The fifth wave of democratization?
Processes of Political Change in the Arab World
from a Comparative Perspective

Inmaculada Szmolka
ismolka@ugr.es

Department of Political Science and Administration
University of Granada
C/Rector López Argüeta s/n 18071 Granada

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Abstract
The aim of this article is to study, from a comparative focus, the processes of political change initiated after the revolutions and revolts in the Arabic countries since December, 2010. Previous experiences have showed us the trend of the democracies to emerge in waves. Nevertheless, the hypothesis is that we cannot generalize by referring to a new wave of democratization in the North of Africa and in Middle East, but of processes of change of different nature (democratic establishment, political liberalization) and, even, the immobility of the authoritarian regimes in the region. In this research, first, it is considered the theoretical frame of analysis of the processes of political change in the North of Africa and Middle East. Second, the protests and revolutions in the region are analyzed as elements of breakdown of the authoritarian regimes or as trigger of the political reforms. Third, it is studied the models of processes of political change: their origin, their procedure, the existence of political and social consensus and the results of the processes of political change. Fourth, it is examined the transformations in the party system, the constitutional and legal reforms, and the elections celebrated. Finally, there will be realized an evaluation of the scope of the processes of political change and it will decide if they have supposed a change in the nature of the political regimes.

Key words
Political change process / Political regimes/ Political reforms/ Democratization/ Arab countries
1. The fifth wave of political change: theoretical framework

The aim of this article is to examine, from a comparative viewpoint, the processes of political change in Arab countries which began in December 2010 as a consequence of social revolts and revolutions. Previous experience has shown the tendency of democracies to emerge in waves. Huntington, who put forward this idea, defined a wave of democratization as ‘a group of transitions from nondemocratic to democratic regimes that occur within a specified period of time and that significantly outnumber transitions in the opposite direction during that period’ (Huntington, 1991: 15). Democratizations tend to have a snowball effect: analogous causes and conditions bring about democratizing outcomes in countries that are in the same or different geographical areas. Huntington identified three waves of democratization. He included, within the third wave, processes of change that occurred in Central and Eastern European countries after the fall of the Berlin wall in 1989. However, we believe it more appropriate to point out that these post-communist transitions opened up a fourth wave that is distinct from the one which shook southern Europe and Latin America in the 1970s and 1980s (McFaul, 2002; Doorenspleet, 2005; Landmann, 2011: 218; Priego, 2011). The Arab world was an exception and did not become democratic as a result of the fourth wave of political change (Diamond, 2003: 21; Diamond, 2010: 93). Even so, although it did not cause a democratic tsunami in the Arab political systems, many of them did feel its effects, while in other parts of the world there were significant democratic steps backwards (Diamond, 1996: 20). In most Arab countries, the democratic tidal wave of the 1990s and the beginning of the XXI century took the shape of processes of political liberalization, directed by ruling elites, unilateral in character, different in degree, and varying from country to country, but which in all cases were partial. In the wake of these processes of political liberalization, many Arab regimes turned into hybrid political regimes, incorporating democratic elements into their political systems and processes (constitutionalism, multiple-party structures, scheduled pluralist elections, representative institutions, legal system of rights and liberties, etc.), but maintaining authoritarian practices (Szmolka, 2011: 13). The present-day dynamic of political change in the Arab world, is not, therefore, a novelty in this geographical setting, and neither is the existence of citizens’ protest movements.

In the wake of the upheavals and revolutions that have taken place in the Arab world since the last quarter of 2010, different political processes are under way which make us wonder if we are now facing a fifth wave of democratizations. However, we believe that, if we are to be precise in the expression of our concept, we should define it as the fifth wave of political change. Huntington himself (1991: 15) asserted that a wave not only entails the establishment of a democratic regime, but also usually involves liberalization or partial democratization of political systems that do not become fully democratic.

For this reason, we consider it is more appropriate to speak of a fifth wave of political change when we refer to the processes that are taking place in the Arab world at the present time. In this way we will be able to distinguish the true nature of the transformations that have come about in Arab regimes: the establishment of democracy and the reform of the political system, or even the immobility of authoritarian regimes. By political change we mean the transformations carried out within a political regime which affect its norms, structures, actors, behaviors and processes. The outcomes of these processes might lead to the establishment of democracy, to a more or less deep political liberalization, or simply to cosmetic changes in the political system.

Political change is one of the main fields of study within Comparative Politics. However, the democratization studies (Whitehead, 2002) or transitology have localized
themselves to southern Europe and Latin America and have ignored the Arab world in their theoretical and empirical analyses (Montabes, 1999: 62; Camau, 2002: 4; Schmitter, 2002: 12; Posusney, 2004: 127; Bellin, 2004: 142). So it has not been possible to fit the experiences of political change in Arab countries within these theoretical models. The persistence of authoritarianism in the Arab world, together with democratic decline in Asian regimes resulting from the break-up of the Soviet Union, showed the weakness of the transition paradigm coined by the transitologists. In 2002, The Journal of Democracy published an article by Thomas Carothers, entitled ‘The End of the Transition Paradigm’, which sparked off a wide-reaching controversy in the scientific community about the assumptions put forward in transition studies to date and about the way in which these had been implemented by agents promoting democracy in their institutional designs all over the world. For Carothers, many countries considered ‘in transit’, amongst them some Arab countries, were not in transition towards democracy, and many of the democratic transitions that were taking place did not follow the patterns laid out in the pioneering work by O’Donnell and Schmitter (1986). It is true that while some critics of Carothers were right, in their backing of O’Donnell and Schmitter’s classic study, these authors recognized the possibility that some processes of change turned into a mutation of the authoritarianism.

Even though transitology disregarded Arab political systems, outstanding contributions have been made by academics specializing in this area and by other investigators who were united in their criticism of Carothers, and even by the supporters of the transition paradigm who now analyzed it from different perspectives. These studies on the Arab world, conducted in the 1990s and in the first decade of the XXI century, focused on (a) the processes of political liberalization: López García, Martín Muñoz and Hernando de Larramendi, 1991; Leccia, 1994; Salamé, 1994; Korany, Brynen and Noble, 1998; Dillman, 2000; Camau, 2002; Schmitter, 2002; Brumberg, 2002, 2003 and 2005; Ottaway, Carothers, Hawthorne and Brumberg, 2002; Gillespie and Youngs, 2002; Montabes, Parejo and Szmolka, 2003; Ottaway and Carothers, 2004; Albrecht and Shlumberger, 2004; Bustos, 2005; Carothers and Ottaway, 2005; Echague, 2006; Ottaway and Choucair-Vizoso, 2008; and (b) the persistence of authoritarianism: Bellin, 2004; Posusney, 2004 and 2005; Ghalion, 2004; Tessler, 2002a and 2002b; Stepan and Robertson, 2003 and 2004; Lakoff, 2004; Tessler and Gao, 2005: 83; Aaouzi, 2006; Entelis, 2007; King, 2009; Storm, 2009; Teorell, 2010; Diamond, 2010; Parejo, 2010.

In conclusion, the hypothesis of this research article is that we cannot generalize by referring a new wave of democratization in the Arab world. Rather we must talk about processes of change of different kinds (establishment of democracy, political liberalization), and even about immobility in some authoritarian regimes. To verify or to refute this hypothesis we will analyze the contents and the extent of the changes undergone in each one of the Arab countries. To this end, we have divided the article into the following four sections:

(a) Collapse of authoritarian regimes. We analyze protests and revolutions as triggers of political changes (origin and evolution, characteristics of the protest movements and their results). The hypothesis that we put forward is that the withdrawal of support by the élite who formerly buttressed those in power has brought about the fall of some Arab regimes, together with varying degrees of involvement and consensus of the international community and of regional actors.

(b) Models of political change. Our aim here was to scrutinize the schedule of political reforms, the steps taken, and the actors and institutions involved. We do not believe a priori that there exists a particular model of transition towards democracy in North Africa and the Middle East which is substantially distinct from previous processes.
in other parts of the world. The Arab countries have followed the classic transitology pattern: increase in pluralism, constitutional reforms and holding competitive elections.

(c) Processes of political change. It is examined the transformations in the party system, the constitutional and legal reforms, and the elections celebrated in the Arab countries in the last two years. The aim is to determine if these processes have supposed a progress in their democratization.

(d) Consequences of the changes on the nature of political regimes. We do not believe in the existence of any teleological trend toward democracy in the social upheavals and the response of the Arab regimes. The impact of these processes has differed from case to case: while some countries have made progress toward their democratization (it is too early to assess to what extent), in others transformations have been less profound and there has been no fundamental deviation from authoritarianism.

2. The collapse of authoritarian regimes: citizens’ protests and revolutions

Researchers in this field have shown the importance of political protest in their explanation of democratic transitions (Bratton and Van de Walle, 1997). In our case studies, processes of political change have undoubtedly been triggered by demonstrations, revolts and revolutions on the part of the populace. The latter have undermined the thesis, which was itself questioned by some authors (Bellin, 2004: 141), that the weakness of civil society was one of the reasons why Arab countries remained in the power authoritarian regimes. Civil society has been credited with an important role in the processes of democratic transition. According to Hawthorne (2005), civil society must have three attributes in order to be able to work toward democracy: autonomy from the State, an agenda for democratization and the capacity to construct alliances with other segments of society (for example, political parties). We must point out that over previous decades in most Arab countries there had been a considerable development of civil society thanks mainly to the endeavors of professional associations, of human rights’ and women’s movements, etc. Even so, there were strict political controls over these organizations in Libya, Syria and the Gulf States. We shall now examine the origins and main features of these protest movements and we shall evaluate their consequences.

