its individual members only, and its decisions therefore do not express the wishes of the Nation and do not obligate the country in anything. Its decisions are indeed regarded as part of the unfavourable British domination."

They also submitted a third Memorandum to Sir John Chancellor, the High Commissioner in Palestine, during his presence in Amman in which they stated:

"We strongly protest against every intervention by the British Agent in the affairs of our Government. We also protest against all of the provisions the Elections Law because the said Law - after its revision - authorized to the 160 voters the right of electing the Legislative Council which represents 25,000 voters and deprived certain tribes of the right of representation. It is well known that a legislative council boycotted by the majority of the inhabitants does not represent the country".

A fourth Memorandum was submitted to the League of Nations, which in part stated:

"Since both the Treaty concluded between Prince Abdullah and Britain and the Constitution which was enacted by the Ministry of Colonies are detrimental to our rights, the people have protested against them. In

spite of our protests to the Government against the Election Law which itself was in violation of accepted principles and the wishes of the people and which provided for one secondary voter for every (150) taxpayers, the Government mounted a campaign of hostile propaganda which drew strength from the power of its officials in the Governorates and resorted to various means for registering the names of some people against their wishes and some of the inhabitants who had not yet become Jordanian citizens. In this way, these came to work for convening the Legislative Council to approve the treaty, although the Council came into being by the voting of some six per cent of the total inhabitants of Transjordan who totalled 350,000 or more. We therefore protest against this situation and demand your intervention to bring about a permanent situation which will be in harmony with the wishes of the people and the honest spirit of the Mandate as decided by the League of Nations".

This popular wave of opposition reached the Members of the Legislative Council, who thus became disenchanted with the Prime Minister Hassan Khaled Pasha, and the spirit of violent opposition which now came to face this man throughout the country influenced the Members of the Council, who thus proceeded to level harsh criticism against him in an effort to topple him down. So much so that cooperation was totally lost between the Executive and Legislative bodies. In early 1931 the Government

submitted a supplement to the 1930/1931 Fiscal Year Budget which provided for the allocation of 6,260 pounds for the expenses of the desert forces recently established under the command of Glubb, the well-known British officer. The Council refused to approve this Supplement, a course which left no alternative before the Prince except to dissolve the Council, which was thus dissolved; its term ran from April 2, 1929 until February 9, 1931. Following this, Oudeh Al Kusous and Said Al-Mufti resigned the membership of the Executive Council, and Hassan Khaled had thus to resign.

#### **AUTHOR'S NOTE**

The cooperation of Hasan Khaled Pasha with the British Mandate Authority was not motivated by any favouring on his part of the British Authority at the expense of his country's interests. On the contrary he was an experienced nationalist politician totally familiar with the secrets and practices of the British policy from whose arrogance and harsh demands he suffered. This is fact compelled him to resort to the "Take and Demand" policy in order to deproot the entity of the small Emirate which was then at the stage of foundation and establishment.

#### **THE SECOND LEGISLATIVE COUNCIL**

The Government set out to make preparations for holding new elections, fixing June 1, 1931 for the meeting of the secondary voters in three constituencies for the selection of the members of the Second Legislative Council. It may be worth mentioning here that the opposition waged the elections campaign after it had become clear to them that national struggle within the Council would probably be more beneficial to the country, than struggle outside the Council. The elections resulted in the success of the majority of the opposition members. The Speaker of this Council was Sheikh Abdullah Siraj, the Prime Minister. The Council continued in its work from June 10, 1931 until it completed its constitutional term on June 10, 1934.

The Members of the new Legislative Council insisted that the Government should seek to amend the Treaty. So the Executive Council on August 12, 1931 submitted a Memo to Prince Abdullah requesting that efforts should be exerted so that Britain would realize the demands of the Legislative Council. The Prince once more submitted this request to the High Commissioner who on February 12, 1932 replied that he did not at that time consider that there was anything justifying his recommending to his Government the amendment of the provisions of the Treaty. On the

second occasion he replied, in more violent manner, saying: "I regret to advise your Highness that I cannot at present respond positively to the request of your Highness".

On June 9, 1933, the Secretary General of the Government Mr. Tawfeek Abu Al-Huda, sent a Memo to the British Agent, who was then discharging the Prime Minister's affairs, which contained a brief summary of the demands and suggestions of the Legislative Council.

However, the British High Commissioner refused to consider the request, and so the Council requested that it would be necessary to separate the Executive branch from the membership of the Legislative Council, as such members were appointed from amongst the elected members which was inconsistent with parliamentary systems. The Council also requested that the Organic Law be amended. But these requests were not met due to the expiry of the Council's term.

