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# Associational Life under Authoritarianism: The Saudi Chamber of Commerce and Industry Elections

HENDRIK J. KRAETZSCHMAR

**Abstract:** This article is concerned with the dynamics of internal leadership elections in one of Saudi Arabia's oldest and most prominent network of professional syndicates, the Chambers of Commerce and Industry (CCIs). Exploring a hitherto under-researched phenomenon in Saudi associational life, it presents a first-hand account of the administration and conduct of CCI elections, revealing that, whilst formally competitive, in actual practice they fall short of some of the minimum standards of good practice in electoral matters. Key shortcomings thus identified include a lack of autonomy and impartiality in matters of electoral administration, the prevalence of regulations that insufficiently ensure the conduct of elections is fair and competitive, as well as the widespread use of illicit electioneering tactics to shape voter preferences and choice. The article concludes by asserting that — if the CCI experience is anything to go by — associational realities depress rather than advance prospects for democratizing associationalism in Saudi Arabia.

**Keywords:** Saudi Arabia, associational elections, Chambers of Commerce and Industry (CCIs).

## 1 Introduction

In December 2012, Arab News, one of the country's leading English language daily newspapers, reported in a piece entitled "A Healthy Election" the successful completion of the first ever competitive election to the presidency of the Saudi Arabian Football Association by its general assembly. The reporter at the time not only hailed these elections as free and fair but as remarkably competitive, with the winning candidate, Ahmed Eid,

securing his victory by a margin of just two votes.<sup>1</sup> For non-Saudis, of course, the story itself might be of limited interest, primarily because the country is not internationally renowned for its footballing tradition. What renders this minor piece of journalism nonetheless of relevance, particularly to observers of Saudi affairs, is the fact that these elections are symptomatic of a fairly recent phenomenon in domestic politics: the introduction of low-level plural elections in the country's municipalities,<sup>2</sup> licensed associations and syndicates. Of these, no doubt, the (re-)introduction of nationwide partial municipal elections in 2005 has been most headline-grabbing, receiving extensive domestic and foreign press coverage.<sup>3</sup> Beyond these "high profile" elections, change has also been afoot at societal level, however, with a growing number of registered associations and syndicates turning towards the electoral principle for the selection of their governing boards. Cases in point concern the leadership elections for the Saudi Journalists Association, first conducted in 2004, as well as those for the Saudi Council of Engineers (2005), the labour-like workers committees (2004) and the country's litany of literary clubs (2011). Other examples include the Chambers of Commerce and Industry (CCIs) under scrutiny here, as well as a host of charitable associations, corporate societies, university clubs, and sports clubs.<sup>4</sup> In some of these associations/syndicates, such as

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**Hendrik J. Kraetzschmar** is Associate Professor in the Comparative Politics of the Middle East and North Africa in the School of Languages, Cultures and Societies, University of Leeds, Woodhouse Lane, Leeds, LS2 9JT, UK, [h.j.kraetzschmar@leeds.ac.uk](mailto:h.j.kraetzschmar@leeds.ac.uk).

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<sup>1</sup> Alsaif, "A Healthy Election", Arab News, 24 Dec. 2012.

<sup>2</sup> According to the municipal election law, half of all council seats are elected and the other half appointed by the Ministry of Municipal and Rural Affairs. Kraetzschmar, "Electoral Rules, Voter Mobilisation and the Islamist Landslide in the Saudi Municipal Elections of 2005", *Contemporary Arab Affairs* 3 (2010), pp. 515–33.

<sup>3</sup> Although not nationwide, during the 1950s and 1960s some Saudi towns and cities conducted elections for their municipal councils. Kraetzschmar, "Electoral Rules, Voters Mobilisation and the Islamist Landslide", p. 528.

<sup>4</sup> Saudi Arabia Government Portal, "Elections in the Kingdom of Saudi Arabia".

the Saudi Journalists Association or literary clubs, governing boards are fully elected whilst in others, such as the Saudi Council of Engineers and CCIs, directorship positions are only in part filled through plural elections.

What is so remarkable about this development in Saudi politics is the fact that these associational elections take place within the confines of one of the region's most autocratic regimes that, beyond cosmetic political reforms, has as yet instigated no meaningful avenues for citizen participation and representation at national level.<sup>5</sup> This, of course, conjures up a range of questions about the purpose and nature of any of these sub-national elections and their functions in the Saudi body politic. Are these elections conducted along democratic lines, or do they reflect the broader authoritarian character of the regime they take place in? And, given that they occur in the public realm, how do these elections affect, if at all, societal perceptions of procedural democracy and citizen demands for political reform more broadly?

So far few answers to these questions are forthcoming in scholarship on Saudi Arabia, partly because of a dearth of research on electoral associationalism in the country. Indeed, unlike their municipal counterparts,<sup>6</sup> associational elections have as yet been insufficiently dissected within the context of broader analyses of state-society relations and the politics of reform in Saudi Arabia. This holds true for comparative works on civil society and political reform in the Gulf Cooperation Council countries (GCC) as much as for Saudi-specific scholarship in the field. A survey of some of the major compendia on political reform in the Arabian Gulf, including those by Khalaf and Luciani, Ehteshami and Wright, Tétreault, Okruhlik, and Kapiszewski, Held and Ulrichsen, as well as Niblock, reveals for instance just how little, if any, space has been dedicated to recent developments in the third sector as compared to national and municipal-level institutions, politics and reform.<sup>7</sup> The same holds

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<sup>5</sup> Kapiszewski, "Elections and Parliamentary Activity in the GCC States: Broadening Participation in the Gulf Monarchies", *Constitutional Reform and Political Participation in the Gulf*, ed. Khalaf and Luciani (2007), pp. 88–131.

<sup>6</sup> See, for e.g., Menoret, "The Municipal Elections in Saudi Arabia 2005", *Arab Reform Initiative* (2005), pp. 1–6; Kraetzschmar, "Electoral Rules, Voter Mobilisation and the Islamist Landslide"; Kechichian, *Legal and Political Reform in Saudi Arabia* (2013), pp. 109–130.

<sup>7</sup> Khalaf and Luciani, *Constitutional Reform and Political Participation in the Gulf* (2007); Ehteshami and Wright, *Reform in the Middle East Oil Monarchies* (2011); Tétreault,

true for broader comparative studies on civil society in the Arabian Gulf, which again hold few insights into the workings of organised associational life in the region, including most notably on the state and quality of electoral politics within the third sector.<sup>8</sup> Extant scholarship on state-society relations and reform in Saudi Arabia itself, meanwhile, also contains limited output on the country's formal associations and the nature of participatory politics within them. Noteworthy exceptions to this observation include the works of Hertog, Hamilton, Montagu, Kanie, Matic and AlFaisal, and Kraetzschmar, whose research sheds light on important aspects of Saudi associationalism, including on the legal status of professional, charitable and rights associations and their close connect to the state, on levels of institutionalisation, professionalism and women's empowerment within them, on the operational and contextual constraints they face, as well as on the roles they perform as service providers, participants in national decision-making and facilitators of bottom-up pressures for change.<sup>9</sup> As insightful and significant as these studies are, the Kraetzschmar piece apart, none of them explore in more detail the workings and trademarks of leadership

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Okruhlik, and Kapiszewski (eds), *Political Change in the Arabian Gulf States: Stuck in Transition* (2011); Held and Ulrichsen, *The Transformation of the Gulf: Politics, Economics and the Global Order* (2012); Niblock, *State, Society and Economy in Saudi Arabia* (2015).

<sup>8</sup> See, for e.g., Crystal, "Civil Society in the Arabian Gulf", *Civil Society in the Middle East*, ed. Norton (2001); Kechichian, *Legal and Political Reform in Saudi Arabia*.