2.1. The origin of the protest movements

Although the beginning of the social outbursts in the Arab world is usually marked by the self-immolation of the Tunisian citizen Bouazizi on 17 December 2010, the first protest in an Arab country took place on 10 October 2010, when protesters set up camp in the Saharan area of Agaym Izik, as a way of demanding improvements in the working conditions, housing and economy of the Western Saharan provinces under Moroccan administration. This camp was evacuated by the Moroccan security forces between 8 and 9 November, with the dismissal of the governor of El Aaioun on 26 November as the only political aftermath of this unrest\(^6\). Later, the death of Bouazizi in Tunis sparked off spontaneous country-wide uprisings which led to President Ben Ali fleeing the country on 14 January 2011 and to his exile in the Saudi city of Yidda. Like wildfire, the social revolution spread to Egypt, where demonstrations began on 25 January. On 11 February, Raïs Hosni Mubarak resigned from power in the face of the persistence of protesters who had been demanding his resignation since 25 January\(^7\). Promises to carry out political reforms, to end of the state of emergency, to increase salaries and subsidize basic products as well to remodel his government and depose some political figures involved in cases of corruption, did nothing to appease the demonstrators
The unrest spread across the whole of North Africa and the Middle East between January and March. One of the countries most affected by the uprisings was Bahrain, where citizens, for the most part from the Shi’ite majority, began pressing the Sunni Monarchy for democratic changes. However, after the deaths of some protesters, the 14 February Youth, so called after the first day of the uprising, demanded that the royal family should step down. During the month of March the protests were quashed security forces sent by the Gulf Cooperation Council (GCC). Even so, social discontent and desultory protests still take place today in Bahrain. In other Arab countries, social unrest has turned into more violent clashes with the ruling authorities. In Yemen, a fierce citizens’ protest movement was organized demanding the resignation of President Saleh and of his family members from their respective public offices, the revocation of the Constitution, the dissolution of Parliament, the establishment of an interim government, the bringing to justice of those responsible for corruption and repression, and a new security system (Transition Plan to Power of the 30 March Youth) (Hamad, 2011: 105). Fighting broke out on several fronts among factions loyal to the regime and dissident sectors of the army (Ali Mohsen Saleh, Jebrane Yahia Al Hachedi, Abdullah Alaiwah), some tribes (supporters of Sheikh Sadiq Al Ahmar) and Al Qaeda militants in the Arabian Peninsula. Clashes lasted for almost a year until president Saleh resigned from power on 23 November 2011, after signing an agreement guaranteeing immunity for himself and his family. Paradoxically, this agreement was sponsored by the GCC, who had cracked down on the Bahrain uprising, and backed by the European Union (EU) and the USA. In Syria, for its part, protests erupted on 15 March, responding to a call for a ‘Day of Rage’. Previous calls had not mobilized the population on a large scale. President Bachar Al-Assad attempted to quell the peaceful demonstrations with the army and security forces, with the toll to date than 9,000 dead and the detention of thousands of opposition activists, according to the United Nations. However, protests have not only been held on the part of the opposition, for the regime itself has also promoted demonstrations in favor of the president. And in Libya, the people’s uprising against Gadafi’s regime provoked a seven-month civil war culminating in the Gadafi’s death on 20 October 2011.

In other Arab countries, people’s protest movements have demanded changes in their respective political systems, but not the fall of the regime itself. In Morocco, the 20 February movement (20-F) is made up of almost a hundred organizations that are pushing for greater social justice, the redefinition of the King’s powers, political amnesty, and even, on the part of the Amazigh sector, the recognition of the different Moroccan identities, to which the Islamist defenders of the Arabicity of the Moroccan state are opposed. In Algeria, participation in demonstrations has been equally varied. The 12 February protest, which was forbidden by the authorities, was attended by scores of human rights groups, popular committees, autonomous unions, victims of terrorism, unemployed persons, students, and parties critical of the Abdelaziz Buteflika, belonging to the National Coordinator for Change and Democracy (CNCD). In Mauritania, the demonstrations began at the beginning of February. The citizens’ protests focused around seven main demands: the withdrawal of the military from politics, the separation of powers, the establishment of a state body for the eradication of slavery, constitutional reform of the electoral system, the transparent declaration of property on the part of political representatives, the reform of local government, and of legislation affecting the media. In Jordan, uprisings started in January, although 18 March was the name given to the youth protest movement. The opposition is formed mainly by the Islamic Action Front (IAF) and leftist parties who, apart from urging changes in economic policy, are pressing for the resignation of the government, the dissolution of parliament, the holding of democratic elections, the dismantling of the intelligence services, and greater public
liberties. In Iraq, society’s discontent had come to the fore a year prior to the start of the Arab Spring, as a result of the vacuum of power caused by the lack of consensus regarding the formation of government after the legislative elections held in March 2010. Demands centered on the end of the occupation by USA army - who withdrew on schedule before 31 December 2011, as it was planned-, improvements in public services, an end to corruption, employment, and so on. In Kuwait, uprisings began in February 2011, and intensified in August after members of parliament and the government were involved in cases of corruption. In Lebanon, the upheavals have occurred, not so much a result of calls for democracy, but rather against a backdrop of the international investigation of the murder of ex-Prime Minister (PM) Harari and the polarization between the two main political factions (pro Syrian 8 March and the Western backed 14 March). Finally, in other Middle East countries, protests have been virtually symbolic (Qatar, United Arab Emirates (UAE)) or very localized and sparse (in the Eastern Shi’ite province of Saudi Arabia; in the cities of Suhar and Salalah in Oman) (Zaccara, 2011).

2.2. Characteristics and evaluation of the protests and revolutions

The present-day protest movements in the Arab world are characterized by not being a new phenomenon, by their spontaneity, by their de-ideologization and by their heterogeneity. The demands of workers, unemployed university graduates, students, etc., have increased over the past few years and, in several countries, they have been political as well as socio-economic in character (Ottaway and Hamzawy, 2011). Additionally, in the protests and revolutions the following have participated: non-organized sectors, bloggers and young consumers of social networks, and organized groups, parties and trades unions – where they existed – Islamic associations and other opposition movements without an ideological nexus. We must point out that the actors who were most able mobilize the population, the Islamists, neither set in motion nor absorbed the revolts, although they later became the main beneficiaries of the social response movements in electoral processes.

Therefore, if the social movements were not new and there was no unity beyond their common demands for change, what brought about the fall of their respective political regimes in some cases and not in others? In a classic study, Skocpol (1979: 32) demonstrated that citizens’ disaffection with the regime is not only necessary for the downfall authoritarian regimes, but that what is truly important is that the State can maintain the means of coercion in order to avoid a revolution. Bellin (2004: 143) showed the importance of the robustness of the coercive apparatus in the persistence of authoritarianism in Arab countries. In the cases of Tunisia and Egypt, what marked the success of the popular revolutions was the decision of the Army, a fundamental pillar of the regime, not to intervene against the protesters. The Tunisian Army rebelled against the removal from office of the Chief of Staff of the armed forces, general Rachid Ammar, for not obeying the presidential order to suppress the citizens’ demonstrations. In this way, in Ammar’s own words on 24 January, the Army set itself up as “guarantor of the revolution” and “protector of the people and the country” (Echevarría, 2011: 1). On the other hand, in Yemen and Libya, the army was divided between those who supported and those who opposed the regime, which prolonged the fall of these respective political regimes. And, in Syria, the majority of the army – made up basically of Alawites – continues to support Al-Assad, which has impeded the fall of the regime.

Therefore, what has defined the success of the popular uprisings is whether or not there has been a rift between the leading elites and the elites who sustain the regime. In this way, recent events in Arab countries is not so different from the previous experience of other countries in which the main trigger of the processes of political
change was the division of the elites within the political system (O'Donnell y Schmitter, 1986: 21-22).

3. Models of processes of political change

In this section we analyze the models undertaken in the present-day processes of political change processes in the Arab world. Specifically, we bear in mind (a) the origin of the processes of change (internal and external mobilization and the liberalizing/democratizing impulse); (b) the procedure (the way chosen toward reform or rupture and the existence of political and social consensus), and (c) the results of the processes of political change (see table 1).

First, as regards mobilization, we must differentiate between endogenous mobilization, which is has its origins within the country – through social action or political actors -, and exogenous mobilization – which yields to international pressure. As far as endogenous mobilization is concerned, we analyzed in the previous section citizens’ pressure in favor of political change. So here we will only emphasize the fact that not in all cases has high-level mobilization brought about significant democratic transformations (the cases of Bahrain and Syria). In addition, in all Arab countries, the demands of political parties or movements followed in the wake of social mobilization. So, the latter have become actors in the change processes but have not intervened in the breakdown of authoritarian regimes, where this has occurred.

Regarding international mobilization, we must highlight the lukewarm response of the western powers at the beginning of the Arab revolts. Only when Ben Ali had fallen in Tunisia and when the army had chosen to keep to the sidelines in the repression of the protests in Egypt, the western leaders demanded the resignation of Mubarak. In Libya, a ‘no-fly zone’ was approved by United Nations Security Council (UNSC) (resolution 1973) and its protection under the responsibility of NATO. What is more, other measures were taken, such as the arms embargo, the order by the International Penal Court to detain Gadafi for crimes against humanity, and the recognition of the National Transitional Council (NTC) by numerous countries, etc. In Syria military intervention was discarded and consensus was not reached by UNSC. During the first year of the crisis, international pressure centered on diplomatic actions (sending observers of the Arab League, expulsion of Syrian ambassadors, withdrawal of national ambassadors in Syria, closure of embassies) and sanctions (prohibition of sales of weapons and riot-police equipment, the freezing of the Central Bank of Syria’s transactions, the restriction of citizens’ freedom of movement and blocking of foreign accounts). The stagnation of this situation led to the negotiation of a plan by the UN envoy, Kofi Annan, which was accepted by Al-Assad on 27 March 2012, but not implemented by Syrian regime. In Yemen, the GCC countries, with the support of the USA and the EU, negotiated a plan which demanded that the president Saleh resign in exchange for immunity. Even so, these same countries helped repress the protests in Bahrain by sending in their security forces. In the rest of the cases (Morocco, Algeria, Jordan), international pressure has been limited to a rhetorical declaration of support for the changes that have already taken place or been promised (constitutional reforms and elections).