One of the most important issues handled by the Government of Mr. Abdullah Siraj was a law prohibiting the sale of land to foreigners and the submission of that law to the Legislative Council for approval. This it did because it had recognized the danger facing the country and the conspiracies engineered for permitting the Jews into the country. However, the British authority did not approve of this

action and so insisted on its withdrawal. This the Government refused, which brought about the anger and protest of the British Agent, who thus proceeded to dismiss Prime Minister Abdullah Siraj from office on October 18, 1933. The Cabinet of Mr. Ibrahim Hashem was formed on the same date and it withdrew the law prohibiting the sale of land to foreigners.

### THE THIRD LEGISLATIVE COUNCIL

This Council was the outcome of the 1934 elections and continued until its constitutional term expired. It was chaired by Mr. Ibrahim Hashem. During its term, the Executive Council (the Cabinet) requested the amendment of the 1928 Anglo Jordanian Treaty in order to have more national independence concerning the budget, diplomatic representation, the army, martial administration and the 1935 Defence Law. The British Government responded positively to this request and agreed to hold negotiations in London, which resulted in the amendment of the Treaty in 1939 during the term of the Fourth Legislative Council. This Council lasted from October 16, 1934 until October 16, 1937.

### THE FOURTH LEGISLATIVE COUNCIL

After the Third Legislative Council had completed its constitutional term, new elections were held for the Fourth Legislative Council in 1937, which completed its constitutional term, namely, from October 16, 1937 until October 16, 1940, it was extended for two more years expiring on October 16, 1942. It was chaired by Mr. Ibrahim Hashem.

During the term of this Council, the negotiations held in London between the Jordanian Government and the British Government were fruitful. So in 1939 the Treaty and several articles of the Organic Law were amended, including the change of the name of the Executive Council to that of the Cabinet, the recruitment of military forces and the appointment of consular representatives in certain neighbouring Arab countries. Consequently, a law amending the Organic Law of Transjordan was issued with the approval of the Legislative Council. Reviewing, thus, the development of constitutional life over seventeen years, we find that Prince Abdullah, the Legislative Councils and political opposition all worked in strict coordination for gaining more national independence, while the officials of the Executive Governments stood apart, ranging between supporting and opposing. It is worth noting as well that the powers obtained by the institutions of the country and which had belonged to the British Government were now

transferred primarily to the Prince, though with some restriction.

Thus, Paragraph 1 of Article 19, as amended, provided that the Prince, as Head of the State, may not amend or postpone laws or be complacent about their implementation except in the cases provided for in the Law. Other amended articles provided that Ministers be appointed by the Prince on the recommendation of the nominated Prime Minister and that the competence of each of them should be defined by virtue of regulations to be issued by the Council of Ministers. The Council of Ministers should be entrusted with the discharge of all the internal and external affairs of Transjordan, and a Minister should be responsible for all matters pertaining to his department or departments, and the Prime Minister should refer the matters falling outside his authority to the Council of Ministers. The Prince should exercise his authority through decrees to be issued on the recommendation of the Minister or Ministers in charge with the approval of the Prime Minister. In the case of the resignation or dismissal of the Prime Minister, all the Ministers should be deemed as having resigned or dismissed. However, the Prime Minister remained pursuant to the Organic Law responsible along with the Ministers to the Prince for the State's public policy. In addition every Minister was responsible to the Prince for his department or departments. In any event, the amendment mentioned was considered to

be a step forward and a national gain. The new Cabinet was formed after that and included for the first time Ministers for the Interior, Defence and Foreign Affairs.

## THE FIFTH LEGISLATIVE COUNCIL

The Fifth Legislative Council was elected in 1942 for three years and was presided by Mr. Tawfeek Abu Al-Huda. Its term was extended for two further years until the proclamation of the new Constitution in 1947 when elections were held to select the members of the House of Representatives which replaced the Legislative Council. It is worth noting that all Legislative Councils included representatives for the Christian and Circassian minorities as well as representatives for the Bedouins of the North and South. Leftist groups since 1947 called for foregoing the tribal and sectarian formula. However, such calls and slogans were confronted with more powerful facts, as it was evident that such a course was not in concert with the heritage and traditions of the people of Jordan. On the other hand, we should particularly mention that the Hashemite rule in Jordan under the leadership of King Hussein has been able-through diplomacy and prudence - to move the country forward towards sound parliamentary life, which combines both the prevailing facts and the modernization objectives. He was also able to grant women the right of nomination and to appoint women as Ministers. This Council continued functioning from October 20, 1942 until it completed its constitutional term on October 20, 1945, which was extended for two more years until October 20, 1947, when the new 1947 Constitution was proclaimed.