<sup>9</sup> Hertog, "Modernizing without Democratizing? The Introduction of Formal Politics in Saudi Arabia", *Internationale Politik und Gesellschaft* 3 (2006), pp. 67–68; Hamilton, "Straddler-Based Gender Reform in Saudi Arabia: The Case of the Jeddah Chamber of Commerce and Industry", *Thinking Gender Papers*, UCLA Centre for the Study of Women (2010), pp. 1–10; Montagu, "Civil Society and the Voluntary Sector in Saudi Arabia", *The Middle East Journal* 64 (2010), pp. 67–83; Kanie, "Civil Society in Saudi Arabia: Different Forms, One Language", *Saudi Arabia: Between Conservatism, Accommodation and Reform*, ed. Meijer and Aarts (2012), pp. 33–56; Matic and AlFaisal, "Empowering the Saudi Development Sector", *Fletcher Forum of World Affairs* 36 (2012), pp. 11–18; Kraetzschmar, "Empowerment through the Ballot Box? Women's Suffrage and Electoral Participation in the Saudi Chambers of Commerce and Industry" *Journal of Arabian Studies* 3 (2013), pp. 102–19.

elections nowadays conducted in a host of charitable, professional and other organisations across the country.

Addressing this gap in the literature, this article explores the dynamics and characteristics of associational elections in one of Saudi Arabia's largest network of professional syndicates, the CCI.<sup>10</sup> Based on field research conducted in Saudi Arabia,<sup>11</sup> it presents an in-depth account of the rules and structures governing the administration of CCI elections as well as electoral data collated from twenty-six elections in twenty-four CCIs between 2005 and 2014. Critiquing a Tocquillian conception of civic engagement, the findings of this article suggest that associational realities in Saudi Arabia — as they pertain to the conduct of plural CCI elections — depress rather than advance the prospects of democratizing associationalism. This is the case because, although formally competitive, CCI elections ultimately fall short of some of the minimum standards of good practice in electoral matters. Key institutional/structural shortcomings noted in this regard include, amongst others, the statutory powers of the Ministry of Commerce and Industry (MoCI) in the administration and conduct of CCI elections as well as in the composition of governing boards, and the distortions created by the electoral law in levels of electoral competitiveness. Added to this can be a range of democracy-depressing agency factors, which include most notably the resort to political clientelism, cronyism and electoral corruption by candidates to influence voters' preference formation and choice.

Rather than expounding the virtues of democracy, the practice of plural elections in CCIs thus conjures up an image that is reflective of some of the principle trademarks of authoritarian-corporatist governance in contemporary Saudi Arabia. As such the findings give

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<sup>10</sup> CCIs are chosen here as unit of analysis because they constitute one of the oldest and most prominent professional organisations in the country with the longest tradition of partial competitive directorship elections.

<sup>11</sup> As part of this research, semi-structured interviews were conducted with twelve research participants from CCIs in Dammam, Riyadh/Wadi Al-Dawasir, and Jeddah. The interviews were conducted in Saudi Arabia in 2010–11 and by telephone in 2013–14, comprising representatives of large and medium size businesses, sitting and former members on CCI directorships, as well as ten male and two female research respondents. All interviews were anonymised at the request of the research participants.

empirical credence to Saudi scholarship that is broadly sceptical of the democratising qualities and capabilities of formal associations in the country.

## **2 Debating civil society and associational life in Saudi Arabia**

Within the literature on Saudi civil society and associational life consensus appears to exist on two fundamental points. First, few, if any, scholars nowadays contest the existence of some form of “civil society” in the country and its usefulness as an analytical tool to understand the tapestry of formal and informal societal initiatives/groupings, their (political) activities and relations to the state.<sup>12</sup> This civil society is thought to deviate markedly, however, from Western/liberal usages of the term with their focus on formal, uncoerced and autonomous civil organisations and conflictual state-society relations. As Kanie points out, in Saudi Arabia:

... a large section of ... civil society cannot and does not organise itself against or independent of the state. It is controlled by the state and is forced to be in support of, or in partnership with, or in the best case in dialogue with the state. The Saudi state forces a corporatist character on the organisations of civil society and tries not only to incorporate them into its structures but also to use them to consolidate its power.<sup>13</sup>

This viewpoint resonates with the works of several scholars, whose research on Saudi Arabia not only reveals that formal associations remain tightly linked to the Saudi regime through legislation, elite co-optation and financial patronage, but that the regime itself has been at the forefront of creating (professional) organisations as part of a process of modernising authoritarian rule and to pre-empt the emergence of autonomous sectoral interest articulation

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<sup>12</sup> Societal initiatives/groupings widely subsumed under the category of Saudi civil society include all licensed organisations (syndicates, charitable/voluntary associations), the various reformists currents, petition movements and rights campaigns in the country, informal/traditional spaces and gatherings (diwaniyyat), as well as the cyberspace and activism.

<sup>13</sup> Kanie, “Civil Society in Saudi Arabia”, p. 38.

and representation.<sup>14</sup> Indeed, as Hertog points out, much of what passes for formal associational life, including most notably the country's professional syndicates, has been created by the state in a top-down fashion in order to "channel social and political interests and debates" and provide singular channels of representation to different segments of society.<sup>15</sup> Concurring with Hertog, Montagu further illustrates how elements within civil society — most notably the country's growing voluntary sector — perform not only charitable functions but, being closely tied to individual members of the royal family, serve the Al Saud as a "listening post for dissent" and information gathering tool, given the regime's limited nation-wide grassroots penetration.<sup>16</sup>

For some, the realities of Saudi state-society relations thus exposed conjure up an image of civil society that sits uneasily with notions of "democratic associationalism" and any theorising on the "democracy-imbuing" qualities of civil society more broadly. Given the predominance of the state over society, its capacity and willingness to restrict and control formal associational life and the lack of autonomy and societal embeddedness that goes with it, these scholars question the capacity of societal actors/groupings to function as effective bottom-up agents for change. Their line of argumentation is hereby further sustained by the observation that for the most part formal associational life remains little institutionalised, is lacking in broad-based membership, constituency support and horizontal linkages and is too fragmented, or simply too wedded to the status quo, to exercise any serious and sustained reform pressures.<sup>17</sup>

Deviating from such "pessimist" accounts, others again present an image of formal civil society that does not frame Saudi state-society relations as exclusively determined by the prevalence of authoritarian patronage and regime controls, but rather as one in which societal initiatives, groupings and associations are awarded some potency to function as bottom-up

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<sup>14</sup> See, for e.g., Hertog, "Modernization without Democratizing?", pp. 65–78; Montagu, "Civil Society and the Voluntary Sector in Saudi Arabia", pp. 68–74.

<sup>15</sup> Hertog, "Modernization without Democratization?", p. 68.

<sup>16</sup> Montagu, "Civil Society and the Voluntary Sector in Saudi Arabia", p. 73.

<sup>17</sup> See, for e.g., Hertog, "The New Corporatism in Saudi Arabia: Limits of Formal Politics", *Constitutional Reform and Political Participation in the Gulf*, ed. Khalaf and Luciani (2007), pp. 239–73; Arts, "Maintaining Authoritarianism: The Jerky Path of Political Reform in Saudi Arabia", *Orient* 50 (2011), pp. 38–40.



agents for societal change through their rights discourses, (cyber)activism and the use of “reverse” clientelism.<sup>18</sup> Highlighting the importance of discourse, Kanie for instance asserts that:

... [e]ven in a country like Saudi Arabia, the majority of civil society organisations speak the language of rights, ranging from the discourse of abstract human rights to more concrete rights of children women, orphans and prisoners, etc. .... A civil society that speaks the language of human rights and pluralism in an authoritarian context cannot be reduced to another instrument of control.... On the contrary, it can turn into a force that challenges the authoritarian regime and leads to serious contestation.<sup>19</sup>

This point is also picked up by Alhargan, who pinpoints to the “discursive significance” of rights NGOs, activists and currents in domestic politics and the role they play in broadening Saudi discourse on hitherto unthinkable/taboo subjects, such as legal and education reform or the role of women in society.<sup>20</sup> Dissecting Saudi state corporatism, research by Montagu and Hamilton, meanwhile, shows that corporatist patronage in the third sector not only serves the regime to control associational life, but that it has in fact been successfully exploited by charitable NGOs and professional organisations to drive forward reformist social/political agendas, including on women’s empowerment.<sup>21</sup>

Avoiding “naïve” Tocquillian conceptualisations of civil society, this latter scholarship thus remains broadly sanguine about the possibility of societally-induced reform, highlighting in fact areas where this has been the case. What this scholarship has yet to establish, however,

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<sup>18</sup> Kanie, “Civil Society in Saudi Arabia”; Montagu, “Civil Society and the Voluntary Sector in Saudi Arabia”; Rifai, “Online Mobilization for Civil and Political Rights in Saudi Arabia”, *Asian Politics and Policy* 6 (2014), pp. 500–04; Crystal, “Civil Society in the Arabian Gulf”; Fandy, “CyberResistance: Saudi Opposition between Globalization and Localization”, *Comparative Studies in Society and History* 41 (1999), pp. 124–47.