Secondly, impulse toward change, according to Przeworski (1994) may emerge (a) from inside the regime, (b) from outside the regime – by the collective action on the part of social movements or of democratic opposition parties –, or (c) from outside the country – through pressure from international actors. In the cases under study, once there is a citizens’ demand for change and/or the risk of revolution spreading from neighboring countries, processes of different types are set in motion which may originate...
(a) in the same regime, led by authoritarian leaders (Morocco, Algeria, Mauritania, Jordan, Syria and Oman); (b) from outside the old regime, led by interim leaders in a more or less coordinated way with parties and other political actors (Tunisia, Egypt and Libya); or (c) from outside the country by design and supervision of a project for political change (Yemen).

Thirdly, transitology studies have traditionally considered two means by which democratization may be attained: reform or rupture of the old regime. The clearest case of rupture is Libya where institutional reconstruction of the State is necessary in a post-conflict scenario. Also within the breakdown context we have Tunisia and Egypt, which, although they formerly had representative institutions and had recognized political pluralism decades ago, are now designing a new political framework. In the rest of the Arab countries which have embarked on political transformations, these have involved a reform of their respective political systems by means of political liberalization processes (Morocco, Mauritania, Algeria, Jordan, Syria and Oman). In Yemen, apart from president Saleh’s resignation, there have not been any significant political reforms to date.

Fourthly, the degree of consensus in Arab countries has been patchy. In Tunisia an ample consensus has been achieved on the steps and content of the processes of change that are under way, although not without tensions and differences at certain times (e.g., the attribution of competences to the PM and President of Republic (PR) up to the approval of the new Constitution. In Egypt, despite the consensus on how realize the transition, there was opposition from the main political parties to some of the measures adopted by the Supreme Council of the Armed Forces (SCAF) and the constitutional process in Egypt. In Libya, from the outset, notable differences have arisen in the heart of the NTC regarding the design of the political system, mainly the role of religion on politics and territorial organization. In addition, in Morocco and Algeria, although reformist processes were initiated from the highest echelons of power, consensus has been reached with a great number of the political institutions. However, as we will see, some parties have voted against some important legal modifications, such as the Justice and Development Party in Morocco (Parti de la Justice et du Développement, PJD) and the Movement Society for Peace in Algeria (Mouvement de la Société pour la Paix, MSP) in the parliamentary approval of respective new party laws. Likewise, in these two countries, reforms have been boycotted by opposition forces from outside the political system and/or by the protest movements. The same thing has happened in Yemen, where the majority of the institutional parties have supported the GCC plan, while citizens’ platforms have criticized the immunity granted to Saleh. In Mauritania and Jordan, the main opposition forces withdrew from the negotiating table because their expectations of greater democratization had not been met. In Oman, the decision to reform the Constitution, until now the only evident change in the Sultanate, was a unilateral act on the part the Emir in a political system where mechanisms of agreement between political actors do not exist. Finally, in Syria, all the reforms undertaken came from the PR, as the opposition forces refused to take part in any negotiations with the regime.

Finally, as we will develop in later sections in more detail, processes of change have resulted in: (a) the fall of highest political authority (Tunisia, Egypt, Libya and Yemen); (b) the approval or reform of the framework of political parties and movements (Tunisia, Egypt, Syria, Morocco, Algeria, Jordan, and Libya); (c) the approval or reform of the constitution (Egypt, Tunisia, Morocco, Oman, Syria and Mauritania); (d) elections in almost all countries; and (e) the formation of governments as a consequence of competitive elections (Tunisia and Morocco).
5. Recomposition of the party and opposition systems

One of the first results of the Arab revolts and revolutions has been observed in the area of political parties. The main changes have affected party legislation, the position in power of hegemonic parties, the legalization of new political groups and the structuring of political opposition. However, with the exception of Libya, which in January 2012 abolished a 1972 ruling prohibiting political parties, the freedom to create political parties in those countries where previously it did not exist (Saudi Arabia, Bahrain, the UAE, Kuwait, Oman and Qatar) has not been formally recognized.

First, Egypt, Tunisia, Morocco, Algeria, Syria, Libya and Jordan have passed or reformed new party legislation. In Egypt on 28 March 2011, the Military Junta carried decree nº 12 which reformed certain articles of the 1977 Law nº 40 on political parties. Today, in order to constitute political parties, it is necessary to send the information on the political organization to a judicial party committee, which has 30 days to give notification of any legal objection. In Tunisia, the Government has passed a decree both on political parties (decree 87-2011) and on associations (decree 88-2011), dated 24 September 2011. In Morocco, Parliament approved a new party law (Organic Law 29/11, 22 October 2011), whereby aspects relative to the constitution, dissolution, organization and financing of parties are regulated exhaustively. Although the law was well-received with a wide parliamentary consensus, the PJD, the main opposition party at that time, and at present the Prime Minister’s party, voted against it for not including its amendments. The new ruling has prohibited a practice which had been rife until that time, and which weakens parties, that is, defection to another party. In this way, if a parliamentary or local councillor renounces his/her political affiliation, s/he must relinquish his/her representative status. In Algeria in December 2011, the parliamentary Chambers passed two laws relating to parties (Law nº 12-04) and associations (Law nº 12-06). The most important development is that now parties may go to court to appeal if the Interior Ministry does not respond to their application to create a new political party (in the past, the appeal was made to the Council of State and negative administrative silence was the usual way of ignoring legislation). In addition, party law is in line with previous legislation, which banned the formation of political groups on religious or ethnic grounds and did not allow those found guilty of terrorist acts to exercise party leadership. As regards the law of associations, differential treatment was parceled to those of a religious nature, which was criticized by the Islamists. The MSP, then a member of the governmental coalition, voted against both laws. In Syria on 5 August 2011, decree 100-2011 on political parties was carried. Its objective was the legal recognition of new political forces. However, the Parties Affaires Committee still controls party legislation, and authorizes new political parties. In Libya, the NTC issued a party law on 25 April 2012. Although this regulation banned political parties founded on religion, region or ethnicity, transitional government reversed its decision a week after. On the other hand, as in all countries in the Arab region which have amended their legislation, the constitution of parties on religious, regional or ethnic grounds is prohibited. Finally, on June 2012 Jordan parliament reformed the 1992 party law (nº 32) to encourage an effective multiparty system. Previously, on 23 March 2011 it did modify the 2008 Public Gatherings Law, by abolishing the need for the governor’s authorization to be sent to the Interior Ministry 48 hours in advance of the demonstration.

Secondly, the hegemonic parties have lost their ruling role in Tunisia and Egypt. On March 2011, the Tunisian Court of the First Instance, by request of the Interior Ministry, abolished the Constitutional Democratic Rally (CDR), which had been suspended by the Army on 6 February, applying article 18 of Organic Law 88-32 of 3 May 1988. In Egypt on 16 April 2011, the National Democratic Party (NDP) suffered the
same fate, after the sentence to dissolve the party pronounced by the Supreme Administrative Court. By contrast, in Yemen and Syria, the People’s National Congress (PNC) and the Baath party still enjoy a privileged position, although there have been resignations amongst their members in Parliament and within the party.

Thirdly, existing political groups have been legalized and many others have been created. In Tunisia, it is estimated that 117 parties stood for the October 2011 elections, of which only eight existed previously (Marx, 2011b: 3). In Egypt, forty-two parties and four electoral coalitions (the liberal/left wing Egyptian Bloc, the Islamic Alliance, the Continuous Revolution and the Democratic Alliance) ran in the elections for the new People’s Assembly. In Algeria, after the approval of new party legislation, about twenty political groups have been legalized and forty-four have participated in May elections. However, all political tendencies were already recognized in the party system. In Syria, up to the present day, nine new parties have been authorized, of which eight ran for the May 2012 elections together with the National Progressive Front coalition, which was already in existence (and led by the Baath party). And in Libya parties and coalitions are beginning to emerge with a view to the forthcoming legislative elections, such as the Alliance of Patriotic Political Forces, led by the ex-PM Mahmud Jibril and formed by Islamic groups, civil society organizations and representatives of the amazigh, tuareg and tubu communities. Amongst the parties which have been favored by the new legal party framework in the Arab world are the Islamists, who in the past had had vetoes and severe restrictions imposed on them. In his way, in Egypt on 19 February 2011, the Supreme Administrative Court repealed the decree of the Political Parties Committee, so allowing the MB to constitute the Liberty and Justice Party (LJP), on 18 May. The party of the current Tunisian PM, the Islamist Ennahda, which had been banned since 1989, was legalized on 1 March 2011. In Libya the Justice and Development party has been created. It is linked to the MB but has independent members (IEMED, 2012). And in Algeria we have seen the recognition of the Justice and Development Front, led by Abdellah Yaballah, who had been presidential candidate in 2004 and was removed from leadership of the El Islah El Watani (National Reform Movement) in 2007, and also of the New Algeria Front, led by Djamel Benabdeselem, former activist of Ennahda and El-Islah (two legal parties).

Fourthly, in several countries, there have emerged new opposition platforms, which in the past had been loosely structured. In Tunisia and Egypt the new legal party framework and the holding of legislative elections have eased the way for the creation of new political alliances and coalitions which interact within the new political system. In other cases the re-composition of the opposition has been more complex. In Syria, before the uprisings, the opposition was made up chiefly by the MB, Kurdish parties, communists and independent figures. Today, the opposition has clustered mainly around the Syrian National Council, which consists of seven groups and has been recognized as the legitimate representative of the Syrian people by the Conference of Friends of Syria, held in February 2012 and in which more than 70 countries participated. There is also a National Coordination Committee which advocates dialogue with the Syrian government and whose position is against international intervention in the country. It must be highlighted that there is no coordination among the different opposition groups and the so-called Free Syrian Army which fights against the regime. In Libya the opposition has assembled in the above-mentioned NTC, which has brought together members of the military, tribal leaders, Islamists of different tendencies, communists, Nasserists, monarchists and liberals. On the other hand, in Yemen, we must differentiate between the anti-governmental protest movement – mainly student based – and the opposition parties united in the Common Forum, an organization which existed before the revolts. While the former sought to topple the authoritarian regime,
the latter was first in favor of dialogue with the Government and then supported the GCC plan (Hamad, 2011: 87 and 106). Unlike other countries, opposition to the Government had been evolving since 2001, mainly with the aim of enforcing a reform of the electoral system. Later, on 17 August 2011, the so-called National Transition Council was formed, but failed, however, in its attempt to unite all the opposition forces, amongst other reasons, because of the presence in the council of Ali Mohsen and the Al Hamar family (Hamad, 2011: 111). In Morocco and Algeria we must differentiate between the extra-system opposition which has declared its hostility toward the superficiality of the changes and most of the institutional opposition which has supported them. In Morocco, the principal political and social forces against the scope of the reforms are represented in the 20-F movement, which is made up of young people with no political affiliation and human rights organizations, the Justice and Spirituality Islamists – until their withdrawal from the movement in 2012 -, Annahj Democrati (Democratic Path) and other extreme left wing parties. In Algeria, the most demanding parties have been the Socialist Forces Front, the Rally for Culture and Democracy, and the illegal Secularization and Democracy Party. In Mauritania, the main opposition party, the Rally of Democratic Forces, together with the Union of Progressive Forces, rejected the dialogue proposed by the Government to study political reforms, in which other opposition parties (People’s Progressive Alliance, El Wiam, Hamam, Sawab) and the Union for the Republic (president Abdel Aziz’s party) did participate. And in Jordan, the opposition has gelled in the so-called National Front for Reform, which has brought together the IAF, left wing parties, as well as union representatives and independent figures.

