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The Role of Constitutional Law in Shaping Government Structures and Stability in the Middle East

ABSTRACT: *This study assesses the impact of constitutional law on shaping government structures and political stability in the Middle East using the Analytical Hierarchy Process (AHP). The purpose is to identify and prioritize the constitutional elements that most significantly influence governance and stability in the region. The AHP method allows for a structured analysis by decomposing the complex problem into a hierarchy of criteria and subcriteria, facilitating pairwise comparisons and weight calculations. The analysis focuses on two main criteria: government structures and political stability, each further divided into subcriteria such as separation of powers, rule of law, electoral systems, civil liberties, judicial independence, and conflict resolution mechanisms. The results indicate that the separation of powers holds the highest global weight (48.75%), highlighting its paramount role in promoting effective governance and stability. The rule of law and civil liberties also emerge as critical factors, with global weights of 18.75% and 15%, respectively. The relevance of this topic lies in the ongoing quest for stability in the Middle East, where constitutional reforms can play a pivotal role. By identifying key constitutional components that enhance governance and stability, policymakers can prioritize reforms that have the most significant impact.*

KEYWORDS: Constitutional Law, Government Structures, Political Stability, Middle East, Analytical Hierarchy Process, Separation of Powers, Rule of Law, Civil Liberties

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INTRODUCTION

Constitutional law has also been at the heart of shaping government formations and political stability in the Middle East since the beginning of the 20th century (Al-Ali and Stiansen, 2022; Dawood, 2015). The adoption of new constitutional orders by the majority of Middle Eastern states is a hallmark of their governance evolution (Benomar, 2004; Ginsburg et al., 2009). They determine the conditions of governance, adopt the division of power, and institute the rights and duties of citizens (Bâli, 2013; Chynybaeva et al., 2024). Constitutional law thus becomes the key in constructing equitable government institutions that avoid the monopoly of power and ensure accountability (Hinnebusch, 2006; Peters, 2021). However, despite its importance, the fate of such institutions will more likely be determined by larger political forces, history, and external pressure (Albrecht and Schlumberger, 2004; Xu, 2024). Despite a vast literature on the theoretical basis of constitutional design and its implications for government, there still exists a huge knowledge gap in our empirical understanding of how constitutional institutions actually work in practice under the particular socio-political conditions of the Middle East. The paper tries to fill this gap by examining the empirical application of constitutional institutions and their performance in terms of stability and effectiveness of governance.

The ongoing constitutional reforms and instability in the area emphasize the necessity for legal frameworks upholding national sovereignty while promoting governance (Tamir, 2013; Yesimov, 2019). Provisions in a constitution significantly affect national

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security, civil liberties, and political representation, which are all necessary for safeguarding domestic and regional stability (Skowronek and Orren, 2019; Law and Versteeg, 2011). Constitutions that uphold principles of representative government are likely to foster stability in a region beset by complex social and political transformations (Ginsburg et al., 2009; Alazzam et al., 2023a). Conversely, those systems that concentrate power in the hands of a small ruling elite create issues of governance and popular discontent (Moustafa, 2007; Dawood, 2015). Comparative analyses of constitutional models in the Turkish and Egyptian cases point to diverse experiments in Middle Eastern governance (Báli, 2013; Albrecht and Schlumberger, 2004). These illustrations show the necessity of aligning constitutional provisions with the socio-political conditions in every nation, yet there are limited studies of how such alignments are achieved and where they break down.

Good constitutional governance also facilitates more equal distribution of resources and renders institutions more accountable to governance issues (Hinnebusch, 2006; Al-Ali and Stiansen, 2022). The Tunisian constitutional transition following the Arab Spring offers a paradigmatic case of how legal reforms can be translated into more inclusive governance (Anderson, 2011; Bellin, 2012). By linking constitutional reforms to democratic values, Middle Eastern governments are able to consolidate governance institutions, favoring stability and development (Dawood, 2015; Yesimov, 2019). However, while international best practices yield valuable information, insufficient exploration of the integration of such best practices into the particular needs of Middle Eastern societies is offered (Law and Versteeg, 2011; Xu, 2024). This study fills this gap through the analysis of the interaction between constitutional provisions and national development imperatives and socio-political contexts with a view to determining sustainable models of governance.