<sup>19</sup> Kanie, “Civil Society in Saudi Arabia”, p. 36.

<sup>20</sup> Alhargan, “Saudi Arabia: Civil Rights and Local Actors”, *Middle East Policy* 19 (2012), pp. 126–39.

<sup>21</sup> Hamilton, “Staddler-Based Gender Reform in Saudi Arabia”; Montagu, “Civil Society and the Voluntary Sector in Saudi Arabia”.

is whether the externally-directed “rights” discourse and activism espoused by many licensed associations is also replicated within; that is whether their internal governance is guided by the same principles (participation, deliberation, transparency) they espouse publically. Clearly this matters in so far as the quality of internal governance is likely to shape not only individual perceptions of participatory politics at membership level but, with associational elections widely covered in the Saudi press, citizen perceptions about the virtues of procedural democracy more broadly.

As will be revealed below, in the CCIs under scrutiny here internal governance — as it pertains to directorship elections — contains various institutional and behavioural trademarks that clearly violate some of the basic tenets of good practice in electoral matters. As such the CCI case lends credence to theorising in the field which suggests that, under authoritarianism, formal associations not only lack the organisational muscle to challenge incumbent regimes but — by operating within authoritarian-corporatist parameters — are likely to expose some of its principle trademarks, including a lack of civic engagement as well as the prevalence of patronage and clientalist relations.<sup>22</sup>

### **3 The Saudi Chamber of Commerce elections: performance and quality**

To evaluate the performance and quality of CCI elections, this article deploys a set of measures that combines key indices of democratic electoral assessment with those specific to third sector elections. The measures thus selected include the following four variables: (1) electoral administration and rules, (2) electoral competitiveness, (3) electoral inclusiveness, and (4) compositional representativeness. As regards the administration of associational elections, it is expected that their scrutiny will shed light on issues of associational autonomy, impartiality and transparency, and as such on whether, and if so how, the corporatist linkage that exists between Saudi government and the chambers is played out at the electoral level. Electoral competitiveness, in turn, measures amongst others the degree to which election rules and practices ensure a level playing field amongst CCI contestants and whether the preference formation and expression of voters take place within a competitive, free and fair environment. As the term implies, electoral inclusiveness, meanwhile, measures the breadth

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<sup>22</sup> See Jamal, *Barriers to Democracy: The Other Side of Social Capital in Palestine and the Arab World* (2007).

of democratic rights awarded to members in an association; that is who is legally entitled to vote in and stand for elections. Beyond this statutory component, it also measures the actual conduct of elections and the degree to which legal inclusiveness in suffrage rights is borne out in practice, hence whether those entitled to participate are able/encouraged to make use of their political rights. Whilst within broadly democratic settings universal suffrage is a given, the statutory and de facto inclusiveness of elections may remain an issue of contention in non-democratic, traditional and/or religiously conservative political settings, as is the case in Saudi Arabia.

Compositional representativeness, finally, can relate to both the general membership of an organisation and its leadership and measures the extent to which a given association is (1) “representative of its constituency in the composition of its membership”<sup>23</sup> and/or (2) its leadership is representative in its composition of the sector/profession/constituency it seeks to represent as well as its general membership. According to Halliday and Cappell, this indicator is particularly useful in assessing the quality of elections in those associations which are exclusionary in membership composition. Such is the case, for instance, in the Saudi CCIs, where membership is restricted to representatives of the business community. Given the focus on directorship elections in Saudi CCIs, the concept of “compositional representativeness” is deployed here to measure exclusively the extent to which all segments of the business community are adequately represented at directorship level.

Following a brief overview of the status and workings of Saudi CCIs, the remainder of this article examines past directorship elections against the backdrop of the four criteria of democratic electoral assessment identified above.

### **3.1 CCI functions, structures, and directorship elections**

Saudi CCIs form part of a growing number of licensed associations/organisations created by the authorities along broadly authoritarian-corporatist lines.<sup>24</sup> They constitute the sole

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<sup>23</sup> Halliday and Cappell, “Indicators of Democracy in Professional Associations: Elite Recruitment, Turnover and Decision Making in a Metropolitan Bar”, *American Bar Foundation Research Journal* 4 (1979), pp. 713–14.

<sup>24</sup> Corporatism is here defined as “a system of interest representation in which the constituent units are organised into a limited number of singular, compulsory,

licensed sector-wide interest representation for the business community in the country, with membership being obligatory for all registered companies.<sup>25</sup> Operating under the auspices of MoCI, Saudi CCIs function as much as lobbying agents for business interests and service providers to their members, as they do as sub-contractors of government services and participants in economic policy-making. As such they perform a host of functions, including the protection and promotion of entrepreneurial interests in commerce/industry and the provision of dedicated services to fee-paying members. In addition, they carry out a number of administrative services on behalf of the MoCI, ranging from the issuance of licences to conduct business in the country, the notarization of official documentation to the arbitration in commercial/industrial disputes.<sup>26</sup> This cross-over of functions is mutually beneficial to CCIs and the government, providing the authorities with vital information about the country's state of the economy and the business community privileged access to, and interpersonal connections with, key ministerial officials.

Currently there are twenty-eight local chambers in Saudi Arabia, representing the business sector in various parts of the country, and ranging in size from a few hundred to tens of thousands of registered members.<sup>27</sup> Each chamber is headed by a board of directors which comprises between nine to eighteen members, including a chair and two vice-chairpersons.<sup>28</sup> Beyond its board of directors, most CCIs nowadays feature dedicated businesswomen centres, a range of branch organisations and sub-committees, the latter of which are tasked to advance business interests in select sectors such as retail, engineering or tourism.

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noncompetitive, hierarchically ordered and functionally differentiated categories, recognized or licensed (if not created by the state and granted a deliberate representational monopoly within their respective category in exchange for observing certain controls on their selection of leaders and articulation of demands and supports" [Schmitter, "Still the Century of Corporatism?", *Review of Politics* 36 (1974)], p. 93.

<sup>25</sup> Hertog, "Modernizing without Democratizing?", pp. 61–8, 71–2.

<sup>26</sup> Commercial and Industrial Chambers' Law 1400/03/30, Articles 5–10 and 37.

<sup>27</sup> At national level, the twenty-eight chambers are organised under the umbrella of the Saudi Council of Saudi Chambers of Commerce and Industry (CSCCI).

<sup>28</sup> See full list of CCIs on the Council of Saudi Chambers of Commerce and Industry website.

According to Law 1400/4/30, all CCI directorships are chosen through a combination of competitive elections and ministerial appointment for a four-year term.<sup>29</sup> Article 16 of the law specifies this ratio of elections to appointment, stipulating that two-thirds of all board members are to be selected through competitive elections by the local general membership, whilst the remaining one-third are appointed by MoCI. Thus constituted, each CCI board then selects its chair and two vice-chairperson(s).<sup>30</sup> To ensure equal representation of businesses in commerce/trade and industry, Law 1400/4/30 furthermore stipulates a fifty-fifty split in seats for both these sectors on a chamber's governing board. This is achieved by designating half of all elected/appointed seats to each of the two sectors respectively, and by requiring prospective candidates to declare under which sectoral category they are running for a seat on the governing board.<sup>31</sup> Contestants are thus elected onto the board as representatives of either the commerce/trade or industry sectors; a rule which does not apply, however, to the composition of sub-committees.

As concerns the eligibility to vote/run in directorship elections, the key stipulations of the law are as follows:

**Table I:** Voter/candidate eligibility in CCI directorship elections<sup>32</sup>

CANDIDATE ELIGIBILITY:	⇒ hold Saudi nationality, ⇒ hold a valid CCI membership, ⇒ hold a valid Commercial Registration (CR), ⇒ be literate, ⇒ be thirty years of age, or twenty-five years of age for holders of university degree in business, ⇒ have worked in commerce/industry for last three years.
VOTER ELIGIBILITY:	⇒ hold a valid CR, ⇒ paid membership fees for twelve months preceding elections.