5. Constitutional reforms

Several Arab countries have already undergone constitutional reform (Morocco, Jordan, Oman, Syria and Mauritania), or are in the process of establishing new constitutions (Tunis, Egypt and Yemen), or has expressed its intention of modifying the existing ones (Algeria and Bahrain)\(^1\). We shall now go on to analyze the procedures adopted in these countries, the degree of consensus reached on the constitutional reforms, and the extent of democratizing changes in each case.

5.1. Procedure

The way in which constitutions have been approved or reformed has varied from country to country. In Tunis and in Egypt constituent assemblies have to write their new constitutional texts. While these are drafted, interim governments have carried out partial reforms on their respective constitutions, which have reflected, among other aspects, basic regulations on constitutional process. In Tunis, the Constituent Assembly was voted in by universal suffrage in the 2011 elections\(^12\). In Libya, by contrast, the General People’s Congress will be responsible for appointing a 60-member commission to draft the future Constitution. Egyptian Parliament had the same responsibility than in Libya. At first, the Egyptian Assembly was made up of an equal number of parliamentarians and civil representatives. However, on 10 April 2012, the Egyptian Constituent Assembly was invalidated by the High Administrative Tribunal, as it was not considered to be representative of Egyptian society a cause of the Islamist control of the body\(^13\). At the beginning of June, the People’s Assembly achieved to agree the new principles for electing the new members of the Constituent Assembly and, so, unlock of the constitutional process. Nevertheless, on 14 June, the Supreme Constitutional Court has ruled that some provisions of the electoral law, allowing political parties to compete with
independent candidates for some seats, were unconstitutional. This implies, at least, the partial dissolution of Parliament.

In Morocco, constitutional reform has been pushed ahead by King Mohamed, who announced it in a speech to the nation on 9 March 2011. To this end, a commission formed by jurists and political scientists presented their report to the King on 10 June. Eventually a constitutional referendum was held on 1 July, 2011, with 98.5% of the votes in favor, and a participation of 72.65% of registered voters. In Jordan, as in Morocco, the King himself urged reforms. On 27 April 2011, he created the Royal Committee on Constitutional Review, whose task it was to recommend constitutional changes. A partial reform of the constitution was approved by the two parliamentary chambers in September 2011 without a referendum. In Oman, on 20 October 2011, sultan Qaboos Bin Said unilaterally reformed the Basic State by means of a dahir (royal decree). In Syria, the constitution was modified as a result of the report written by the National Committee and of the referendum held on 27 February 2012. According to official data, 57% of the electorate took part, and 87% of voters were in favor. In Mauritania on 6 March 2012, the two parliamentary chambers gave the go-ahead to constitutional reform, without any participation by the electorate. Finally, in Yemen a Constituent Committee was formed after the presidential elections in February 2012.

5.2. Consensus on the constitutional process

Constitutional processes have met with different degrees of consensus. In Egypt, as we have pointed out, disagreements have emerged over the composition of the Constituent Assembly, as a consequence of the absolute majority held by the Islamists. Previously, the constitutional reform of March 2011 did not receive the support of all the political parties. While the MB, the SCAF, the old NDP were in favor, other parties, the revolutionary Tahrir Square movement and some public figures (such as Mohamed El Baradei and Amr Musa) were against. These demanded a complete overhaul of the constitution before the call to parliamentary and presidential elections. In Tunis, the work of the Constituent Assembly is still under way, although some parties are afraid that the coalition government will impose its majority. As regards the partial reform in Tunisia, passed in December 2011, the main frictions came about as a consequence of the power-sharing between the PM and the PR, which some parties considered to be excessively biased towards the first. The constitutional reform was carried with 141 votes in favor, 37 against and 39 abstentions. On the other hand, in Morocco, the Constitutional Commission met with parties, unions and associations in order to write their report, while the 20-F Movement refused to participate and rejected the contents of the reforms, calling for a constituent assembly to be set up and for greater constitutional reform. In contrast, all the institutional parties backed constitutional reform, except four extreme-left minority groups. In Jordan, the reform approved by Parliament was not endorsed by the opposition. We must remember that that the main party, the IAF does not have parliamentary representation as a reprisal for its boycott of the elections held on 9 November 2010. In Syria and in Oman, constitutional reforms were unilateral acts on the part of their respective political leaders, who completely ignored the opposition. Finally, in Mauritania, the constitution was modified after an agreement was signed by pro-government parties and other groups, although the chief opposition parties boycotted this process so as not to legitimize President Mohamed Ould Abdel Aziz, who in 2008 cut short the transition toward democracy which had been initiated five years earlier (Ojeda, 2012).
5.3. Content and scope of the reforms

In the Arab world the scope of democratic reform has been limited, as the problem of the centralization of power has not been solved, and these reforms on their own cannot put an end to the influence that certain actors have on the political systems. In Tunis and Egypt, the partial modifications to the constitution have aimed to provide a framework for the interim period up to the approval of the new constitution. In this way, in Tunis, the provisional constitution with 26 articles, passed by the Constituent Assembly, sets out the powers of the PM, of the Head of State, and of Parliament (Law on the Interim Organization of Public Powers, 10 December 2011). In Egypt, on 19 March 2011, a partial reform was carried by referendum affecting eight articles of the previous constitution, eliminating one and incorporating two new ones. The objective was to provide the framework for holding legislative and presidential elections. In this way, the duration of the PR's office was restricted to two terms (each of one was reduced from six to four years), and requirements of candidates to run for president and of the judicial control of elections were set down. As a result of the referendum held, the SCAF published the Constitutional Declaration, containing 63 articles which were to be in force until the approval of the new constitution. In it public rights and liberties are recognized and election procedures and powers of state institutions are regulated (article 56). This declaration was rejected by many parties because of the powers conceded to the SCAF up to the proclamation of the PR (legislative and representative competences and the authority to designate members of parliament and of government, etc). Between November and December 2011, the government attempted to pass the so-called Declaration of Fundamental Principles of the New Egyptian State, which met with fierce opposition by other political groups and led to the resignation of the interim government on 21 November 2011. This declaration consisted of 22 supra-constitutional principles to be taken into account when passing the new constitution. Amongst other things, these principles granted the military the right to veto certain articles in the drafting of the constitution and to draw up a constitution – in their capacity as the SCAF of the acting president – if the Constituent Assembly should not be able to draw one up within a period of six months (article 22.3). The SCAF was also granted the power to control its budget and to declare war (article 9).

In Morocco constitutional reform has been a wasted opportunity to establish a parliamentary monarchy. The most important advance has been that the king must designate as PM a representative of the party which has obtained most seats in the legislative elections. Another positive aspect is that the king is no longer sacred, his status is now inviolable (article 46), although he is still recognized as the “Commander of the Faithful” (article 41). In addition, the king maintains legislative and executive powers that are inappropriate in a democracy: he has the right to demand responsibility of the PM and of the government (article 47); he is president of the Council of Ministers (article 48); he has the right to draw up legislative rules by means of dahir (article 50); he has the power to dissolve parliament without authorization by the PM (article 51); he can proclaim a state of emergency without another institution authorization (article 59); in all respects he is head of the armed forces (article 53) and other security forces; he is president of institutions such as the recently created National Security Council and the High Council of Judicial Power; he holds the highest religious office (articles 54, 56 and 41); and he may designate half the members of the Constitutional Council, etc. Other aspects of constitutional reform have focused on strengthening the independence of the judiciary (articles 107-128); on the recognition of Tamazigh as an official language alongside Arabic (article 5); on legislative initiative and the right of petition (articles 14 and 15) for the citizens; on the introduction of Chapter XII concerning instruments of good governance; and on the increase of public rights and liberties.
In Jordan, 42 articles have been reformed, although royal power has not been touched. So the monarch retains his right to choose the PM and government members, one of the main complaints of the opposition. One of the most outstanding modifications is the buttressing of the parliamentary institution through greater control of the elections by an independent commission (article 67) and the resolution of electoral disputes in the civil courts (article 71), and the curtailing of the government powers to pass provisional laws (article 94). What is more, there several alterations to articles concerning public rights and liberties articles have been made to guarantee that these are made use of in accordance with the law (articles 7, 8, 11, 15, 16 and 18); the age limit to become a member of parliament has been lowered to 25 years (article 75); a Constitutional Tribunal has been formed (articles 58-61); a procedure for putting ministers on trial has been set up (article 55); and there have been amendments to various jurisdictions that exist (religious, civil, special, and the State Security Tribunal for crimes of treason, espionage and terrorism (articles 98, 100, 101, 109 and 110).

In Mauritania, constitutional reform has not put an end to the power of the president and the Army. The most outstanding aspect is that it confronts two endemic problems of the country: on the one hand, the coups d'état, which are considered crimes that do not lapse (article 2), although ones that have already taken place cannot be judged retrospectively, for which reason the present PM cannot be put on trial; and on the other hand, slavery is now criminalized (article 13). Regarding parliament, there are now two four-monthly sessions (article 52); its powers have now increased thanks to the approval and fiscalization of the state budget (article 68); and equal representation between men and women in elective assemblies is a constitutional right (article 4.3). Also, the article concerning the composition of the Constitutional Tribunal has been amended (article 81).