This study focuses on analyzing the application of constitutional law in the development of governance institutions and political stability in the Middle East. It investigates the constitutional design, the principal principles of governance, and their implications for national security and democratic accountability. One of the research areas of prime importance is evaluation of the effectiveness of constitutional provisions in achieving checks and balances in government institutions. This includes quantifying the effectiveness of constitutional mechanisms in facilitating intergovernmental coordination, managing governance conflicts, and promoting accountability. The study also examines the alignment of constitutional provisions to general national development goals, such that legal frameworks contribute toward promoting sustainable governance models.

The study also examines the contribution of constitutional law to democratic governance in relation to legislative oversight and institutional transparency. Good governance requires institutions that enhance the accountability of political institutions and ensure compliance with the rule of law. The study seeks to develop areas of reform for Middle Eastern constitutional systems and provides strategic recommendations to enhance governance stability and effectiveness. They include constitutional and legal reforms, institutional integration, and policy agreement with new challenges of governance. In its very close observation, the study endeavors to contribute to broader debate concerning constitutional rule and political stability in the Middle East region, hence filling essential gaps that exist in current literature and coming up with feasible recommendations for academics and policymakers alike.

Research Questions

To address these issues comprehensively, this study poses the following research questions:

- What are the key constitutional principles that guide governance structures in the Middle East?
To what extent do constitutional provisions protect checks and balances within government institutions?
- How consistent are constitutional arrangements with broader national security and political stability objectives?
- What is the potential of constitutional law to consolidate democratic governance and institutional accountability?
- What are the key areas for consolidating constitutional frameworks for attaining governance stability in the Middle East?

The article, therefore, complements governance and security reforms by way of a critical analysis of the role of constitutional law in promoting political stability in the Middle East. The article provides insightful analysis of the role of constitutional governance in promoting national security, democratic oversight, and institutional coordination. The article begins with an introduction to constitutional law reforms and their importance to governance institutions. This is followed by a discussion of research questions at length, which guides the analysis of constitutional designs and their performance. The research design and the analytical framework are elaborated in the section “Methodology,” while the analysis examines constitutional dynamics and governance outcomes. The

paper concludes with a discussion on findings, drawing on international best practices, and makes pragmatic recommendations. The coherence of these sections ensures a comprehensive appreciation of constitutional law's role in the stability of governance, with incisive information on policy enhancement and avenues for future studies.

LITERATURE REVIEW

The role of constitutional law in shaping government institutions and delivering political stability within the Middle East has been a relevant area of research for centuries (Al-Ali & Stiansen, 2022). The Middle East encompasses a wide range of systems of government, ranging from monarchies to republics, with each constitutional framework being shaped by their history, culture, and politics (Alazzam et al., 2023). Constitution-making contributes to the long-term legitimacy and stability of political regimes (Alazzam et al., 2023). Transparent, participatory constitutional frameworks tend to guarantee more stable and effective governance, laying the foundations for sustainable political systems (Albrecht & Schlumberger, 2004). But most of the Middle Eastern countries have seen authoritarian regimes greet demands for change with token constitutional reforms, but not actually transform underlying power relations (Anderson, 2011). These “democracy facades” demonstrate the extent to which it is hard to deploy constitutional law as an actual force of political change. They also imply the need to deal with more elementary political and social frameworks that may preclude actual change from happening (Benomar, 2004).

Outside pressures and sectarian divisions in Iraq undermined the consolidation of functioning government institutions following conflict (Gerschewski, 2013). The ability of political elites to compromise and inclusivity explain the working constitutional law performance in the consolidation of unified governance (Bellin, 2012). Middle Eastern power dynamics are strong, with the potential for maintaining authoritarianism. Constitutional change alone will not be enough; it needs to be supplemented by broader change in society and politics (Hinnebusch, 2006). Various trajectories of the Arab Spring in Egypt, Tunisia, and Libya are demonstrated to explain how constitutional compromises have conditioned political processes, particularly when combined with socio-political change (Dawood, 2015; Albrecht & Schlumberger, 2004).