During the term of this Council, monarchy was declared in Jordan, and Prince Abdullah thus became King of the Hashemite Kingdom of Jordan.



## THE FIRST HOUSE OF REPRESENTATIVES

Following upon the independence of Transjordan as a result of the termination of the Mandate and the signature of the 1946 Agreement, by virtue of which Prince Abdullah became the King of the Hashemite Kingdom of Jordan, certain amendments were made to the Organic Law whereby the legislative and executive powers were vested in King Abdullah Bin Al-Hussein and his male heirs after him. In the same year the Constitution was proclaimed, having been approved by the Legislative Council, and published in the Official Gazette on February 21, 1947.

However, in spite of some improvements on the Organic Law, the Constitution did not give the representatives of the Nation the right to conclude treaties, nor did it establish the rule of ministerial responsibility. The Constitution provided that legislative power is vested in Parliament and the King. Parliament consists of the elected House of Representatives and the appointed Senate. Then the Election Law was issued, providing for direct elections by all males who completed 18 years of age, with the exception of the Bedouins who are represented by two members out of a total of twenty. Christians had four seats while Circassians had two. The first House of Representatives was elected on October 20, 1947, and included Hashem Khair, the

leader of the Arab Renaissance Party, who was Speaker of the House; Said Al-Mufti, Abdulhaleem Al-Nimr, Shafik Ershaidat and Akef Al-Fayez. The elections for this House were largely free, with no one condemning or boycotting them, nor challenging them later.

After the elections of the first House of Representatives, a new Cabinet was formed under Tawfeek Abu Al-Huda, in which House Representative Said Al-Mufti participated. This Cabinet purported in its programme to seek to consolidate the constitutional position by widening the rights of the House and reducing the restrictions imposed thereon. The Government also sought and was able to amend the Treaty with Britain, whereby the State would exercise more sovereignty over its territory. The Cabinet granted a licence to two political parties, namely the Renaissance Party and the People's Party; the first of these espoused the principles of the Great Arab Revolt and the establishment of the State of Greater Syria. The other was less moderate, and so the Government decided to dissolve it, charging that what the Party's journal had published was undermining security and would cause chaos and disorder for personal gains. As a result, some members of the dissolved People's Party left for Damascus in protest against that action.

Following the Partition Resolution of Palestine and the 1948 events, attention came to be focussed

on Jordan's role in the war then raging in Palestine on both the official level and on the level of volunteering in the popular Jihad forces. King Abdullah appointed a number of Military Governors for the sectors where the Jordanian Army operated. The Public Administration Law was issued on March 16, 1949. On May 3, 1949, a new Cabinet was formed and three Ministers from the West Bank joined it. Its programme included a reference to measures for uniting both Banks of Jordan. Then the Election Law was amended so as to extend to the West Bank, whereby the number of members of the House of Representatives was doubled, becoming thus 40: twenty for the East Bank and twenty for the West Bank.

In December, the House of Representations was dissolved with effect from January 1, 1950 in order to hold new elections which would cover both Banks. The Speaker of this House was Mr. Hashem Khair, who was succeeded by Mr. Abdulkader Al-Tall.

## **THE SECOND HOUSE OF REPRESENTATIVES**

This House was elected after the amendment of the Constitution following upon the unity between the East and West Banks of Jordan. Its members numbered 40 for the whole of the Hashemite Kingdom of Jordan, half of whom represented each Bank.

This House approved the unity between the East Bank and the West Bank. However, it did not complete its term lasting as it did from April 20, 1950 to May 3, 1951, when it was dissolved for the most part since it did not approve the draft General Budget of the State and for lack of cooperation between the Legislative and Executive Powers. The Speaker of the House was Mr. Omar Matar, followed by Mr. Said Al-Mufti.

## THE THIRD HOUSE OF REPRESENTATIVES

Following upon the assassination of the late King Abdullah Bin Al-Hussein on July 19, 1951, a new Cabinet was formed under Tawfeek Abu Al-Huda for holding elections for the Third House, which lasted for two years and seven months, from September 1, 1951 to June 22, 1954, when it was dissolved for its opposition to the Government's policy and its non-cooperation with the Executive Power. During the life of this House, the 1952 Constitution was promulgated. It is our duty here to mention with great pride and respect the glorious achievements of the late King Talal, who promulgated this Constitution, thus responding to the great developments in the public situation after the unity of both Banks and the growth of national feelings in Jordan and the other Arab countries. During the life of this House, His Majesty King Hussein assumed his constitutional powers.