In Oman, the most outstanding constitutional modification affects parliament. Parliament (the Oman Council) still has two houses (the State Council and the Shura Council), although the composition and election procedures of the latter have been altered, as it is now a house representing the wilayas, while in the past it was under the nomination of the Emir. Other amendments affect the succession of the head of state, the procedure for passing Development Plans and the setting up of specialized councils.

Finally, in Syria, the main constitutional change is the deletion of the reference to the Baath party as leader of the state and of Syrian society. The new provision allows for political pluralism and the democratic exercise of power through elections. Also presidential terms have been curbed to two seven-year periods of office (article 88). Even so, this reduction will not come into force until after the next presidential elections in 2014, for which reason Bashar's office as president may be guaranteed for another 16 years, after 12 years already in power. Similarly the Head of State still retains important prerogatives, such as the designation and removal of the PM and the cabinet (article 97).

6. Electoral processes

Pluralist elections are a necessary condition but are not sufficient for democracy (Karl, 1995; Carothers, 2002; Stepan and Robertson, 2004: 141; Ottaway, 2008: 6). Even so, although the holding of competitive elections does not in itself guarantee the opening of a process of transition toward democracy, it does constitute one of the initial stages and is a vehicle on the road toward democratization (Nohlen and Pintor, 1990; Huntington, 1994: 162; Carothers, 2002: 6). One of the democratic defects of Arab world countries is the lack of representation in their parliaments and the absence of competitiveness in
their elections. So the assessment of the fairness of the elections, in accordance with agreed electoral rules, is a central issue in the analysis of the scope of the processes of political change.

6.1. Elections calls and kinds of elections

Since the outset of the protests and revolutions, different types of elections have taken place: parliamentary (Tunisia, Morocco, Egypt, Kuwait, the UAE, Bahrain, Syria, Algeria); presidential (Yemen, Egypt); and local (Qatar, Saudi Arabia, Syria, Jordan).

As regards parliamentary elections, there are different cases. First, there are countries in which elections have been the direct result of the Arab Spring, both in those where there have been revolutionary or reformist processes and in those whose political systems have not been modified. Regarding countries in which revolution triumphed, in Tunisia, the elections for the Constituent Assembly were held on 23 October 2011, after being postponed after the first date announced, 24 July 2011. In Egypt, the elections for the two parliamentary houses followed a more complex process in several stages: People’s Assembly (28 and 29 November, 14 and 15 December, and 3 and 4 January); and Shura Council (29 of January to March). And in Libya, the election for the General National Congress has been scheduled to take place on 7 July 2012. Among the countries who have taken the reformist road, in Morocco the House of Representatives was renewed on 25 November 2011, although their term of office was not due to end until September 2012. And in Oman, the Majlis Al Shura (Consultative Council) was elected after recent alterations to the constitution, on 8 October (residents of CCG countries and employees of the electoral committees) and 15 October (residents in the country). On the other hand, in countries where there has been no significant political development, recent elections have also been the result of social unrest: in Kuwait, elections were held on 2 February 2012 after the early dissolution of the National Assembly brought about by the downfall of the government in December 2011. And in Bahrain partial elections were held on 24 September and 8 October 2011, in order to fill the 18 seats of the House of the Representatives that had been vacated by members of the Shiite coalition Al Wifaq to show their objection to the repression of the protests. The last elections had been held on 23 October 2010.

Secondly, in two countries parliamentary elections have followed the agenda set out before the onset of social upheavals. In the UAE, the elections had already been postponed from December 2010 to 24 September 2011. On that day, half the members of the National Federal Council, a chamber without legislative powers or control over the government, had been elected indirectly. In Algeria, on 10 May 2012, the National Popular Assembly was renewed, after the five years required by the constitution had elapsed.

Third, in some other Arab countries legislative elections have been delayed. This is the case in Syria, where they were held on 7 May 2012, although they had been scheduled for April 2011; in Mauritania, where they were announced for 31 March 2012, but have not been held up to the present time, although the term expired in November 2011; in Yemen, where they were called initially for 27 April 1011 and still have not taken place; and in Palestine, where legislative and presidential elections were announced after the agreement reached by Fatah and Hamas for 4 May 2012 but have been postponed.

In addition, presidential elections have only taken place in Yemen (on 21 February 2012, after president Saleh’s resignation), and in Egypt (the first round on 23 and 24 May, and the second on 16 and 17 June 2012). In Tunisia, the new constitution will establish the form of government and how the head of state will be appointed. In the
rest of the republics where the president is elected by direct suffrage (Syria, Algeria and Mauritania), the presidential office is scheduled to run to term (2014).

Finally, local elections have been held in several countries: in Qatar (10 May 2010); in Saudi Arabia (29 September 2011, after a delay of two years); in Syria (12 December 2011, after the Law of Local Administration was passed and under the call to a general strike); in Jordan (30 December 2011, and June-July 2012); and in the Libyan town of Misurata (20 February 2012) and Bengasi (19 May 2012). In Egypt, elections to renew local councillors should have been held in April 2012, after the previous 2008 elections, but these have not taken place.

6.2. Electoral system

For elections to be the keystone in the foundations of democracy, they must be carried out according to rules agreed to by the widest political majority. Recently, in Tunisia, Morocco, Egypt, Algeria, Jordan and Libya election rules have been approved or reformed with varying degrees of consensus (see table 2).

In Tunisia, political groups agreed a system whereby seats are allocated through proportional largest remainder formula and candidates from closed and blocked lists (Decree nº 35, 10 May 2011 concerning the election of the National Constituent Assembly), instead place of Ben Ali’s parallel or mixed system. The proportional largest remainder method is more representational than, naturally, the majority and highest average formulae. The aim of the Tunisian system is to favor the widest consensus. On the other hand, they have chosen the most aseptic criterion as regards the demarcation of constituencies. So, administrative divisions were used as constituencies (27 districts corresponding to 24 governorates) as well as six additional districts for voters abroad. Apportionment criteria take into account population and administrative divisions, intentionally over-representing divisions with fewer residents. As far as the lists of candidates are concerned, there is a guarantee of equality between the sexes by means of “zipper lists”, although only 5% of them have been headed by women (Martínez, 2011: 3; Marx, 2011: 3). Similarly, there must be at least one candidate who is younger than 30 years old on each list.

In Egypt the electoral law was passed by the Council of Ministers on 25 September 2011, and enacted by the SCAF two days later after a partial revision. This law establishes a complex parallel system for the election of People’s Assembly, whereby two thirds of the candidates are elected by the proportional largest remainder formula in closed and blocked lists, and a third by simple majority of nominal candidates. At first, independent candidates could only be elected by simple majority and parties could not stand for seats reserved for the independents. This was rejected by the political parties as a whole, for which reason this aspect was reformed on 1 October to allow parties to compete for seats distributed by simple majority. However, on 14 June 2012, the Supreme Constitutional Court ruled that the provisions of the electoral law, which allowed political parties to compete with independent candidates for some seats, were unconstitutional. Consequently, the Parliament has to be dissolved, at least, partially. As regards the presidential elections on the 19 January 2012, the SCAF drew up a decree to regulate them, requiring that the president of the republic be voted in by absolute majority in a two-round system for a six-year term. Presidential candidates must have the support of at least 30 members of parliament or of 30,000 electors in at least 15 provinces.

In Morocco, a new law concerning the composition of the House of Representatives (Organic Law 27-11, 14 October) was draft. In addition, the distribution of seats by constituencies which had in the past been detrimental to the PJD (Szmolka, 2009) was passed by decree (nº 2-11-603). The first law increases the number of
members of the Lower House from 325 to 395: 305 seats are elected in 92 local districts; 60 seats are elected in one national constituency which the parties have reserved for a closed women’s list since 2002; and 30 seats for a new national district of young people up to the age of 40 years, a concession to the 20 February Movement. In addition, the proportional largest remainder system has been retained, as well as closed and blocked lists, and although the electoral barrier of 6% has been applied in local districts, this has been reduced to 3% in both the national women’s and the young people’s constituencies.

In Algeria, Parliament approved a new electoral law (Organic Law nº 12-01, 12 January 2012) and a presidential decree which fixes the number of seats per electoral district (nº 12-01, 15 January 2012). The main electoral changes affect the rise in the number of seats (from 389 to 462), the way of controlling the electoral process (judicial supervision of the voting, transparent ballot boxes, access to the vote-counting by parties and candidates, etc.) and the suppression of the restrictions on members of the Government and elected representatives who have abandoned their political affiliation from standing for election. The proportional system, in the 48 electoral districts corresponding to the wilayas, as well as in the four districts for voters residing abroad and in the 5% threshold, all remain unchanged. In addition, another law has regulated women’s representation in elective assemblies, which, in the case of the National Popular Assembly, has been held in accordance with the size of the electoral district: four seats (20%), between five and 13 (30%), between 14 and 31 (35%), 32 or more (40%) and in districts for voters living abroad (50%) (Law nº 12-03, 14 January 2012).

In Libya on 28 January 2012, the NTC announced the regulations for the election of the General National Congress (Law nº 4 of 2012). The electoral bill was devised by a committee of eight members (of the NTC), who were also in charge of the configuration of the electoral districts. In spite of criticisms received, the text of the law was substantially altered as a result of the debate that ensued when previous drafts were presented. The Libyan electoral system has undoubtedly been the most difficult to design due to the need to counterbalance several factors: the fact that this is the first time that a parliament has been elected; geographical and demographic peculiarities (a sparse population in a huge territory, concentrated near the coast); tribal and regional cleavages; lack of previous regulations regarding administrative divisions and parties; and the situation of the state and of society in the wake of the turmoil. Finally, a parliament of 200 members has been established, elected by a parallel system. In accordance with this system, 120 seats are assigned by simple majority, in uninominal districts reserved for independent candidates (First-Past-the-Post) and by a system of non-transferable votes in multi-members districts, while 80 seats are distributed by a proportional greatest remainder system for candidates in closed “zipper” lists which respect equality between the sexes. In addition, electoral districts have been demarcated taking into account population density and geographical aspects. People linked to Gadafi’s regime will not be permitted to be members of parliament, although those with double nationality will be given this permission. These issues were hotly disputed in early drafts of the bill.