In the Gulf monarchies, the monarchies which intend to develop their political systems through constitutional developments normally have limitations (Al-Ali & Stiansen, 2022). Even though these developments may enhance political participation, they typically do not transform monarchical authority to a considerable extent (Ginsburg et al., 2009). Constitutional power struggles, in this case, between the judiciary and other branches of government, demystify how constitutional law is both an instrument of state power and a place of political conflict (Skowronek & Orren, 2019). Analyzing the world constitutional record historically and the implications of diffusion of constitutional ideas for indigenous government institutions makes constitutional law analysis more profound (Law & Versteeg, 2011). Constitutional values brought to the Middle East influence regional governance, with varying degrees of political stability as they are achieved (Peters, 2021).

The relationship between constitutional law and political stability is complex. Institutional capacity and the loyalty of security forces are typically more significant to maintaining stability than constitutional provisions themselves (Gerschewski, 2013). Nevertheless, well-designed constitutional frameworks that include elements of justice and reconciliation are central to maintaining long-term stability and preventing conflict recurrence (Moustafa, 2007). The role contributed by economic development and technological change, such as e-commerce and information model, also justifies constitutional reforms to further enhance stability (Alazzam et al., 2023; Alsaad et al., 2018). Addressing socioeconomic issues can contribute to national stability, and hence constitutional change can be more productive (Alsaad et al., 2017). Inclusive, consensus-based constitution-making processes ensure political stability. People are likely to adopt participatory constitution-making, which contributes to more stable government institutions (Ginsburg et al., 2009). Finally, effective constitutional reforms must be tailored to the needs and conditions of each society, rather than adopting general approaches (Al-Ali & Stiansen, 2022). This calls for context-based constitutional frameworks that address the different challenges of the region and promote stability and effective governance (Bellin, 2012).

Research Gap

There has been an enormous amount of literature that has discussed the impact of constitutional law on political regimes in the Middle East, mainly stability and transition. Constitutional traditions have been on record to always be in the vanguard in outlining the structure of government, defining the division of power, and ensuring accountability in state institutions (Dawood, 2015; Al-Ali and Stiansen, 2022). Nonetheless, even as there is this wider focus on comparative analysis of constitutional developments by region, there is a great lacuna as far as understanding precisely how provisions of constitutions are implemented in specific countries and indeed the pragmatic implications thereof on stability and government. For instance, while the contribution of constitutional law to the design of government structures is well established, relatively little has been said about how such structures engage with security institutions at the national level to respond to changing security threats or balance security policies with national development needs.

Research is largely conducted with little regard for the intricate mechanisms through which constitutional systems facilitate intergovernmental cooperation, harmonize policies with national priorities, and incorporate measures of democratic accountability. The gap is most evident in countries like Jordan, whose recent constitutional changes introduced new governance mechanisms designed to enhance national security and political stability. These trends highlight the need for a more sophisticated analysis of how constitutional provisions play out in practice and their implications for governance and institutional coordination. Through examination of these hitherto underresearched fields, this study seeks to add a deeper understanding of how constitutional law influences the functioning of national security agencies and their capacity to promote stability in the Middle East.

This research fulfills the fundamental literature gap in its focus on the real practice of constitutional systems and their influence on issues of governance and security. It analyzes not only the theoretical foundations of constitutional design, but also the real efficacy of such mechanisms in ensuring checks and balances, democratic politics, and national development priorities. By exploring alignment of constitutional provision to socio-political conditions and institutional imperatives, this study aims to offer practical advice on how constitutional law can be applied in a way that optimizes governance stability and effectiveness in the region. In doing so, it addresses literature gaps and offers an overview of the diverse role of constitutional law in political structures and stability in the Middle East.