It is also worth mentioning that Jordan was the very first Arab country to declare in Article (1) of this Constitution that the Hashemite Kingdom of Jordan is an independent Arab country and that the people of Jordan is part of the Arab Nation. The Constitution in Article 24 provided that the Nation is the source of all powers.

Article 51 provided that the Prime Minister and the Ministers are jointly responsible before the House of Representatives for the public policy of the State and that every Minister is responsible to the House for the activities of his Ministry.

Article 53 provided that the Cabinet should resign if the House were to pass a vote of no-confidence in it by an absolute majority of its members.

Articles 55 and 57 provided for the establishment of a Higher Council consisting of the Speaker of the Senate, as President, and of eight members: three of whom to be Senators, and five of the judges of the highest court. This Council would try Ministers for any alleged crimes arising from their functions.

Article 122 provided that the House shall have the right to interpret the provisions of the Constitution if it is so requested by the Council of Ministers or by either the House of Representatives or the Senate. The Speaker of this House was Mr. Abdullah Al-Kleib Al-Shreideh, followed by Mr. Hikmat Al-Masri and then by Mr. Abdulhaleem Al-Nimr.

## THE FOURTH HOUSE OF REPRESENTATIVES

The elections of this House were held in November 1954 in an atmosphere of violent and widespread demonstrations in which the Army had to intervene in order to calm down the situation. The result was the murder of tens of citizens, a situation which forced Prime Minister Tawfeek Abu Al-Huda to resign.

This brought about the government of Said Al-Mufti, which had to face the debate over the Baghdad Pact and the Egyptian stance which defied the Pact. It soon resigned, thus bringing about the Government of Hazzaa' Al-Majali for the signature of the Baghdad Pact, itself very strongly opposed, and so he was forced to resign. A new cabinet was formed and the House was dissolved on June 26, 1956; it had come into existence on October 17, 1954.

During the life of this House, the Constitution was amended, whereby the term of the membership of the Senate was reduced from eight to four years.

The Speaker of the House was Mr. Ahmad Al-Tarawneh.

## THE FIFTH HOUSE OF REPRESENTATIVES

On October 1, 1956, the provisional government of Ibrahim Hashem was formed to hold general elections, which were in fact held in an atmosphere of freedom and honesty, leading to the success of the lists of the Socialist National Party, the Moslem Brothers, the Constitutional Arab Party, the National Front, the Arab Resurrection Socialist Party, the Liberation Party and a number of independents.

During the life of this House the Anglo-Jordanian Treaty was cancelled on March 14, 1957. This House also approved the Constitution of the Arab Union between the Hashemite Kingdom of Jordan and the Kingdom of Iraq. After the establishment of the Union, the Arab Union Council was formed. In application of Paragraph (E) of Article (10) of the Constitution of the Union, thirteen members of Jordan's House of Representatives were elected to become members of that Council.

Also, during the life of this House some members who were selected to be members of the Arab Union Council were reinstated after the Council was dissolved following upon the military coup in Iraq, pursuant to Provisional Law No. 32 for 1958 amending the Election Law of the House of Representatives and approved by Parliament on August 20, 1958, the Third Article of which read:

**Article (3):** Members previously elected for the House of Representatives and those whom the House elected on March 22, 1958 to represent the Hashemite Kingdom of Jordan in the Arab Union Council for the Governorates hereinbelow stated shall be deemed as members elected to fill the ten additional seats in the House which had been added pursuant to Article (2) of this Law for the remainder of the term of the House of Representatives:

- a. The Governorate of the Capital;
- b. The Governorate of Balka;
- c. The Governorate of Karak;
- d. The Governorate of Maan;
- e. The Governorate of Jerusalem;
- f. The Governorate of Hebron;
- g. The Governorate of Nablus.

This House began its term on October 21, 1956 and completed its constitutional term on October 21, 1961. The Speaker of this House was Mr. Hikmat Al-Masri, followed by Mr. Mustafa Khalifeh.

## **THE SIXTH HOUSE OF REPRESENTATIVES**

This House started on October 22, 1961 until October 1, 1962, but did not complete its constitutional term since it was dissolved by the Cabinet of Mr. Wasfi Al-Tall, due to the lack of cooperation between the Legislative and Executive Powers. The Speaker of this House was Dr. Mustafa Khalifeh.