In Jordan in April 2012, the Council of Ministers passed an electoral bill, which is at present being negotiated in Parliament. This text has been rejected by the opposition parties, who withdrew from the Royal Commission for National Dialogue, set up on 14 March with the purpose of proposing a new electoral law and modifying party law. The government’s bill replaces the old electoral system established in 1993, in which each person emitted one vote per electoral district (province) by a triple vote (two for plurinominal districts and one in a single national candidature district of closed lists). As well, the so-called virtual districts (which are non-geographical) have been
eliminated, as they were considered to be partly responsible for electoral fraud. What is more, the number of parliamentary representatives has risen from 120 to 138, amongst which 15 seats have been reserved for women (there were 12 previously). Finally, a new independent commission for the supervision of elections has been set up.

Other minor electoral changes have been carried out in other countries. In Saudi Arabia, the only Arab country in which women still could not vote, a decree was carried on 25 September 2011 guaranteeing them this right. However, they could not vote in the local elections which were held four days later. In Oman and Mauritania most progress has been made in the supervision of the elections by the Supreme Committee, which is made up of independents. In the UAE, the only improvement has been the widening of the electoral roll which votes for the National Federal Council, but it is still a long way from guaranteeing universal suffrage.

Finally, in other countries electoral reform has become a bone of contention among political forces. In Yemen, an electoral reform has been under negotiation between the government and the opposition since 2006 to substitute the current system of simple majority system in uninominal districts, which benefits client networks, and which has perpetuated the power of the PNC. And in Lebanon, the introduction of proportional representation is being considered. This would be the fourth ruling since 1992 and would put a stop to gerrymandering.

6.3. Fairness and control of the electoral process

In several countries great efforts have been made to guarantee pluralism and competitiveness and to avoid electoral fraud and the irregularities of past elections. In Tunisia, the review of the electoral census, of electoral coordination and supervision have been carried out by the Independent High Authority for the Elections (Instance Superiêure Indépendante pour les Élections, ISIE) and by the each of its delegations in the constituencies (Decree nº 27, 18 April 2011). In addition, there are delegates of the parties and candidates, and international observers have been allowed amongst whom are the Organization for Security and Co-operation (OSCE), the EU, the Carter Center, the International Republican Institute, the International Foundation for Electoral Systems and the National Democratic Institute (Martínez, 2011: 2 y 3). In total, it is estimated that there are more than 10,000 observers, of whom nearly 9,000 are national inspectors. Along with these, we have the 50,000 “controllers” moving around the territory with legal authority to intervene in case of any infringements, unlike the observers. Elections have been evaluated as free and competitive by international observer organizations.

In Morocco, the Interior Ministry has continued with the organization of elections, which, in spite of criticism received, does not mean a difference with regard to democratic regimes. However, one major step forward has been the regulation of election observation by means of the dahir 1-11-62 of 29 September. Powers have been given to the National Council for Human Rights to accredit national and international observers and it is the first time that guarantees have been given to observers to follow the election with interference. During polling day 1,982 observers took part, spread over 844 polling stations, and inspectors and parties representatives were allowed to be present. The elections have been assessed as competitive, although the harassment of the boycott defenders and isolated incidents of vote-buying have been reported (López García, 2011). On the other hand, although 31 political parties ran for the House of Representatives, the 20 February movement, several Islamic parties and organizations (Justice and Spirituality, Al-Badil al-Hadari, Al-Umma) and some left-wing groups (Unified Socialist Party, Democratic Socialist Party and Annahj Democratic) called for abstention.
In Egypt the Supreme Electoral Commission has supervised the development of legislatives, while about 4,500 local judges are in charge of resolving electoral litigations. At first, the SCAF stated that there would be no international electoral supervision, as they considered that this would question national sovereignty. Later, however, the monitoring of the electoral process by national and international non-governmental organizations was authorized, although finally only the Carter Center was allowed to participate. Also, presidential elections have been subject to national and international observation.

In Algeria, in accordance with the new electoral legislation, the National Committee for Election Supervision (NCES) has been formed, with the participation of representatives of political parties and judges. There are also international observers: an EU delegation – who participated from the beginning of the electoral campaign up to the announcement of the results -, 200 observers from the African Union, 100 from the Arab League, 10 from the UN and 20 from the Islamic Cooperation Organization. After the elections, the NCES denounced the lack of control at the wilayas where votes that had been cast at the polling stations and sent by the town councils were.

In Libya, the electoral process has been coordinated by the Electoral High Commission in which judges, lawyers, young people, women and human rights activists take part. Also, judicial control of electoral resources has been established and international observers have been allowed in.

In Kuwait, an independent commission for electoral control has not been formed, but, in the new commission of electoral supervision, various organizations from civil society together with members of the Interior Ministry have been invited to take part. In addition, observation of the elections by national and international organizations present in Kuwait and public vote-counting have been allowed.

6.4. Significance of the elections
The two essential functions of elections in contexts of democratic transition are to guarantee an adequate representation of society and to allow the alternation of governments.

In as far as the first is concerned, we cannot say that the elections held in Bahrain, Syria, the UAE and Oman have brought about representative parliaments because, as we have seen, the electoral process, from its initial phase, has been marred by lack of pluralism in the electoral choices it offers. In the rest of the countries, apart from in Algeria, elections have given large majorities to Islamic parties, who had previously been denied entry or had had a limited participation in the political system. So we must highlight the Islamic Sunni victory in Tunisia (Ennahda, with 37% of the votes and 41.5% of the seats), Morocco (PJD, with 22.8% local list votes and 27% total seats), Egypt (LJP, with 38% of the votes and 43.4% direct election seats), and Kuwait (Islamic Constitutional Movement, with 46% direct election seats, 23 seats)\(^2\). However, in Algeria the Green Alliance, a coalition of two parties (MSP, en-Nahda) and el-Islah coalition, has placed in the third position of the parliamentary ranking (48 seats, 10.4% total seats).

On the other hand, officialist or old regime parties or candidates have obtained poor results, except in Algeria and obviously in Syria. In Tunisia, those “contaminated” lists which had not been invalidated obtained sparse (Al-Mubadara, 5 seats) or no representation (El Watan, and the Al-Ittifaal al-Yumhuri coalition). The same thing happened with the parties who had played along Ben Ali’s servile game with the regime. In Morocco, the officialist Authenticity and Modernity Party (Parti Authenticité et Modernité, PAM) achieved only 11.9% of the seats. Before the uprisings, forecasters
predicted that PAM would be the governing party, but it was the party that was most damaged by the protest movement, which targeted it as object of its indignation. And, in Kuwait, the pro-government candidates are in a minority in the Parliament, so we foresee again a heated legislature. In contrast, the two government’s parties won the overwhelming majority of seats in Algeria: National Liberation Front (220 seats, 47.6% total seats) and the National Democratic Rally (69 seats, 14.7% total seats). And, in Syria, the pro-presidential National Unity alliance took 73.2% of the 250 seats at stake.

As well, the representativity of parliament depends on social support in the elections. In this regard, turnout has been highest in countries where constituent elections have been held (Tunisia, 86.1% and Egypt, an average of 65% at different phases of the polls) and where electoral competence is non-existent and does not assure fairness in the electoral process (Oman, 76%). In Kuwait, although participation was 62%, in previous elections it had been 85%. This is in contrast to Morocco, where electoral participation may be considered low (45.4%), but it was eight points higher than in 2007. In UAE, where only ‘selected electors’ voted and despite the Emirs’ efforts at mobilization, the participation was very low (Abu Dabi, 21.3%; Dubai, 24.7%, Sharja, 42%, Ras Al Jaima, 30.2%, Ajman Fujaira, 34.6% and Umm Al Qaiwain, 54.7%). In Bahrain, participation was only 51.4%, which may be explained by the call for abstention by the main Shiite group Al-Wifaq, together with other political forces such as Al-Mimbar (pro-government MB) and Wa’ad (National Democratic Action Society) (Zaccara, 2011: 2). Likewise, the participation in the Qatar Central Municipal Council elections was also low (43.9%). In Algeria, the official turnout was 42.9%, but unofficial sources state that it was considerably less. It is the same case of Syria, where participation announced by the government was 51.26%, despite the repressive environment.

As far as forming of government is concerned, we must differentiate among: countries where elections have given rise to alternance in government (Tunisia, Morocco); countries which are waiting for alternance to come into effect (Egypt and Libya); and those in which elections have not brought about any change in the ruling body (Algeria, Kuwait, EAU). First, in Tunisia, after the elections for the National Constituent Assembly in October 2011, Hamadi Yebali, general secretary of the Islamic party Ennahda, was appointed PM on 14 December. He formed a government with two other political forces, the Democratic Forum of Labor and Liberties, known as Ettakatol, pan-Arabist) and the Congress for the Republic, CPR (centre left-wing). On the other hand, the Assembly had previously chosen as President of the Republic Moncef Marzuki, leader of the CPR, with the support of the three parties of the governmental coalition (153 votes in favor, three against, 44 blank ballots and two abstentions). Likewise, in Morocco, legislative elections in 2011 allowed for the first time the appointment of an Islamic PM (29 November 2011). The new government led by Benkirane is made up of three parties (PJD, 11 ministerial positions; Istiqlal, six; Party of Progress and Socialism, four; and Popular Movement, four) and five independent ministers. Secondly, in countries where popular uprisings have been successful, the constitution of democratic governments has not yet occurred. In Egypt, the Army rejected the formation of a new government after legislative elections until the presidential elections held in May and June 2012. At the present time executive power is shared by the SCAF and the Council of Ministers. Similarly, in Libya, the NTC remains in power until such time as legislative elections are held and the Constitution is approved. And in Yemen, in the presidential elections of 21 October 2011, the only candidate, Abdraubh Mansur Hadi, who had been vice-president since 1994, obtained 99.8% of the votes. His candidature received the consensus of the NPC and the opposition parties. He has a two-year term of office in which a new Constitution and a new electoral system must be approved. Thirdly, in Kuwait, there has not been any significant change in the
new government which was formed after February 2011, as on 2 February sheik Jaber Al-Mubarak Al Hamad Al-Sabah once again became PM, ignoring the parliamentary majority which emerged from the elections.