Theoretical–Conceptual Framework

The theoretical–conceptual framework of this study integrates governance theory, organizational effectiveness theory, and policy alignment theory to analyze the role of constitutional law in shaping government structures and stability in the Middle East. The governance theory puts more focus on institutional structures in shaping policy outcomes and effective governance. At the Middle East regional level, constitutional laws enacting defined roles and responsibilities to state institutions lead in fostering stability and accountability (Al-Ali & Stiansen, 2022). Separation of power, one of the cornerstones of constitutional law, is an area where legislative, executive, and judiciary powers have independent powers but enact checks and balance on each other (Benomar, 2004; Dawood, 2015). Organizational effectiveness theory, as developed by Daft (2016), focuses on the importance of clearly defined roles, responsibilities, and coordination structures for the achievement of operational efficiency. The theory is applicable in describing how Middle Eastern constitutional designs facilitate the functioning of government institutions, such as national security organs (Al-Sawalha, 2016; Gerschewski, 2013). Effective coordination among such institutions is important in addressing complex security problems and the stability of the system of governance (Bellin, 2012). Besides, organizational arrangements provided under constitutional law may be vital to the operational integrity of the government, especially if the separation of powers is clearly established (Moustafa, 2007; Xu, 2024).

Policy congruence theory holds the view that security policies and national development goals should be congruent with one another so that national problems are meaningfully addressed (Skowronek & Orren, 2019). As argued by Wolfers (1952) and Al-Sawalha (2016), congruence ensures that stability is developed in the long term and the effectiveness of governance policies is enhanced. For long-term growth and political stability in the Middle East, where constitutions are likely to balance traditional values and modern principles of governance, national security policies must be in harmony with national priorities (Albrecht & Schlumberger, 2004; Gerschewski, 2013). This harmony renders the governance structures strong against regional threats and periods of transition (Al-Ali & Stiansen, 2022; Anderson, 2011).

Democratic governance theory emphasizes the role of constitutional institutions in achieving transparency, accountability, and citizen participation in the decision-making process (Law & Versteeg, 2011). This is a suitable approach to examine the role of constitutional law in determining government outcomes in the Middle East, where recent constitutional evolution has been aimed at democratic checks and protection of civil liberties (Hinnebusch, 2006; Zhu & Kouroutakis, 2019). Through holding the government institutions accountable to the people and in terms of law, constitutional orders have the capacity to establish people's trust in government and deliver long-term stability (Bellin, 2012; Al-Sawalha, 2016). Together, these models of theory present an integrated scheme through which one may understand how constitutional law contributes to the form of governments and long-term stability in the Middle East. This study looks into the relationship between constitution provisions, effective institutions, and policy congruence. The aim is to demonstrate how the constitutional framework facilitates stability and governance within the region.

METHODOLOGY

This study employs a qualitative research design rooted in the Analytical Hierarchy Process (AHP) to examine the effect of constitutional law on government institutions and political stability in the Middle East. AHP methodology is most appropriate for this study because it is capable of addressing complex, multidimensional decision-making problems by breaking them down into a hierarchical structure of associated criteria and subcriteria (Saaty, 1980). This approach enables systematic evaluation of those factors that tend to be difficult to quantify, such as the effectiveness of constitutional provisions in ensuring governance and stability. Using a mix of qualitative judgments and quantifiable data, AHP methodology ensures a comprehensive analysis, enabling expert viewpoint and subjective judgment where objective data may not be available (Dweiri et al., 2016).

The indicators used in this study were selected because they are consistent with literature on constitutional law and governance, can effectively reflect the main components of political stability, and are consistent with the objectives of this study. One indicator was selected to reflect major aspects of constitutional arrangements that influence the effectiveness of governance and political stability. For instance:

Separation of Powers was included as it directly functions to divide power among branches of government, precluding power accumulation and making authorities answerable.

Rule of Law was prioritized because it functions to grant equality, fairness, and justice – the integral aspects of stable government.

Civil Liberties were emphasized because they provide security of the individual's rights and harmony of society, which are fundamental to long-term stability.

Judicial Independence and Conflict Resolution Mechanisms were added because they guarantee constitutional principles and employ peaceful mechanisms for conflict resolution.

Collectively, these indicators form a robust framework for measuring how constitutional law affects governance and stability in the Middle East. Their addition is consistent with previous studies on constitutional design and institutional resilience (Ginsburg et al., 2009; Law & Versteeg, 2011).