<sup>29</sup> Like elected members, those appointed must be members of the local CCI. There are no term limits for elected/appointed board members [see: Commercial and Industrial Chambers' Law 1400/03/30, Articles 19 and 21].

<sup>30</sup> Ibid., Articles 16 and 18.

<sup>31</sup> Ibid., Article 13A.

<sup>32</sup> Commercial and Industrial Chambers' Law 1400/03/30; Implementing Regulations of the Chambers of Commerce and Industry, Ministry of Commerce and Industry, Dept of Industrial Chambers of Commerce.

Until 2004–05 both candidacy and voting rights applied to male syndicate members only, with female members effectively barred from participating in directorship elections. Since then, however, businesswomen have been fully enfranchised, formally enjoying equal voting/candidacy rights in CCI elections.<sup>33</sup>

As for the elections themselves, two voting systems have been used across CCIs to elect their directorships. Until 2008, the voting system used resembled that of the block vote, whereby Commercial Registration (CR) holders were allowed to cast up to as many votes as there are seats to be filled on a governing board, and under which candidates were being voted in on a simple plurality basis. In 2009 block voting was abolished in favour of the so called “limited vote”. According to this voting system, which is still in place, the number of votes per CR is reduced to just one, which can be cast for a candidate running on either the commercial/trade or industry-category ticket.<sup>34</sup>

### **3.2 Electoral administration and rules**

Given their corporatist linkage to MoCI, CCIs contain an inbuilt non-democratic bias on this particular indicator of associational democracy. Indeed, whereas in democratic settings syndicates enjoy full autonomy over the administration and supervision of internal elections, this does not apply to Saudi CCIs, whose statutes provide MoCI with the powers to influence the mode of constitution and composition of their governing boards.<sup>35</sup> For one, MoCI retains the statutory right to appoint one-third of all members on CCI governing boards, a given that puts the business syndicates at odds with practices in other licensed associations across the country, such as the Saudi Journalists Association or the country’s literary clubs whose directorships are fully elected by their members. Crucially also, this statutory right undermines principles of associational autonomy and self-governance, as well as the representativeness of the governing boards themselves, given that ordinary members have

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<sup>33</sup> Kraetzschmar, “Empowerment through the Ballot Box?”, pp. 102–19.

<sup>34</sup> Ibid., p.108.

<sup>35</sup> The law entitles MoCI to attend CCI general assembly/directorship meetings, access all chamber records and accounts, issue all regulations governing CCIs, appoint one-third of its directorships and review/approve draft budgets and final accounts [Commercial and Industrial Chambers’ Law 1400/03/30, Articles 15, 16, and 17].

neither a say over who gets appointed, nor in holding any of the appointed members to account for their record in office. As with the municipal election law, which spells out a similar mode of constitution for the state's local councils, it is likely that this stipulation has been designed by the authorities to counter-balance any unexpected/undesirable election outcomes, and thus prevent the chambers from becoming overtly "politicised" (veto) players in domestic politics, as has happened in other countries in the region.<sup>36</sup>

As concerns the administration of directorship elections, as well, ministerial involvement is far reaching, covering all phases of the electoral process from the proclamation of the election date, the verification of candidacies, the supervision of the balloting/counting processes, to the confirmation of results. This involvement is ensured through participation in the three member-strong ad-hoc electoral committees which, according to law, are set up by local CCIs to administer directorship elections. MoCI also functions in this context as arbiter in, and adjudicator of, any election-related disputes/complaints and issues the full set of regulations governing directorship elections, including the eligibility requirements for candidates/voters, the voting system used, and the campaign regulations to be followed.<sup>37</sup>

Although by no means surprising, given the corporatist framework within which CCIs operate, viewed from a democracy-theoretical perspective MoCIs statutory powers in the administration of elections are clearly problematic. Not only do they violate the principles of organisational self-governance and autonomy, but they put in doubt the impartiality of those charged with organising the polls. Indeed, given its regulatory muscle over and physical presence in CCI elections, MoCI is equipped with the tools necessary to monitor and influence the selection of CCI directorships and as such the collective articulation of interests and demands towards the state expressed by the business community.

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<sup>36</sup> As Hertog and others highlight, in many Arab countries where political parties are weak or non-existent, professional associations have taken on the mantle of political opposition, being at the forefront of pressures for democratic reforms [see: Hertog, "Modernizing without Democratizing?", p. 67; Moore and Salloukh, "Struggles under Authoritarianism: Regimes, States and Professional Associations in the Arab World", *International Journal of Middle East Studies* 39 (2007), pp. 67–83].

<sup>37</sup> Al-Zahrani and Hamdan, "JCCI Election Results Today", *Saudi Gazette*, 13 Oct. 2009; Fakkar, "Defeated Candidates Question Fairness of JCCI Poll", *Arab News*, 18 Oct. 2009.

MoCI's statutory powers in the administration of CCI elections apart, further shortcomings can be detected in the campaign regulations issued by the ministry, and here particularly with regards to the rules governing the vote count and campaign finance. As concerns the former, for instance, research participants have queried the practice of appointing a single CCI representative to observe the vote count, rather than allowing individual candidate representatives to be present, as is common practice in democratic elections elsewhere. The concern here is that the appointment of a single representative from within the CCI undermines the transparency of, and the candidates' trust in, the impartiality/accuracy of the counting process.<sup>38</sup> Even more problematically, several research participants confirmed that there are currently no formal guidelines in place governing campaign finance.<sup>39</sup> A key component of good practice in electoral administration, campaign finance pertains to a host of issues, ranging from the rules governing the availability of public funding and private contributions/donations to individual campaigns/political parties, the amount contestants can spend on their electioneering efforts, to matters of financial transparency/disclosure. As widely recognised by experts in the field, proper campaign finance regulations are imperative to ensure citizen trust in the electoral process, minimise the responsiveness of candidates/parties to moneyed/special interests rather than to voters, and ensure the overall fairness of an election. Wherever such rules are not in place, or poorly enforced, there is a danger that political money will become an overriding determinant in the battle for votes and the preference formation of voters.<sup>40</sup>

In Saudi CCIs, regulations governing the campaign remain silent on the matter of campaign finance. As confirmed by various respondent accounts, there exists no formal cap on the amount candidates can spend on their campaigns and there appears to be no rule

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<sup>38</sup> In the 2009 Jeddah Chamber elections several losing candidates requested a manual recount of the computerised vote, disputing the election outcome and the votes they received [Fakkar, "Defeated Candidates Question Fairness of JCCI Poll"; interview with Jeddah Chamber member and former candidate no. 1, 16 May 2011, Saudi Arabia].

<sup>39</sup> Interviews with Jeddah Chamber member and former candidate no. 1; an Eastern Province Chamber official, Saudi Arabia, 2 Jan. 2014; Riyadh Chamber members nos 2 and 4, Saudi Arabia, 13 Aug. 2013.

<sup>40</sup> Ohman, "Controlling Money in Politics: An Introduction", International Foundation for Electoral Systems Publication (2013), pp. 2–12.



governing disclosure and third-party contributions/donations to individual candidates.<sup>41</sup> On the ground, this has resulted in electoral contests in which money has come to represent a prominent, yet highly contentious, electioneering device, both in terms of funding individual campaigns as well as in its alleged illicit use to shape voter preferences. Although precise figures are difficult to come by, it is not unheard of for candidates to have spent millions of Saudi riyals on their campaigns. In the 2012 Riyadh CCI elections, for instance, one candidate allegedly spent as much as SR8 million on his campaign, whilst the press reported that in the Makkah Chamber elections one year later, candidates had already spent about SR5 million on various electioneering activities in the early days of the campaign.<sup>42</sup> Typically, these funds would be used by the more well-to-do candidates to finance extensive campaign machineries, lavish electioneering events as well as on gifts and advertising.<sup>43</sup> More contentiously, there are also reports alleging that large sums of money were used by candidates to “buy-off” voters, an issue that will be returned to in the section on “electoral competitiveness”. Suffice to say here that, irrespective of how campaign funds were used, there is little denying that the failure to legislate a cap on campaign finance has adversely affected the competitiveness of the electoral game, unduly disadvantaging resource-poorer candidates over their wealthier counterparts.