7. Conclusions

The majority of Arab countries have recently undergone transformation processes within their political systems, which differ in their democratic nature and scope. So first, we cannot generalize by referring to a ‘fifth wave of democratization’ in the region, but to a ‘fifth wave of political change’, which involves processes of different kinds: the instauration of democracy – still on-going and uncertain– (Tunisia, Egypt, Libya); political liberalization (Morocco); political reforms without any substantial effect on the nature of the regime (Algeria, Oman, Syria, Mauritania); and resistance to change and persistence of authoritarianism (Saudi Arabia, Bahrain, Qatar). In Yemen, apart from the downfall of president Saleh, there has been no effective change up to present time. And, in Jordan, changes will depend on the scope of the future elections.

Secondly, regarding their causes, these processes have been triggered by revolutions and social upheavals from December 2010 onward. This turmoil, born of a common demand for democracy, is the people’s reaction against authoritarianism, generalized corruption, absence of alternance in power, political exclusion of citizens, lack of liberties, and the shortage of prospects for young people, etc. However, not always has intense social mobilization entailed significant democratic transformations in the region (see the cases of Bahrein and Syria). Change has come about as a result of the triumph of the revolutions – by the loss of support for the coercive devices of the state – or by the hasty launching of reforms by autocratic leaders in order to defuse the unrest.

Third, as far as the means of change are concerned, procedures have varied: the dismantling and design of a new political framework after successful processes of social revolution (Libya, Tunisia, Egypt); or the reform of the respective political systems with differing degrees of consensus among their political actors (Morocco, Mauritania, Algeria, Jordan, Oman, Syria). Despite the different ways, the Arab countries have followed the classic transitology pattern: increase in pluralism, constitutional reforms and holding competitive elections.

Fourth, the consequences of the change processes have been diverse: the toppling of the highest political authorities (Tunisia, Egypt, Libya, Yemen); the approval or reform of the framework of parties and political movements (Tunisia, Egypt, Syria, Morocco, Algeria) – with or without the widening of political pluralism; the approval or reform of the Constitution (Egypt, Tunisia, Morocco, Jordan, Oman, Syria, Mauritania); competitive elections (Tunisia, Egypt, Morocco, Kuwait); and the alternation of governments legitimized at the polls (Tunisia, Morocco).

However, have these institutional changes meant a change in the authoritarian nature of power? Without doubt, it is still early to assess these aspects. What is certain is that the culmination of the processes of establishing democracy will depend on whether the new regimes are capable of:

- Extending the bases of pluralism and enabling political competence
- Allowing power to be exercised by representative and autonomous institutions
- Assuring governability, political responsibility of the leaders and the creation of good government instruments in each of the countries
- Guaranteeing public rights and liberties and the independence of judicial power
- Reinforcing national unity while respecting different groups which make up the community and allowing regional autonomy
- Controlling national territory in the legitimate use of the monopoly on violence
• Controlling security forces democratically
• Strengthening political parties and civil society
• Educating political actors and citizens in a democratic culture
• Responding to citizens’ basic needs.

References


Table 1. Models of processes of political change and results

<table>
<thead>
<tr>
<th></th>
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<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Algeria</td>
<td>Low</td>
<td>Low</td>
<td>Intern, from inside the regime</td>
<td>Reform</td>
<td>Medium</td>
<td>No</td>
<td>Yes (Law nº 12-04, 12 January 2012)</td>
<td>Constitutional Reform announced</td>
<td>Parliamentary</td>
<td>-</td>
</tr>
<tr>
<td>Bahrain</td>
<td>High</td>
<td>Medium (against of change)</td>
<td>Non existent</td>
<td>-</td>
<td>-</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Parliamentary (partial)</td>
<td>-</td>
</tr>
<tr>
<td>Egypt</td>
<td>High</td>
<td>Low</td>
<td>Intern, from outside the regime</td>
<td>Rupture</td>
<td>Medium (variable)</td>
<td>Yes (11 February 2011)</td>
<td>Yes (Decrease nº 12, 28 March 2011)</td>
<td>New Constitution in process</td>
<td>Parliamentary Presidential</td>
<td>-</td>
</tr>
<tr>
<td>Iraq</td>
<td>Low</td>
<td>Very Low</td>
<td>Intern, from inside the regime</td>
<td>-</td>
<td>-</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>-</td>
</tr>
<tr>
<td>Jordan</td>
<td>Low</td>
<td>Very Low</td>
<td>Intern, from inside the regime</td>
<td>Reform</td>
<td>Low</td>
<td>No</td>
<td>Yes (Law June 2012)</td>
<td>Constitutional Reform (September 2011)</td>
<td>Local</td>
<td>-</td>
</tr>
<tr>
<td>Kuwait</td>
<td>Medium</td>
<td>Very Low</td>
<td>Non existent</td>
<td>-</td>
<td>-</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Parliamentary</td>
<td>-</td>
</tr>
<tr>
<td>Lebanon</td>
<td>Low</td>
<td>Very Low</td>
<td>Non existent</td>
<td>-</td>
<td>-</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>-</td>
</tr>
<tr>
<td>Libya</td>
<td>High</td>
<td>High</td>
<td>Intern, from outside the regime</td>
<td>Rupture</td>
<td>Medium</td>
<td>Yes (20 October 2011)</td>
<td>Yes (Decree 25 April 2012)</td>
<td>First Constitution In process</td>
<td>Parliamentary</td>
<td>-</td>
</tr>
<tr>
<td>Mauritania</td>
<td>Low</td>
<td>Very Low</td>
<td>Intern, from inside the regime</td>
<td>Reform</td>
<td>Medium</td>
<td>No</td>
<td>Yes (Law nº 2012-024 on Party Finance)</td>
<td>Constitutional Reform (6 March 2012)</td>
<td>No</td>
<td>-</td>
</tr>
<tr>
<td>Morocco</td>
<td>Medium</td>
<td>Very Low</td>
<td>Intern, from inside the regime</td>
<td>Reform</td>
<td>Medium-Large</td>
<td>No</td>
<td>Yes (Organic Law 29/11, 22 October 2011)</td>
<td>Constitutional Reform (Referendum 1 July 2011)</td>
<td>Parliamentary</td>
<td>Yes</td>
</tr>
<tr>
<td>Oman</td>
<td>Very Low</td>
<td>Non existent</td>
<td>Intern, from inside the regime</td>
<td>Reform</td>
<td>Without consensus</td>
<td>No</td>
<td>No</td>
<td>Constitutional Reform (Dahir 99/2011 20 October 2011)</td>
<td>Consultative Council</td>
<td>-</td>
</tr>
<tr>
<td>Qatar</td>
<td>Very Low</td>
<td>Non existent</td>
<td>Non existent</td>
<td>-</td>
<td>-</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>-</td>
</tr>
<tr>
<td>Saudi Arabia</td>
<td>Very Low</td>
<td>Non existent</td>
<td>Non existent</td>
<td>-</td>
<td>-</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Local</td>
<td>-</td>
</tr>
<tr>
<td>Syria</td>
<td>High</td>
<td>Medium</td>
<td>Intern, from inside the regime</td>
<td>Reform</td>
<td>Without consensus</td>
<td>No</td>
<td>Yes (Decrease 100-2011, 5 August 2011)</td>
<td>Constitutional Reform (Referendum 26 February 2012)</td>
<td>Local</td>
<td>Parliamentary -</td>
</tr>
<tr>
<td>Tunisia</td>
<td>High</td>
<td>Very Low</td>
<td>Intern, from outside the regime</td>
<td>Rupture</td>
<td>High</td>
<td>Yes (14 January 2011)</td>
<td>Yes (Decrease 87-2011, 24 September 2011)</td>
<td>New Constitution in process</td>
<td>Parliamentary</td>
<td>Yes</td>
</tr>
<tr>
<td>UAE</td>
<td>Very Low</td>
<td>Very Low</td>
<td>Non existent</td>
<td>-</td>
<td>-</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>-</td>
</tr>
<tr>
<td>Yemen</td>
<td>High</td>
<td>Medium</td>
<td>Extern</td>
<td>Reform</td>
<td>Medium</td>
<td>Yes (23 November 2011)</td>
<td>No</td>
<td>No</td>
<td>Presidential</td>
<td>-</td>
</tr>
</tbody>
</table>

Source: By the Author
## Table 2. Parliamentary Electoral Processes after Arab Spring