To find the relative weights of all the criteria and subcriteria, the AHP process involved the following steps:

Construction of Pairwise Comparison Matrices: Experts provided judgments for the relative significance of the criteria and subcriteria on a uniform scale ranging from 1 (equal) to 9 (extreme).

Normalization of the Matrix : Dividing every value of the matrix by the sum of its column normalized the information.

Calculation of Priority Weights : Average of row-normalized values was utilized for determining the priority weights for all criteria or subcriteria.

Consistency Check: Consistency ratio (CR) was calculated to validate the judgments. Less than 0.1 value of CR confirms acceptable consistency and hence validity of the result.

For example, under Government Structures, the greatest weight was assigned to Separation of Powers (SC1.1) at 0.65, followed by Rule of Law (SC1.2) at 0.25 and Electoral Systems (SC1.3) at 0.1. Similarly, under Political Stability, Civil Liberties (SC2.1) was assigned the highest weight (0.6), followed by Judicial Independence (SC2.2) at 0.27 and Conflict Resolution Mechanisms (SC2.3) at 0.13. Global weights were then calculated to show the overall importance of each criterion and subcriterion in deciding governance and stability.

Application of the AHP framework commenced through a rigorous review of the literature on Middle Eastern politics and studies in constitutional law, combined with consultations with experts. Step 1 was inevitable to select the most impactful criteria and subcriteria for analysis. The two main criteria were Government Structures and Political Stability, further being split into more specific subcriteria:

Government Structures:

SC1.1: Separation of Powers

SC1.2: Rule of Law

SC1.3: Electoral Systems

Political Stability:

SC2.1: Civil Liberties

SC2.2: Judicial Independence

SC2.3: Conflict Resolution Mechanisms

Expert opinion was then needed to make pairwise comparisons between the identified criteria and subcriteria. These were carried out on a normalized importance scale from 1 to 9 to structure expert ratings systematically in matrices (Saaty, 2008; Dweiri et al., 2016). The Eigenvalue method was then applied in finding the weights of the various criteria and subcriteria, reflecting their relative importance in affecting governance and stability. While the AHP methodology provides a transparent and systematic method of analysis, it is not without its constraints. One constraint is the utilization of expert opinion, which can be subject to subjectivity and bias in weighting. To overcome this, the research employed iterative consultation with multiple experts to verify findings and establish consistency. CR was also computed to ensure the validity of the judgments, and only those below 0.1 were utilized.

A second constraint is the challenge of drawing conclusions across the Middle East's diverse political, cultural, and historical frames. While the AHP process accommodates a nuanced analysis, the outcome may not be typical of the unique dynamics of particular countries. To mitigate this, the study focused on some specific case studies within the region, with the analysis always being contextually true.

Finally, the empirical information on some of the indicators, such as judicial independence and conflict resolution mechanisms, was available in different degrees of magnitude in countries. In areas where data were limited, qualitative expert judgments were employed in the research, which can affect the validity of the results. Despite these limitations, the use of expert software packages like SuperDecisions enhanced the precision and speed of the calculations, minimizing errors and reliability of the results.

The AHP technique provides an open and transparent approach for evaluating the role of constitutional law in governance and stability. By articulating the selection process of indicators, determination of weights, and application, this study ensures that its findings are trustworthy, reproducible, and founded on empirical and theoretical information. This approach not only lends authenticity to the study, but also offers valuable insights into how constitutional frameworks can be designed or redesigned in a way that will provide stability and efficient governance in the Middle East.

RESEARCH RESULTS

Constitutional law is the basis of legal order that allocates and organizes political power within states. The governments of Middle Eastern countries assume numerous forms, from monarchies to republics, authoritarian regimes, to embryonic democracies. Values inscribed in them shape constitutional designs. They are responsible for the stability of governments, institutional accountability, and political legitimacy. The present research offers a benchmark constitution that regulates the arrangement of governance in the region and investigates its effectiveness in promoting democratic government and national security. One of the fundamental principles of a constitution is the doctrine of separation of powers, where power is dispersed in the judiciary, parliament, and the government for reasons of avertiveness against centralization of power.