### **3.3 Electoral competitiveness**

For elections to deserve the attribute “democratic” they have to be competitive, that is they have to feature a plurality of candidates (ideally from different parties, or at least espousing different policy positions) as well as rules that ensure a level playing field amongst contestants and prevent the manipulation of preference formation and expression by voters. On all these accounts CCI elections expose some serious shortcomings. At the institutional

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<sup>41</sup> Interviews with Eastern Province Chamber official; Jeddah Chamber member and former candidate no. 1 and Riyadh Chamber members nos 2 and 4.

<sup>42</sup> Mohammed, “Makkah Chamber Elections in Full Swing”, Arab News, 18 Apr. 2013; interview with Riyadh Chamber member no. 1, Saudi Arabia, 13 Aug. 2013.

<sup>43</sup> Interviews with Jeddah Chamber member and former candidate no. 1 and Riyadh Chamber member no. 1; also see Wahab, “Candidate in EP Chamber Elections Wants Transparency”, Arab News, 17 Dec. 2009.

level, for instance, several electoral design features can be highlighted that depress levels of competitiveness in directorship elections. These concern most notably the allocation of voting rights and the use of reserved seats for representatives of businesses in commerce/trade and industry. As regards the former, Saudi CCIs use a system that — although not uncommon by international standards — clearly violates the democratic principle of “one person one vote”. Indeed, rather than conferring voting rights upon individual members, CCI rules link these rights to the ownership of a valid CR, the holder of which can be an individual shop owner, the management board of a local company or a foreign investor with an established business presence in the locality.<sup>44</sup> The consequences of such vote allocation rules are not hard to foresee. Essentially, it means that the more companies one owns in a locality and with it CRs, the more ballots one will be able to cast in CCI elections. This can be just one, of course, as in the case of the lone shop owner, but conceivably it can also be many more, such as for instance in cases where a CCI member is the owner/part-owner of a conglomerate of enterprises. In Saudi Arabia, which boasts a large number of incredibly wealthy merchant/business families, such as the Jamjoom, Al-Jabar and Olayan, it is not unheard of for company boards to hold hundreds of CRs and thus have an equal number of ballots to cast.<sup>45</sup> Clearly, this unequal distribution of votes amongst CCI members is not only problematic from a democracy-theoretical perspective, but confers undue power onto the owners of larger corporations to shape the outcome of chamber elections and ensures that the business elite, with its close connect to the political establishment, remains firmly in charge of the country’s business interest articulation and representation.<sup>46</sup>

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<sup>44</sup> Foreign-owned companies registered in Saudi Arabia are permitted membership in local CCIs and its board of directors entitled to vote in, yet not stand for, CCI directorship elections. Wahab, “Victory for 6 New Faces in EP”, Arab News, 25 Dec. 2009.

<sup>45</sup> Interviews with Jeddah Chamber member and former candidate no. 2, Saudi Arabia, 14 May 2011; a Jeddah Chamber member, Saudi Arabia, 16 May 2011; and a female Jeddah Chamber member and former candidate no. 1, Saudi Arabia, 15 May 2011.

<sup>46</sup> Another regional example, which violates the principle of “equality of the vote”, is the Bahraini CCI. Here the number of votes in elections is allocated according to the capital of registered companies/institutions, with votes ranging from one (companies/institutions with capital below BD20,000) to ten (companies/institutions with capital of above BD1 billion) [Anon., “BCCI Elections Will See Key Changes”, Trade Arabia, 18 Aug. 2013].

The other key design feature with considerable impact on the electoral competitiveness of CCI elections concerns the requirement of prospective candidates to run for either one of the designated commercial/trade or industry-category seats on a chamber's governing board. As mentioned previously, all CCI governing boards are comprised of an equal number of seats reserved for representatives in commerce/trade and industry. Whilst in and of itself little problematic, in actual practice this stipulation has caused noticeable discrepancies in the number of candidates competing for the two professional categories of seats on CCI directorships. As the available evidence in Table II reveals, past elections across chambers have seen far fewer contestants putting themselves forward for the designated industry seats than for those reserved for entrepreneurs in commerce/trade. In some extreme instances in fact — as for instance in the Yanbu (2008), Riyadh (2012), Arar (2012) and Jazan (2012) elections — this discrepancy was so pronounced that, whilst there was fierce competition amongst a plurality of candidates for the available commerce/trade seats, virtually none existed for the designated industry seats. Here then candidates were catapulted onto governing boards, without the need for proper electoral outreach and voter mobilization activities and without giving voters any meaningful electoral choices.

**Table II:** Candidate-to-seat ratios in select CCI elections, 2005–14<sup>47</sup>

CCI	ELECTION YEAR	ELECTIVE SEATS	CANDIDATES				
			Total	Commerce/ trade	Per seat	Industry	Per seat
Abha	2012	8	17	12	3.0	5	1.3
Arar	2012	8	8	5	1.3	3	0.8
Eastern Province	2009	12	38	26	4.3	10	1.7
	2014	12	21	13	2.2	8	1.3
Jazan	2012	8	19	16	4.0	3	0.8
Jeddah	2005	12	77	58	9.7	19	3.2
	2009	12	68	53	8.8	15	2.5
	2014	12	51	43	7.2	8	1.3
Makkah	2013	12	42	36	6.0	8	1.3
Najran	2012	8	13	10	2.5	3	0.8
Riyadh	2008	12	37	25	4.1	12	2.0
	2012	12	25	19	3.2	6	1.0
Yanbu	2008	8	13	10	2.5	3	0.8

According to some of the research participants interviewed, the discrepancy in candidate-to-seat ratios prevalent in CCI elections is a direct consequence of the demographic of the Saudi business sector, which hosts a far greater proportion of establishments in

<sup>47</sup> Figures obtained from numerous local press reports, including Okaz, Al-Madinah, Arab News, and Saudi Gazette.

commerce/trade than industry.<sup>48</sup> In any event, it is not difficult to see how this particular aspect of CCI elections contravenes the principles of electoral competitiveness, given that from the outset it distorts the prospects of electoral success for candidates running for the same elected body. Indeed, all other factors being equal, it creates a competitive environment in which the scramble for votes is far more competitive, and the odds of winning a seat far higher, for candidates running under the commerce/trade category, than for those contesting one of the industry-category seats.

Beyond levels of competitiveness, this discrepancy in candidate-to-seat ratios also adversely affects degrees of electoral inclusiveness and compositional representativeness, particularly with regards to women's chances of gaining representation on CCI governing boards. Although issues of "inclusiveness" will be addressed in more detail below — including the problems faced by women contestants more broadly — the intimate connect that appears to exist between reserved seats and the electoral fortunes of businesswomen candidates warrants attention here. This connect stems from the fact that business endeavours by female entrepreneurs are overwhelmingly in commerce/trade and not in industry, which means that most businesswomen entering the electoral fray will have to do so under the far more crowded commerce/trade category.<sup>49</sup> It is suggested here that the effects of this electoral given on women candidacies are broadly negative, and that this is evident both at the point of electoral entry and during the election campaign. At the point of electoral entry, for instance, it may mean that — with the odds already stacked against women candidacies largely due to prevailing negative attitudes towards female participation in public life — businesswomen may shy away altogether from putting themselves forward in a crowded field of male contestants who often dispose of superior financial/human resources, better chances of electoral mobilisation and greater experience in the art of electioneering. During the election campaign, in turn, it means that those female contestants brave enough to run under the commerce/trade category stand very little chances against their male competitors. This is particularly the case since the introduction of the limited vote in 2009 which, by abolishing

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<sup>48</sup> Saudi Industrial Development Fund, "Industrial Development in Saudi Arabia"; Saudi Govt, Central Dept of Statistics and Information, "Economic Establishments Census, 2010"; interviews with Riyadh Chamber members nos 2 and 4.