## **THE SEVENTH HOUSE OF REPRESENTATIVES**

This House started on July 8, 1962 until April 21, 1963, when it was dissolved by the Cabinet of Mr. Sameer Al-Rifai, due to the lack of cooperation between the Legislative and Executive Powers and the vote of no-confidence in the Cabinet. The Speaker of this House was Mr. Salah Tokan.

## **THE EIGHTH HOUSE OF REPRESENTATIVES**

This House started on July 8, 1963 until December 23, 1966, it did not complete its term as it was dissolved by the Cabinet of Mr. Wasfi Al-Tall, due to the lack of cooperation between the Legislative and Executive Powers. The Speaker of the House was Mr. Akef Al-Fayez.

## THE NINETH HOUSE OF REPRESENTATIVES

The last elections for this House were held on April 15, 1967, before the Zionist aggression on the West Bank and its occupation. Its term started on April 18, 1967 and expired on April 18, 1971. The Speaker of this House was Mr. Kasem Al-Rimawi, followed by Mr. Kamel Ureikat.

As a result of the Israeli occupation no parliamentary elections were held after the expiry of the term of the House in 1971, but it continued to function and held many meetings, taking important decisions and amending some of the provisions of the Constitution.

On March 3, 1971 a Royal Decree was issued extending the term of the House for two years, which expired on April 18, 1973.

On November 23, 1971, a Royal Decree was issued convening Parliament in an ordinary session with effect from December 1, 1971.

On March 26, 1972, a Royal Decree was issued extending the term of the ordinary session of Parliament for three months, effective from April 1, 1972.

On June 26, 1972, a Royal Decree was issued prorogating the ordinary session, effective from June 30, 1972.

On July 17, 1972, a Royal Decree was issued convening Parliament in an extraordinary session, effective from July 20, 1972, to examine certain matters listed in the Royal Decree.

On August 10, 1972, a Royal Decree was issued adding certain other matters to those listed in the previous Royal Decree.

On September 23, 1972, a Royal Decree was issued prorogating the extraordinary session, effective September 30, 1972.

On September 30, 1972, a Royal Decree was issued postponing the convening of Parliament in an ordinary session for one month.

On October 21, 1972, a Royal Decree was issued convening Parliament in an ordinary session, as from November 1, 1972.

On February 24, 1973, a Royal Decree was issued prorogating the ordinary session of Parliament as from February 28, 1973.

On the same date (February 24, 1973), a second Royal Decree was issued convening Parliament in an extraordinary session as from March 1, 1973 to examine certain matters listed in the Royal Decree.

On March 27, 1973, a Royal Decree was issued adding the Draft Amendment of Article 88 of the

Constitution to the contents of the previous Royal Decree issued on February 24, 1973.

On April 4, 1973, the House approved the amendment of the text of Article 88 of the Constitution, to read as follows:

“If a seat becomes vacant in the Senate or in the House of Representatives by death or resignation or for any other reason, it shall be filled by appointment in the case of a Senator, and by holding a by-election in the case of a Representative, within a period of two months from the date on which the House notifies the Cabinet of the said vacancy. The term of the new Member shall be for the remaining portion of the term of his predecessor.

“However if a seat in the House of Representatives becomes vacant for any constituency for any reason, and should there be a case of force majeure on account of which the Council of Ministers considers that the holding of a by-election to fill that seat is impossible, the House of Representatives shall, with the absolute majority of its Members and within one month of its being notified thereof, elect a member to fill the said seat from amongst the inhabitants of the constituency in question to whom the provisions of the Constitution are applicable and in the manner the House deems appropriate”.

On June 20, 1973, a Royal Decree was issued prorogating the extraordinary session, effective June 21, 1973.

On November 21, 1973, a Royal Decree was issued convening the House in an ordinary session.

On March 31, 1974, a Royal Decree was issued prorogating the ordinary session of Parliament.

On September 23, 1974, a Royal Decree was issued postponing the convening of Parliament in its ordinary session for two months.

On November 5, 1974, a Royal Decree was issued convening the House in an extraordinary session as from November 9, 1974, to amend Articles 34 and 73 of the Constitution even though the House was in an ordinary session.

Following upon this, the House of Representatives held a session on November 10, 1974 in which it was resolved to amend Article 34 of the Constitution, by virtue of which it became the right of His Majesty the King to dissolve the Senate or to relieve any of its Members of his functions. Article 73 of the Constitution was also amended by the addition of a fourth paragraph thereto, which read:

“Notwithstanding the provisions of Paragraphs (1) and (2) of this Article, the King may postpone the holding of the general elections for a period not exceeding one year should there be a case of force majeure on account of which the Council of Ministers considers that the holding of elections is impossible.