<table>
<thead>
<tr>
<th>Type/Date</th>
<th>Term (years)</th>
<th>Eligible seats</th>
<th>Candidates</th>
<th>Constituencies</th>
<th>Electoral formula</th>
<th>Threshold</th>
<th>Electoral Legislation Change</th>
<th>Turnout</th>
<th>Fairness</th>
<th>Control</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Algeria</strong></td>
<td>National Popular Assembly (10 May 2012)</td>
<td>5</td>
<td>462</td>
<td>Closed Block List</td>
<td>48 (corresponding to the wilayas)</td>
<td>Proportional (Largest Remainder Formula)</td>
<td>5%</td>
<td>Organic Law nº 12-01, 12 January 12</td>
<td>42.9</td>
<td>Semi-competitive</td>
</tr>
<tr>
<td><strong>Bahrain</strong></td>
<td>House of the Representatives (Partial) (24 September and 8 October 2011)</td>
<td>4</td>
<td>18</td>
<td>Nominal</td>
<td>40 single-member</td>
<td>Majoritarian through two rounds</td>
<td>-</td>
<td>No change</td>
<td>51.4</td>
<td>No competitive</td>
</tr>
<tr>
<td><strong>Egypt</strong></td>
<td>People’s Assembly (28-29 November, 14 and 15 December 2011, and 3-4 January 2012)</td>
<td>People’s Assembly: 498 (+10 appointed)</td>
<td>People’s Assembly: Closed Block Lists (332 seats) Nominal (166 seats)</td>
<td>People’s Assembly: Closed Block Lists (332 seats) Nominal (166 seats)</td>
<td>People’s Assembly: Closed Block Lists 2/3: Closed Block Lists 1/3: Nominal</td>
<td>Proportional (Largest Remainder Formula)</td>
<td>0.05</td>
<td>Decree 27 September 2011</td>
<td>65 (average)</td>
<td>Competitive</td>
</tr>
<tr>
<td><strong>Kuwait</strong></td>
<td>National Assembly (2 February 2012)</td>
<td>4</td>
<td>52 (+15 members of Government)</td>
<td>Nominal</td>
<td>5</td>
<td>Block vote</td>
<td>-</td>
<td>No change</td>
<td>62</td>
<td>Competitive</td>
</tr>
<tr>
<td><strong>Morocco</strong></td>
<td>House of Representatives (25 November 2011)</td>
<td>5</td>
<td>395</td>
<td>Closed Block List</td>
<td>92 local constituencies (305 seats) 1 national constituency for women candidates (60 seats) 1 national constituency for young candidates (30 seats)</td>
<td>Proportional (Largest remainder formula)</td>
<td>6% for local constituencies 3% for national constituencies</td>
<td>Organic Law 27-11, 14 October 2011</td>
<td>45.4</td>
<td>Competitive</td>
</tr>
<tr>
<td><strong>Oman</strong></td>
<td>Majlis Al Shura (8 and 15 October 2011)</td>
<td>4</td>
<td>84</td>
<td>Nominal</td>
<td>61 (Wilayas)</td>
<td>Simple Majority (First Past the Post)</td>
<td>-</td>
<td>Royal Decree No. 99/2011 (Basic Law reform)</td>
<td>76.6</td>
<td>No competitive</td>
</tr>
<tr>
<td><strong>Syria</strong></td>
<td>People’s Council (7 May 2012)</td>
<td>4</td>
<td>250</td>
<td>Preferential vote</td>
<td>15 (Administrative districts)</td>
<td>Simple Majority</td>
<td>-</td>
<td>Constitutional reform</td>
<td>51.26</td>
<td>No competitive</td>
</tr>
<tr>
<td><strong>Tunisia</strong></td>
<td>Constituent Assembly (23 October 2011)</td>
<td>Interim</td>
<td>217 (199 for domestic constituencies and 18 for abroad constituencies)</td>
<td>Closed Block Lists “Zipper Lists”</td>
<td>33 (6 for voters living abroad and 27 corresponding to 24 governorates)</td>
<td>Proportional (Largest remainder formula)</td>
<td>-</td>
<td>Decree 35/2011, 10 May 2011 Decree 72/2011, 3 August 2011</td>
<td>86.1%</td>
<td>Competitive</td>
</tr>
<tr>
<td><strong>UAE</strong></td>
<td>National Federal Council (24 September 2011)</td>
<td>4</td>
<td>26 indirect vote (+20 appointed)</td>
<td>Nominal</td>
<td>7 (Each Emirate)</td>
<td>Majority Block Vote</td>
<td>-</td>
<td>No</td>
<td>27.75 (Emirates average)</td>
<td>No competitive</td>
</tr>
</tbody>
</table>

Source: By the Author
A majority vote will be accepted. If this majority is not reached the second time, then a referendum will be held, in which case a majority vote will be accepted. This is not the first time that citizens’ revolts have taken place in the Arab world. The 1980s and 1990s saw notable political and social phenomena in almost all Arab countries and in the first decade of XXI century in Egypt, Yemen, Jordan and the Persian Gulf states. For further reading on the revolt in the Arab world, see Gallissot, 1991; Ottaway and Hamzawy, 2011.

The plan includes the following aspects: the opening of a political process which will respond to the demands of the Syrian people; the cessation of all types of violence on all parts, supervised by the UN; guaranteed access of humanitarian aid; freedom for political prisoners jailed in an arbitrary manner; freedom for journalists all over the country; and respect from the authorities for freedom of association and peaceful protests.

Nevertheless, in Kuwait (since 1992) and Bahrain (since 2005), it has been legal to form political societies or associations which carry out functions characteristic of parties and which compete in elections. Five parties of different political leanings formed part of this: the Islamist Islah (Reform), the Yemen Socialist Party (the former single party of South Yemen), Al Haqq (zaydi), the Nasserist Unionist Party and the Union of Popular Forces.

In Algeria, it is expected that the constitutional reforms will be implemented by the new parliament elected in the May 2012 elections. In January 2012 in Bahrain, the King announced a partial reform of the constitution as a way of ensuring the control of the government by the parliament, but he did not commit himself to designating a PM who received the majority of votes or to reforming the majority election system (the main complaints of the Shi’ite opposition).

In Tunisia, according to article 3 of the partial constitutional reform, the National Constituent Assembly must approve by absolute majority each one of the articles of the constitution project. The whole constitution must then be approved by a two-thirds majority. If this majority is not reached, a second reading will take place within a maximum time-limit of a month with the aim of passing the text by the same majority. If this majority is not reached the second time, then a referendum will be held, in which case a majority vote will be accepted.

In Egypt in March 2011 Constitutional Declaration regulated the composition of the Constituent Assembly (article 60), indicating simply that it will be made up of 100 members chosen by members of the two parliamentary houses (except for those who are selected by designation) and that it must draft a constitutional project within six months. In the wake of the Islamists’ victory in the legislative elections, parliament decided that it should consist of 50 parliamentarians and 50 representatives of civil society. In March 2012, parliament approved the composition of the Constituent Assembly with votes against of liberal and non-religious sectors who accused the Islamists of monopolizing the Assembly. Thus, the assembly met on 28 March with only 78 members in attendance.

The reform was carried by a majority of 77.27% votes, although only 41.19% of the electorate voted. The procedure for reform was the setting up of a committee of eight constitutionalists, including a member of the MB, and led by the prestigious reforming activist, judge Tarik el Bishri.

The successor will be chosen by the Council of the Ruling Family. Should there be disagreement, the Defence Council, the Head of the State Council, the Shura Council, the Supreme Court and the two eldest deputies members will designate the person whom the deceased sultan has named as successor in his testament.

The reason was the request by the Supreme Independent Court for the Elections who wished to guarantee ideal conditions for holding them, although most parties, including Ennahda, were in favor of the original date.
In Kuwait, after the outbreak of the Arab Spring, two government crises occurred. The first happened on 31 March 2011, when three ministers belonging to the royal family resigned, after being accused of paying bribes to parliamentarians. Even so, the accusation of corruption was directed mainly at the PM, sheik Nasser, who resigned on 28 November. The crisis had come to a head on 17 November when thousands of protesters went into the Parliament building after police had used force to dissolve a march in which they had been demanding that the head of Government step down. On the 6 December the defeat of the government led to the dissolution of Parliament and to the appointment of sheik Jaber Al-Mubarak Al-Hamad Al-Sabah as PM, who had been Defense Minister up until that time.

In Saudi Arabia and Qatar, electoral participation has been confined to the election of local representatives: since 2005, the first, and since 1999, the second. In both cases, the assemblies have consultative competences in local matters. In Saudi Arabia, half the members of local councils are elected while the other half are chosen by royal appointment. In Qatar, elections are held to choose the Municipal Central Council, which has 29 members, each one representing an electoral district. The latest elections were held in May 2011 and since 1999 they have been held regularly, every four years. In addition, in spite of being planned since the declaration of the constitution of 1999, parliamentary elections have not been held. In 2010 they were announced, once a legal modification allowing Parliament to assume legislative powers had been passed and approval of a new electoral ruling had been given, but they have not been held up to the present time.

Within this third, a 50% quota of seats is still reserved for farmworkers and laborers, as occurred under the previous regime. In addition, the new rules make it compulsory to include women in each voting list, which does not guarantee that they be elected because they are not necessarily at the head of the list. This has meant a step backward in comparison to Mubarak’s previous legislation which reserved 13% of seats for women. Similarly, three seats (out of a total of 508) have been reserved for Copts and ten have been appointed in the Lower House.

For different reasons, 10 of 23 candidatures have been invalidated, amongst them that of the official candidate, Omar Suleiman, who was the head of the security services during Mubarak’s regime (for not having enough support), that of the official MB candidate, Jairat Al-Shater (an ex-convict), and that of Salafist Hazem Abu Ismail (whose mother was North American). Previously, the Popular Assembly had approved an amendment to the political rights law in order to ban people who had occupied high posts in Mubarak’s regime from holding public offices, although the Constitutional Tribunal has determined the law was unconstitutional. Thus, Mohamed Shafik, last PM under Mubarak regime, could run for presidential elections.

The opposition parties are clamoring for a proportional electoral system and candidatures of lists, which will strengthen political groups in a system in which tribal and clan relations are the norm. In addition, they are demanding the direct election of the Senate.

An electoral roll of 6,595 voters in 2006 has risen to 129,274 (less than 20% of the population) for the election of half the National Federal Council, while the other half is designated.

In Kuwait there has been fierce dispute between government and opposition about the configuration of electoral districts. In 2009 the opposition pushed through an electoral reform, reducing 25 districts to five, in each of which ten representatives are chosen by majority and each voter may vote for four representatives (instead of two). This reform aimed to sever tribal links and to reduce vote-buying.

As far as Salafist parties are concerned, in Tunisia they have not obtained any seats (At Tahrir and Al-Ajlas), while in Egypt they have constituted the second political force (Al Nur, 29% votes and 21.8% seats), the same as in Kuwait (Salafist candidates, 28% of direct seats).

On 27 February 2011, the rebels formed an interim government in Bengazi, the NTC, presided by Mustafa Abdul Jalil and led by the PM Mahmoud Jibril. After the death of Gadafi, on 22 November, a new executive was proposed by PM Abderrahim Al-Kib, who had been appointed on 31 October and who will resign after elections have been held. On 5 March Jalil was re-appointed President of the NTC.