<sup>49</sup> Alturki and Braswell, *Businesswomen in Saudi Arabia: Characteristics, Challenges and Aspirations in a Regional Context* (2010).

the need for electoral pacts, turned the electoral contest into an outright scramble for votes between individual contestants. Indeed, it is telling in this regard that the only women to have won a seat on a chamber's governing board since the electoral reform is Lama Suleiman who was one of a handful of businesswomen to have contested a seat under the industry category in the 2009 Jeddah Chamber elections. As one research participant succinctly remarked, Suleiman's victory in these elections was the combined result of her astute electoral campaign, her capacity to solicit sufficient support from key businessmen and her fortune to be running under the industry category, which not only meant limited competition for the female vote, but with on average only two to three candidates contesting each available seat, far less overall competition and hence greater chances of electoral success (see Table II above).<sup>50</sup>

Beyond these institutional determinants, levels of competitiveness in CCI elections are, however, also significantly affected by agency factors; and here particularly by the prevalence of electoral corruption. Indeed, drawing on respondent accounts and press reports, past electoral campaigns showcase both the virtues and vices/pitfalls of competitive politics. On the positive side of the equation, it must be recorded that most elections are highly competitive, with large numbers of candidates entering the race, and that many of these candidates have fought spirited campaigns, adhering to set rules and earning valuable first-hand experiences in the art of electioneering and electoral mobilisation.<sup>51</sup> Typically these campaigns would see candidates mobilise electoral support through existing networks of business and familial/tribal contacts, the use of social media, the hosting of events at home and/or rented premises as well as through last minute lobbying for votes in tented areas outside chamber premises on election day. Overshadowing these positives of CCI campaigns are, however, widely reported instances of electoral corruption. According to Birch, electoral corruption can be defined as the "abuse of electoral institutions [and rules] for personal and

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<sup>50</sup> Interview with female Jeddah Chamber member and former candidate no. 2, Saudi Arabia, 20 Jan. 2010.

<sup>51</sup> As Table II above reveals, competition for elective seats on CCI directorships has been particularly strong in the major commercial centres of Saudi Arabia, including Jeddah, Riyadh, Makkah and Dammam. One explanation for this could be that here the potential perks of office are particularly strong, with board members enjoying privileged access not only to government officials but also to visiting foreign trade delegations.

political gains”<sup>52</sup> and usually takes any of the following three forms: (1) the manipulation/bending of electoral rules, (2) the manipulation of voter preferences and expression, and (3) the manipulation of the balloting process.

Falling within the second of Birch’s categories, the vast majority of reported cases of electoral corruption in CCIs pertain to the attempted/actual use of illicit tactics by candidates to influence voter preference formation and choice. Amongst the illicit means thus deployed, instances of vote buying appear most commonplace, followed by the use of other material incentives to sway voters in favour of certain candidates. In the 2009 Jeddah CCI poll, for instance, votes were reportedly bought for up to SR10,000 each, with local press reports depicting photographs of candidates paying voters, and images of SMS text messages being sent by candidates offering money in return for votes. Similar such attempts at influencing voter preferences were reported in past chamber elections in Makkah, Madinah, Riyadh, and Dammam. In some of these elections, candidates and their supporters allegedly not only sought to use their personal fortunes to solicit votes, but to entice competitors to drop out of the race or dissuade voters from casting their ballots for female candidates. To this can be added eyewitness accounts and press reports from the Jeddah and other chambers, asserting that candidates handed out lavish presents to the electorate and/or offered to renew lapsed CRs in return for ones’ vote. Lastly, some research participants claimed that certain candidates in the Jeddah CCI not only used their business relations to mobilise votes, something which is common across Saudi CCIs, but tied support of their candidacies to sustained business interactions. Whilst such claims require further verification, if indeed practiced, this form of “electoral arm twisting” would constitute a serious breach of the ethics of electoral campaigning and the principles of free and fair elections more broadly.<sup>53</sup>

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<sup>52</sup> Birch, “Briefing Paper: Electoral Corruption”, Institute for Democracy and Conflict Resolution (2011), p. 2.

<sup>53</sup> See, for e.g., US Govt, “Religious Conservatives, Tribal Members and One Female Incumbent Win Jeddah Chamber of Commerce Elections Amid Reports of Vote Buying”, 15 Oct. 2009; Wahab, “Candidate in EP Chamber Elections Wants Transparency”, Arab News, 17 Dec. 2009; interviews with JCCI member and former candidate no. 1 and JCCI member no. 1.

Far less widespread, although by no means unheard of, are accusations of ballot fraud and other forms of electoral irregularities. These include amongst others complaints about a lack of transparency of the balloting/voting process, which is increasingly conducted electronically, accusations of multiple voting, and complaints about a lax enforcement by the authorities of CCI regulations.

### **3.4 Electoral inclusiveness and compositional representativeness**

When it comes to the final two indices of democratic electoral assessment deployed here to measure the quality of CCI elections — electoral inclusiveness and compositional representativeness — the picture is mixed. As concerns the former, the current rules governing chamber elections are broadly inclusive, entailing no undue legal restrictions on active and passive voting rights for CCI members. Clearly, this was not always the case, with full suffrage rights being granted to businesswomen only fairly recently and after sustained lobbying efforts with MoCI.<sup>54</sup> For non-Saudi entrepreneurs and CCI members, meanwhile, suffrage restrictions remain in place. Unlike some of their counterparts in the UAE, where resident non-national entrepreneurs enjoy full suffrage rights,<sup>55</sup> Saudi CCIs permit non-Saudi members only to vote in, yet not stand for, directorship elections.<sup>56</sup> Given the very small percentage of registered foreign-owned companies active in the country —according to a 2010 Government report they account for less than 1% of all private establishments<sup>57</sup> — this

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<sup>54</sup> An account of the struggle by businesswomen to obtain full suffrage rights in Saudi CCIs can be found in Kraetzschmar, “Empowerment through the Ballot Box?”, pp. 102–19.

<sup>55</sup> Anon., “Yusuffali Wins Abu Dhabi Chamber Elections”, Arab News, 23 Dec. 2009. Note that in 2012 the Saudi Council of Engineers provided expatriate members with active/passive voting rights to its technical committees, an innovation that, if replicated in other professional syndicates, is to be welcomed [Wahab, “Expat Engineers Can Contest SCE Elections”, Arab News, 24 Nov. 2012].

<sup>56</sup> Wahab “Victory for 6 new face in EP”; Fakkar, “New Faces Elected to JCCI Board”, Arab News, 16 Oct. 2009.

<sup>57</sup> Statistical information on the numbers of foreign enterprises operating in Saudi Arabia by type is published in the Annual Statistics Report, published by the Saudi Arabian Monetary Agency and the government’s Central Department of Statistics and Information.

segment of the entrepreneurial community is arguably as yet not sufficiently large enough to denote its exclusion from CCI directorships as a serious breach of the principles of electoral inclusiveness.<sup>58</sup>

Formally then CCI electoral rules are thus broadly inclusive. This, however, is only half the story. What is masked by this legalist perspective, are practices and attitudes on the ground that adversely affect the inclusiveness of CCI elections. Particularly noteworthy in this context is the inclusion, or lack thereof, of businesswomen, whose presence in chamber elections remains negligible in absolute terms and in relation to their size within the business community, and this despite having received full suffrage rights in 2005. This applies to both female turnout and candidacy rates. Although reliable data is hard to come by, the turnout figures available for past directorship elections in some of the larger Saudi CCIs (Jeddah, Dammam and Riyadh) are telling and indicative of just how difficult it remains to mobilise the female vote, even in the more urban areas of the country. In the 2005 Jeddah CCI elections, for instance, only about 2.5% of all female members went to the polls, despite the fact that here businesswomen had lobbied most veraciously for full participatory rights in their local syndicate. Elsewhere in the country, this picture is pretty much replicated, with female turnout rates in chamber elections hovering significantly below the 10% mark.<sup>59</sup> When it comes to female candidacies, in turn, the available figures and trends are no more encouraging, with most elections featuring not a single female contestant. Moreover, wherever women did participate in syndicate elections — as in Dammam, Jeddah, Makkah

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<sup>58</sup> This assessment requires revision, however, if local expatriates currently involved in *tasattur* businesses — i.e., businesses formally owned by Saudi nationals but run by expatriates — were to gain permission to get registered as foreign-owned enterprises by the Saudi General Investment Agency (SAGIA). According to recent estimates, about 90% of small-scale businesses currently fall into this category, hence a significant proportion of the country's SMEs and as such a non-negligible segment of the country's business community [Mohammed, "Labour Drive Fails to Eliminate *Tasattur*", Arab News, 21 Dec. 2013].