On November 10, 1974 a Royal Decree was issued prorogating the extraordinary session.



On November 23, 1974, a Royal Decree was issued dissolving the Senate and the House of Representatives.

On December 1, 1974, a Royal Decree was issued forming the new Senate, which was presided by Mr. Bahjat Al-Talhouni.

On March 17, 1975, a Royal Decree was issued postponing the holding of elections for the House of Representatives in application of the provisions of Paragraph (4) of Article (73) of the Constitution within the period specified in the Constitution, namely, one year.

In view of all these circumstances and in application of the provisions of Article (73) (Paragraph 2) of the Constitution, which provides that if elections are not held by the expiry of four months, the dissolved House shall regain its full constitutional powers and shall immediately convene as if dissolution had never taken place, and so shall proceed with discharging its functions until the new House is elected, a Royal decree was issued convening the House in an extraordinary session on February 4, 1976, in order to effect other amendments to the Constitution, whereupon Article (73) of the Constitution was amended for the second time, as follows:

1. The deletion of the phrase "for a period not exceeding one year" contained in Paragraph (4).
2. The addition of the following paragraph at the end thereof:

5. Should there be, during the period of postponement referred to in the previous Paragraph, a case of force majeure necessitating the amendment of the Constitution, the King may, acting upon a decision by the Council of Ministers, summon the previous House of Representatives to convene in an extraordinary session for the purpose".

On February 7, 1976, and following upon the resolution amending Article (73) of the Constitution, a Royal Decree was issued dissolving the House of Representatives with effect February 7, 1976. However, the Senate was not dissolved and so remained existent, its sessions coming to be suspended in application of the provisions of Paragraph (2) of Article (66) of the Constitution.

On January 7, 1984, a Royal Decree was issued convening Parliament in an extraordinary session with effect from January 9, 1984, in order to consider the amendment of Article (73) of the Constitution for the third time, as will be discussed later in the chapter on the Restoration of Parliamentary Life.

On January 10, 1984, a Royal Decree was issued prorogating the extraordinary session.

## THE TENTH HOUSE OF REPRESENTATIVES

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## THE SENATES

### THE FIRST SENATE

This senate was formed on October 20, 1947, after the promulgation of the 1947 Constitution. It continued until it was dissolved on April 20, 1950, and consisted of ten members. It was presided over by Mr. Tawfeek Abu Al-Huda.

### THE SECOND SENATE

This was formed on April 20, 1950 and consisted of twenty members. It continued until dissolved on May 3, 1951, and was presided over by Mr. Tawfeek Abu Al-Huda.

### THE THIRD SENATE

This was formed on September 1, 1951, by a Royal Decree issued by the Regent, Prince Nayef Bin Abdullah. It continued for two months upon which it was dissolved by a Royal Decree of his Majesty King Talal effective October 31, 1951. It consisted of twenty members, presided over by Mr. Ibrahim Hashem.

### THE FOURTH SENATE

This was formed on November 1, 1951, consisting of twenty members; it completed its constitutional term on October 31, 1955, and was presided over by Mr. Ibrahim Hashem, followed by Mr. Said Al-Mufti.

## THE FIFTH SENATE

This Senate was formed on November 1, 1955, comprising twenty Members. One of its most important functions was the approval of the Constitution of the Arab Union between the Hashemite Kingdom of Jordan and the Kingdom of Iraq. Due to the dissolution of that Union following upon the military coup in Iraq, the Election Law for the House of Representatives was amended to increase the number of its members from forty to fifty pursuant to Law No 32 for the year 1958. As Article (63) of the Constitution of Jordan provides that the number of the members of the Senate shall not exceed one half of the number of the members of the House of Representatives, the Senate members were increased from twenty to twenty five in application of the provisions of the said Article (63) of the Constitution. Four of the newly-appointed Members were Members of the House of Representatives who were elected as Members of the House of the Arab Union, and the fifth Member was Mr. Said Al-Mufti who was a Senator before he was appointed in the House of the Union and he was appointed as Speaker of the Senate which continued until it completed its constitutional term on January 31, 1959.

## THE SIXTH SENATE

This Senate was formed twice due to the collective resignation of its Members and the amendments made

to increase the number of its Members. It was presided over by Mr. Sameer Al-Rifai followed by Mr. Said Al-Mufti.

It was convened after the appointment of its members by a Royal Decree on November 1, 1959. Mr. Rifai was appointed Speaker of the Senate for two years as from November 1, 1959 to October 31, 1961 succeeded by Mr. Said Al-Mufti on November 1, 1961 until he and the Members submitted their collective resignations on November 22, 1962. It consisted of thirty members as the number was increased from twenty five pursuant to the amendments made on the Election Law on October 8, 1962 in application of the provisions of Article (63) of the Constitution.