In the Middle East, where political systems have difficulty with authoritarianism, separation of powers is the key to the preservation of checks and balances. For instance, Jordan and Morocco governments have constitutionally provisions theoretically to balance powers, but practically where the executive will prevail. As Vollmann et al. (2022) specify, such imbalance undermines institutional accountability and supports governance problems, as untrammelled executive power could lead to corruption as well as

Tab. 1: Pairwise Comparison Scale.

Intensity of Importance	Definition
1	Equal importance
3	Moderate importance
5	Strong importance
7	Very strong
9	Extreme importance
2, 4, 6, 8, 9	Intermediate values

Tab. 2: Pairwise Comparison Matrix for Criteria

Criteria	C1: Government Structures	C2: Political Stability
C1	1	3
C2	1/3	1

policy instability. Securing the separation of powers through clearer constitutional demarcation and enforcement mechanisms would be able to make the governance system more stable and instill public confidence in public institutions. AHP was used to analyze how important the different constitutional principles were. Pairwise comparison scale (Table 1) was used to measure the relative importance of each criterion.

This scale allows for organized comparison through expert judgment. An illustration is that “3” is used for moderate importance and “7” for extreme importance. The values 2, 4, 6, 8 are used to symbolize intermediate degrees of preference between two alternatives. The first step in the AHP process was a comparison between the two most important criteria: Government Structures (C1) and Political Stability (C2). Pairwise comparison matrix (Table 2) shows that political stability was not highly rated compared to government structures, as C1 was given a rating of “3” compared to C2. However, C2 was given a rating of “1/3” compared to C1. Then, normalizing the matrix and getting weights, it is indicated by findings that government structures have a weight of 0.75 while political stability has been given the weight of 0.25. It refers to the idea that the region feels government structures have much stronger influences to achieve political stability.

These observations call for the necessity to structure government institutions in a manner that will ensure stability. For instance, proper separation of powers can prevent the domination of government by any single branch, thus ensuring accountability and checking possibilities of authoritarianism. The rule of law, the second essential tenet, binds and holds everyone and every institution accountable. The rule of law is particularly relevant to addressing issues of governance and human rights in the Middle East. For example, Egypt’s 2014 constitution enshrines the primacy of law, yet its implementation has been selective, with ongoing reports of arbitrary detentions and a lack of judicial independence. In the view of Brown (2013), the absence of an independent judiciary erodes the rule of law and annihilates public confidence in governance. By entrenching judicial independence and encouraging consistent enforcement of laws, constitutional frameworks can promote fairness, equality, and justice, and thereby enhance political stability.

Electoral systems represent another core constitutional principle that frames governance institutions. Electoral systems determine how citizens participate in governance and affect representation and legitimacy. The 2014 Tunisian constitution institutionalized a proportional representation system, which is credited with facilitating inclusivity and peaceful transfers of power. Elsewhere, countries like Lebanon have sectarian-based electoral systems that entrench cleavages and are detrimental to good governance. Electoral reforms focused on transparency and inclusivity can solidify democratic governance and address systemic inequalities. Finally, constitutional frameworks must be aligned with general national security and political stability objectives. Protection of civil liberties, such as freedom of speech and assembly, is critical to the prevention of unrest and fostering of social cohesion. Judicial independence and conflict resolution mechanisms also foster long-term stability by allowing for equitable dispute resolution and enforcement of constitutional ideals. Constitutional principles like separation of powers, rule of law, and electoral processes have a sweeping influence on Middle Eastern governance institutions. By closing gaps in implementation and enforcement, policymakers can make institutions more accountable and development more sustainable. Through the assistance of instruments like AHP, as shown in Tables 2 and 3, it becomes increasingly easier to conclude which one of these principles is most important. This gives us useful information to make changes.