<sup>59</sup> Jawahar, "Women Let Down by Female Voters in Chamber Elections", Saudi Gazette, 13 Jan. 2010; Anon., "Women in RCCI Race Blame Defeat on Businesswomen", Saudi Gazette, 16 Sept. 2012; Haider and Al-Shayeb, "Women Cast Votes in EPCCI Poll", Arab News, 21 Feb. 2006; Sheqdar, "Ministry Suspends MCCI Elections", Arab News, 22 Oct. 2008.



and Riyadh — their numbers have remained not only low as a proportion of the overall number of candidates as well as the number of female CCI members, but have seen a decline in consecutive elections (see Table III below).

How then can this disjoint between legal suffrage rights and actual women's participation rates be explained? As elaborated elsewhere, this author suggests that low turnout and candidacy rates in CCI elections are largely the consequence of prevailing gender-specific barriers to successful female participation. These revolve primarily around “widely-held negative attitudes towards gender equality and their effects on voting behaviours and women's candidacies, but also include the Saudi prohibition against *ikhṭilāṭ* (gender-mixing) in public buildings and spaces”.<sup>60</sup> Indeed, as far as can be established from the available data, it appears that across CCIs a significant proportion of male members remain opposed to female participation, as exemplified in the low number of votes female contestants received in past syndicate elections from amongst the predominantly male electorate and in the reluctance of many of the all-male electoral alliances dominating CCI elections until 2009 to open their slates to female contestants.<sup>61</sup> To this can be added the imbalances that exist in the gender make-up of CCIs, which render it difficult for women contestants to rely exclusively on the female vote, as well as the family, time- and financial constraints prospective women contestants face when contemplating electoral entry.<sup>62</sup>

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<sup>60</sup> Kraetzschmar, “Empowerment through the Ballot Box?”, p. 103.

<sup>61</sup> Low vote totals for female contestants in CCI elections have been reported widely in the Saudi press. Examples include the 2009 Eastern Province Chamber election, where the three female contestants received collectively less than 100 votes from a total of 8,650 voters; the 2009 Jeddah CCI election where six of the seven female contestants are reported to have received collectively only a “handful” of votes from a total of 6,414 voters and the 2013 Makkah CCI elections, in which three female candidates garnered four votes from a total of 1,610 voters [Kraetzschmar, “Empowerment through the Ballot Box?”, pp. 102–19; Jawaher, “Women Let Down by Female Voters in Chamber Elections”; Anon., “Women Fail to Win Votes in Makkah Chamber Elections, Saudi Arabia”, International Knowledge Network of Women in Politics, 5 Jan. 2013].

<sup>62</sup> Kraetzschmar, “Empowerment through the Ballot Box?”, p. 113.

**Table III:** Female candidates and board members in select CCIs, 2005–14<sup>63</sup>

CCI	ELECTION YEAR	ELECTION			GOVERNING BOARD	
		Total candidates	Women candidates	Women winners	Appointed women	Total women
Abha	2009	26	0	n/a	0	0
Al Baha	2008	16	0	n/a	0	0
Al Gurayyat	2009	n/a	n/a	n/a	0	0
Al Ahsa	2009	20	0	n/a	0	0
Al Jouf	2009	15	0	n/a	0	0
Al Majma'a	2011	14	0	n/a	0	0
Al Zulfi	2007	12	0	n/a	0	0
Ara'r	2009	10	0	n/a	0	0
Eastern Province	2006	46	6	0	0	0
	2009	36	<sup>a</sup> (4) 3	0	2	2
	2014	21	2	0	2	2
Hafr Al Baten	2011	15	0	n/a	0	0
Hail Province	2010	16	0	n/a	0	0
Jeddah	2005	72	16	2	2	4
	2009	63	7	1	2	3
	2014	51	8	0	2	2
Madinah	2006	25	<sup>a</sup> (2) 0	n/a	0	0
Makkah	2008	29	<sup>a</sup> (4) 1	0	0	0
	2009	51	5	0	0	0
	2013	39	3	0	0	0
Riyadh	2008	37	3	0	0	0
	2012	25	2	0	0	0
Tabuk	2009	19	0	n/a	0	0
Taif	2006	18	0	n/a	0	0
Qaseem	2008	27	0	n/a	0	0
Yanbu'	2008	12	<sup>a</sup> (1) 0	0	0	0

<sup>a</sup> Numbers in brackets refer to female candidacies before withdrawal/disqualification of some.

Beyond issues of electoral inclusiveness, it is possible to detect a number of shortcomings in the compositional representativeness of CCI governing boards, some of which are closely tied to questions of electoral inclusion. Levels of compositional representativeness as they relate to CCIs can be assessed by scrutinising the extent to which their governing boards reflect the broader demography of the general membership in the following core constituencies of the business community:

- (1) business sector (commerce/trade vs. industry),
- (2) gender make-up (male vs. female entrepreneurs), and

<sup>63</sup> Figures obtained from numerous local press reports, including Okaz, Al-Madinah, Arab News and Saudi Gazette.

(3) company size (SMEs vs. large enterprises).

Whilst representation in the first demographic is kept artificially equitable, through the seat parity provisions explained above, significant representational imbalances have characterised the composition of elected CCI directorships in the two other constituent demographics. Particularly pronounced is hereby the underrepresentation of businesswomen on CCI directorships, a reality well documented in Table III and largely a consequence of the gender-specific barriers to female participation discussed above. The fact is, to date businesswomen not only hold a considerable stake in the Saudi economy, but constitute a not insignificant proportion of registered CCI members.<sup>64</sup> This status is not reflected, however, in their numbers on CCI governing boards, with businesswomen having gained representation (through elections and/or appointment) on only the Jeddah and Eastern Province CCIs. Meanwhile, on other chambers with sizeable numbers of businesswomen members — such as for instance those in Riyadh, Makkah and Madinah — female entrepreneurs have neither won a seat nor been appointed by MoCI onto their governing boards.

To this can be added noticeable representational imbalances in the third and final constituent demographic of Saudi CCIs: company size. In Saudi Arabia, SMEs account for over 90% of all business establishments and a vast majority of the companies registered with local CCIs. They create about a quarter of all domestic jobs and contribute a third of Saudi GDP.<sup>65</sup> Yet, despite their significance to the Saudi economy, SMEs remain woefully underrepresented on CCI governing boards, many of which expose strong oligarchic tendencies. These tendencies are evident both at the level of incumbency and elite turnover. To this day, for instance, many CCI directorships remain dominated, and effectively run, by the wealthier, well-connected entrepreneurs and influential business/merchant families in the locality, such as the Al-Rasheed, Al-Jomaih, Al-Sanea (Saad Group), and Al-Gosaibi (Al Gosaibi & Brothers) in the Eastern Province, the Al-Jeraisy in Riyadh, the Al-Suleiman,

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<sup>64</sup> As of 2007, businesswomen were reported to own about SR45 billion in cash and four percent of all registered companies. In addition they held about a 40% stake as partners in family-owned businesses and accounted for 21% of total domestic investment [Parker, “Women ‘Own’ Some 1,500 Companies”, Arab News, 25 Mar. 2007].

<sup>65</sup> Saudi Industrial Property Authority, “SME Growth Key to Unlock Saudi Arabia’s Potential”, 16 Apr. 2011.