After the formation of the new Senate on November 28, 1962 there was a dispute regarding the term of this Senate: one viewpoint was that this Senate complements the term of the previous resigned Senate, and another viewpoint that this Senate came as a result of a new appointment and consequently a new term of four years. The dispute was referred to the High Council for the Interpretation of the Provisions of the Constitution which issued a decision to the effect that the term of this Senate complements that of the previous one. So on this basis, this Senate carried on its function.

Mr. Said Al-Mufti was re-appointed as Speaker of the Senate from November 29, 1962. He continued as

such until he quit it on March 27, 1963 to accept a ministerial position. After his resignation from the ministerial position, he was reappointed as Speaker of the Senate from April 21, 1963 until he quit it on July 9, 1963 to accept a ministerial position again. He was succeeded by Mr. Sameer Al-Rifai from July 10, 1963 until the constitutional term of the Senate expired on October 31, 1963.

### **THE SEVENTH SENATE**

This Senate was formed after the appointment of its Members by a Royal Decree on November 1, 1963 until October 31, 1965. It consisted of thirty members presided over by Mr. Said Al-Mufti.

### **THE EIGHTH SENATE**

It was formed by a Royal Decree on November 1, 1967. Its term was extended twice due to the obstacles that faced parliamentary life because of the Israeli occupation. It continued until November 23, 1974 and consisted of thirty members presided over by Mr. Said Al-Mufti.

### **THE NINETH SENATE**

It was formed by a Royal Decree on December 1, 1974 and continued until January 20, 1979. It consisted of thirty members presided over by Mr. Bahjat Al-Talhouni.

### **THE TENTH SENATE**

It was formed by a Royal Decree on January 20,

1979 and continued until January 20, 1983. It consisted of thirty members presided over by Mr. Bahjat Al-Talhouni.

#### **THE ELEVENTH SENATE**

It was formed by a Royal Decree on January 20, 1983 and continued until January 10, 1984. It consisted of thirty members presided over by Mr. Ahmad Al-Tarawneh.

#### **THE TWELFTH SENATE**

It was formed on January 11, 1984 and is still in office. It consists of thirty members presided over by Mr. Ahmad Al-Lozi.

Thus, in spite of the obstacles which parliamentary life faced since 1967 due to the Israeli occupation and the expiry of the term of the House of Representatives on April 15, 1971 and the extension of its term twice, the appointment of the Members of the Senate (Senators) remained valid by virtue of a Royal Decree. However the sessions of the Senate were suspended after the dissolution of the House of Representatives effective from February 7, 1976 in application of Article (66) (Paragraph 2) of the Constitution.

Thus the first Senate to be formed after occupation was on September 1, 1971. A number of Senates were formed as previously elaborated the last of which was on January 11, 1984, the present Senate, presided over by Mr. Ahmad Al-Lozi.

### **FREEZING OF PARLIAMENTARY LIFE AND THE INITIATION OF THE NATIONAL CONSULTATIVE COUNCIL (NCC)**

Parliamentary life in Jordan was subject to a serious turning point as a result of the Israeli occupation and the Arab and international situations particularly the resolution passed by the Arab Summit Conference held in Rabat on October 16, 1974 which provided for the recognition of the Palestine Liberation Organization (PLO) as the sole legitimate representative of the Arab Palestinian People and the approval of the establishment of a Palestinian rule in the West Bank after the termination of the Israeli occupation thereof.. This imposed on the Government of Jordan – in response to and in application of the said resolution – the freezing of parliamentary life and pushed it to look for a new formula to fill the constitutional vacuum and avail the opportunity for people's participation and shouldering of responsibility in the decision - making process... Thus came the order of His Majesty King Hussein in April 1978 for the formation of the National Consultative Council (NCC) as a formula taking into consideration the facts of the exceptional situations through which the Kingdom went and to temporarily replace the House of Representatives.

The Royal message addressed to the Prime Minister Mr. Modar Badran stressed that the establishment of NCC was not a substitution for any constitutional institution nor a replacement of the full elective parliamentary life to which we would return when the factual situations of Jordan so permitted.

The Royal message as well made it clear that the function of NCC was to provide opinion and advice to the Executive Authority, to discuss public policy, to consider all legislations and laws enacted by the Government, and discuss the public policy of the State in a framework of cooperation with the Government and in the spirit of public interest.