Kamal (Dallah Al Baraka Group), Al-Fadl, and Al-Dawood entrepreneurial families in Jeddah or the Al-Quereshi in Makkah.<sup>66</sup> In many instances, members of these and other entrepreneurial dynasties have held key elected/appointed positions on CCI governing boards, at times for several consecutive terms<sup>67</sup>, or passed them on through generations to their descendants, a practice that has recently triggered calls within the business community for the imposition of term limits for elected officials. As one small Dammam businessman and candidate in the 2009 Eastern Province CCI elections noted:

... [t]he majority of the 24,000 members run small businesses. My estimate is that more than 20,000 run small businesses. Unfortunately, they have never had a chance to be represented properly in the Chamber's board.... [A]ll the Chamber's top posts are held by big shots.<sup>68</sup>

This sentiment is echoed by many others in the SME community and by those interviewed on the matter, all of whom confirmed that — dominated by big business — many CCIs have

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<sup>66</sup> Interview with Jeddah Chamber member and former candidate no. 3, Saudi Arabia, 17 May 2011; also see Mohammed, "Makkah Chamber Elections in Full Swing"; Wahab, "Eastern Province Chamber Poll Draws Fewer Contenders", Arab News, 5 Nov. 2009; US Govt, "Religious Conservatives, Tribal Members and One Female Incumbent Win Jeddah Chamber of Commerce Elections amid Reports of Vote Buying", 15 Oct. 2009.

<sup>67</sup> Prominent long-term post holders on CCI directorships include Abdulrahman Al-Rashed, chairman of the Eastern Province CCI since 2002, Sheikh Ismail Abu Dawood, chairman of the Jeddah CCI between 1967 and 2001, Abdullah Dahlan, member on the Jeddah CCI governing board for eighteen years and Abdul Rahman Al-Jeraisy, who headed the Riyadh Chamber for most of the 2000s. Interviews with Jeddah Chamber member and former candidate no. 3 and Riyadh Chamber members nos 1, 2, 3, and 4, Saudi Arabia, 13 Aug. 2014. See also Bouali, "Jeraisy, Sultan Elected to Top CSCCI Post", Arab News, 20 Sept. 2002; Wahab, "Al-Rashed to Lead Asharqia Chamber Again," Arab News, 26 Jan. 2010; Fakkar, "Landslide Victory for Al-Taawun in Chamber of Commerce Elections", Arab News, 1 Nov. 2001.

<sup>68</sup> Quoted from Wahab, "EP Chamber Polls Lack Luster", Arab News, 16 Dec. 2009.

thus far failed to adequately represent, let alone defend, the interests of this sector of the Saudi economy.<sup>69</sup>

The causes underlying these oligarchic trends on CCI governing boards — and with it the underrepresentation of smaller/medium size businesses — are multiple and involve a number of electoral advantages candidates put forward/supported by big business enjoy over competitors representing SMEs. These include their superior financial/organisational muscle and formidable web of commercial, familial and tribal connections/contacts which can, and have been, deployed for the purpose of electoral mobilisation, as well as their enhanced name recognition in the locality and beyond.<sup>70</sup> To this must be added the “old boys” network that persists amongst members of the business elite in localities across Saudi Arabia and which, particularly under the block vote system used until 2009, has enabled this entrepreneurial class to dominate chamber elections, by putting forward/sponsoring slates of select candidates. Noteworthy examples of such electoral slates include the Tatwir Group led by Abdulrahman Al-Jeraisy in Riyadh, which won the 2004 Riyadh Chamber poll, the Le-Jeddah group, led by Mohamed Jameel, which contested and won all seats on the Jeddah Chamber directorship in 2005 and the Ta<awun group, headed by Abdul Rahman Al-Rashid, which contested and won all elective seats on the Eastern Province Chamber boards of 2002 and 2006.<sup>71</sup> With the big economic players throwing their weight behind these electoral cartels, independent candidates and those representing SMEs have stood virtually no chance of securing sufficient votes to win representation on CCI directorships.

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<sup>69</sup> Interviews with Eastern Province member and former official, Saudi Arabia, 16 Mar. 2013, and Riyadh Chamber members nos 2, 3 and 4; see also Fakkar, “Elections to Jeddah Chamber Begin Today”, Arab News, 29 Oct. 2001; Haidar, “Campaign Hots up for EPCCI Polls”, Arab News, 11 Mar. 2002.

<sup>70</sup> Interviews with Jeddah Chamber member and former candidate no. 1; Riyadh Chamber members nos 2, 3 and 4 and an Eastern Province member and former official. See also Al-Fardan, “Setback for Women”, Arab News, 16 Oct. 2009; Wahab, “Candidate in EP election wants transparency”.

<sup>71</sup> Khan, “Jeraisy Group Win Elections to RCCI Board”, Arab News, 1 Dec. 2004; Bouali, “Al-Rashed Elected EPCCI Chairman”, Arab News, 2 Apr. 2002; Akeel, “Women Create History in JCCI Poll,” Arab News, 1 Dec. 2005; Akeel, “Yamani Intervenes to Settle JCCI Row”, Arab News, 17 June 2006.

## 4 Conclusion

Dissecting electoral politics in one of Saudi Arabia's leading professional syndicates — the CCIs — this article revealed a noticeable disjoint between the formalities of procedural democracy and its actual conduct. Indeed, although nominally no stranger to procedural democracy, with the principles of democratic legitimacy, representation and accountability formally enshrined in CCI statutes, in actual practice chamber elections showcase a number of shortcomings which in no small measure undermine key principles of good practice in electoral matters. As we saw, these range from the statutory powers of MoCI in the administration of CCI elections, to prevailing rules and candidate behaviours that depress electoral competitiveness and inclusiveness as well as the compositional representativeness of the chambers' governing boards.

From a theoretical vantage point the findings presented here thus lend empirical credence to the critics of democratising associationalism in Saudi Arabia and not to its advocates. They do so, however, with one significant proviso, namely that it is insufficient to conceptualise associational elections in Saudi Arabia exclusively through authoritarian-corporatist lenses. Indeed, it is suggested here that such conceptualisation may only go so far in accounting for the realities of electoral politics in the country's licensed associations. Whilst the corporatist framework certainly helps make sense of relations between the state and licensed associations in Saudi Arabia, and thus of the level of, and motives behind, government involvement in third sector elections, it arguably pays limited attention to local agency. Yet, as we saw in the CCIs under scrutiny here, local agency by CCI candidates on the ground played heavily into the overall quality of governing board elections, not least with regards to the electioneering tactics deployed. Any comprehensive understanding of the dynamics and trademarks of associational elections in Saudi Arabia must thus move beyond a corporatist framing of associational life to include careful scrutiny of the electoral process itself and the conduct of its principle protagonists.

Flawed as they are, CCI elections lastly also carry broader repercussions for the spread and practice of participatory politics in Saudi Arabia. Indeed, if the findings from this case study are anything to go by — and further research into the matter is needed — then it is unlikely that the conduct of associational elections will help instil in the broader public appreciation for and trust in the electoral principle. As Kanie and Alhargan suggest, it may

well be that the recent growth in the number of licensed associations has inculcated into the Saudi public sphere and conscience a welcome new discourse on, and growing awareness of, citizen rights and civic virtues. If so, this discourse is, however, in danger of being hollowed out by serious shortcomings that are plainly evident in the internal governance of some of these associations. As we saw, in the case at hand inbuilt limitations on associational autonomy and democracy (partial elections and questionable impartiality of electoral administration) are matched by elite behaviour that in many instances runs counter to the spirit of fairness and equality. Indeed, what has been unfolding in front of the public eye over the past two decades are not necessarily the virtues of participatory politics, but elections that remain marred by occurrences of electoral bribery/malpractice and the preponderance of wealth and oligarchic tendencies at the expense of electoral inclusiveness, competitiveness and representativeness. Worrisome also is the fact that these non-democratic practices are being deployed by segments of the educated, professional and well-off classes in Saudi Arabia, many of whom profess to the principles of democracy and have been actively demanding greater citizen participation in domestic politics. As one Saudi observer surmised:

The outcome of the JCCI experiment is as follows: elite traders, industrialists, and cultured and rich people who understand the concepts of openness and change have flatly failed in an election process that can successfully happen in any secondary school. If this is the fate of the “cream of society”, then what will be the fate of ordinary people who look to them for help and assistance?<sup>72</sup>

Indeed, if found to hold sway in low-level competitive politics across other licensed associations and the municipal councils, then there is a real danger that the deficiencies detected in CCI elections will at the very least do little to instil public confidence in appreciation of the democratic principle and at worst diminish citizen demands for participatory reforms in Saudi domestic politics.

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