The NCC was presided over by Mr. Ahmad Al-Lozi followed by Mr. Ahmad Al-Tarawneh then Mr. Suleiman Arar.

## THE RETURN OF PARLIAMENTARY LIFE

As Jordan - since the start of government in it-has been keen to deeproot the fundamental concepts of rule, it could forego the obstacles of the present and the minor differences and allow the return of parliamentary life to the country after an absence of eight years which confirms the deep roots of its democratic traditions, the soundness of its constitutional structure and the ability of the people of Jordan to exercise their various public rights when time comes in realization of its principles and the fundamentals of its national policy.

On January 7, 1984, a Royal Decree was issued dissolving the NCC as from the same date; and a Royal Decree was issued calling the Ninth House of Parliament to convene in an extraordinary session as from January 9, 1984 to consider the amendment of Article (73) of the Constitution which was amended as follows:

- 1 . The cancellation of the text of Paragraph (5) and substituting it by the following:
  5. Should the force majeure circumstances provided for in Paragraph (4) hereof persist, the King, upon a resolution by the Council of Ministers, may reinstate the dissolved House and call it to convene. Such House shall be deemed existent from all aspects as from the date of the issuance of the Royal Decree ef-

fecting its reinstatement. It shall exercise the full constitutional powers thereof and to it shall apply the provisions of this Constitution inclusive of those provisions pertaining to the term of the House and the dissolution thereof. The session it holds in such case shall be deemed as the first ordinary session thereof regardless of the date when it takes place.

2 . The addition of the following Paragraph (6) at its end:

6. Should the Council of Ministers contend that the holding of general elections in at least one half of the **constituencies** is possible in spite of the persistence of the force majeure circumstances referred to in this Article, the King may order the holding of elections in such constituencies.

The members successful therein shall undertake the election of whatever does not exceed one half of the number of the members for the other constituencies in which it was impossible to hold elections, on the **proviso** that the convening thereof shall be at a three-quarters majority of their number, and provided as well that the election thereby shall at least be at a two-thirds majority and pursuant to the provisions and in the manner provided for in Article (88) of the Constitution.

The successful Members and the Members so elected as per this Paragraph shall elect the remaining members for the said constituencies by virtue of the provisions contained in this Paragraph.

The extraordinary session of the House of Representatives was chaired by the House Speaker Mr. Kamel Ureikat who resigned on January 16, 1984. His resignation was accepted by the House in its ordinary session held on January 16, 1984, following which he was appointed as a Member of the Senate.

## **THE TENTH HOUSE OF REPRESENTATIVES**

On January 11, 1984, a Royal Decree was issued reinstating the dissolved House of Representatives and calling it to convene in an ordinary session as from January 16, 1984 after the endorsement of the amendment of Article (73) of the Constitution in the above mentioned extraordinary session held on January 9, 1984.

This House is still existent until this day and is called "The Tenth House of Representatives", the term of which will expire on January 16, 1988. Its Speaker is Mr. Akef Al-Fayez.

On 10 October 1987 and in the inauguration ceremony of the Fifth Ordinary Session of the Tenth House of Representatives, His Majesty King Hussein

- in the Speech from the Throne-announced his intention to issue a Royal Decree extending the tenure of the House of Representatives for a period not exceeding two years in application of the provisions of Paragraph (1) of Article (68) of the Constitution of Jordan which vests in him such authority.

After the conclusion of the Inauguration Session, Mr. Akef Al-Fayez was re-elected as Speaker of the House of Representatives for the fifth time.

On 22 October 1987, the Royal Decree extending the tenure of the House of Representatives for two years as from 18 January 1988 was issued.

This is a brief survey of the history of parliamentary constitutional life in Jordan since the establishment of the Emirate starting with the domination of the British mandate on Jordan, the imposition of the unjust British-Jordanian Treaty, the series of the amendments to the Constitution and the Election Laws which were not in harmony with the desires of the people, the eruption of the national popular resistance, the declaration of Monarchy, the unity of the two Banks of Jordan, the cancellation of the Anglo-Jordan Treaty, the proclamation of the 1952 Constitution, the establishment of the Arab Union between the Hashemite Kingdom of Jordan and the Kingdom of Iraq in 1958, its dissolution following the Iraqi military coup, the incidents of June 5, 1967

defeat, the compulsory amendments of the Constitution, the extension of the term of the Nineth House of Representatives, the issuance of the resolution of the 1974 Arab Summit Conference in Rabat, the freezing of parliamentary life, the establishment of the National Consultative Council (NCC) and the return of parliamentary life until this date.