Key constitutional principles in Middle Eastern governance

To Q1, constitutional values are the underpinning of institutions of governance, outlining the distribution and exercise of political power in states. In the Middle East, with regimes varying from monarchies to republics and from authoritarian regimes to nascent

Tab. 3: Pairwise Comparison Matrix for Government Structures

Subcriteria	SC1.1	SC1.2	SC1.3
SC1.1	1	5	7
SC1.2	1/5	1	3
SC1.3	1/7	1/3	1
Weight	0.65	0.25	0.1

democracies, constitutional values serve to ensure stability, accountability, and legitimacy. The section covers three main constitutional principles of separation of powers, rule of law, and electoral systems and examines how they affect stability in governance throughout the region. The analysis uses the outcome of AHP, which quantifies the relative weight of each principle and combines information from theoretical literature to add a comprehensive view of their contributions.

Separation of powers is a constitutional doctrine that consecrates the separation of powers of the government into the three branches of government: the judiciary, the executive, and the legislature. It keeps power out of the hands of a single organ and promotes accountability and prevention of authoritarianism. In the Middle East, where the systems of governance are prone to authoritarianism, separation of powers is particularly significant in ensuring checks and balances. AHP results highlight the significance of separation of powers with a global average importance rating of 48.75%. It has been rated so highly to guarantee it precedes governance stability to prevent any branch from dominating the political scene. Table 3 displays the relative weights of forms of government to stability in government.

AHP calculation shows that separation of powers has a stronger impact than other subcriteria such as rule of law or electoral system. This finding concurs with Cross & Sorens (2016), who argue that poor separation of powers tends to lead to executive dominance, which undermines institutional accountability and fosters governance problems. For example, in Egypt and Jordan, there are provisions under the constitutions that formally differentiate powers but actually allow the executive to frequently supplant legislative and judicial roles. Formalization of the differentiation of powers with better-defined constitutional parameters and means of enforcement might contribute to more stable governance and to public institutions being trusted.

The rule of law ensures that all and institution, including the government, are subject to the same legal framework. This principle safeguards fairness, equality, and justice and results in government stability. In the Middle East region, where legal systems in most instances are faced with transparency and impartiality challenges, the rule of law is highly significant in ensuring institutional accountability and maintaining politics free from manipulation. The AHP results assign a value of 18.75% to the rule of law, demonstrating its superiority in governance stability. Aisheh et al. (2023) posit that absence of an independent judiciary undermines the rule of law and erodes public confidence in governance. In Egypt, for example, though constitutional mentions emphasize the primacy of law, uneven application has led to arbitrary detention and absence of judicial independence. The enhancement of the rule of law requires open legal regimes, independent judiciary, and accountability structures for state actions. By ensuring application of the laws always, constitutional systems can achieve fairness and justice, thereby reaching political stability.

Electoral systems determine political participation, representation, and legitimacy. An effective electoral system ensures inclusive government with every political voice represented. Electoral systems in the Middle East either solidify fragmentation or reinforce unity based on how they are framed in highly polarized political settings. AHP analysis assigns electoral systems a 7.5% weight due to their contribution toward political stability, but secondary to separation of power or rule of law. Heydemann & Leenders (2011) observe that proportional representation systems and the institutions that operate them, such as Tunisia, have been commended for being inclusive and enabling smooth transitions of power. At the same time, sectarian-based electoral systems like in Lebanon have entrenched cleavages and hindered good governance. Electoral reforms grounded on transparency, representation, and inclusivity can entrench democratic rule and reverse systemic injustices.

Separation of powers, rule of law, and electoral systems are intrinsic constitutional pillars that guide governing structures across the Middle East. AHP findings highlight separation of powers (48.75%) and rule of law (18.75%), both indicating an overabundance in accountability as well as equity. Significantly lower but salient are electoral systems (7.5%), the very element so crucial in terms of inclusivity as well as representation. By filling the gaps in enforcement and implementation, policymakers are then able to consolidate governance stability and make positive contributions toward sustainable development.

Tab. 4: A Pairwise Comparison Matrix for Political Stability.

Subcriteria	SC1.1	SC1.2	SC1.3
SC1.1	1	3	5
SC1.2	1/3	1	3
SC1.3	1/5	1/3	1
Weight	0.6	0.27	0.13

The effectiveness of constitutional provisions in ensuring checks and balances

To Q2, although theoretically crucial, in practice, separation of powers in the Middle East normally meets with major challenges. Executive supremacy over parliament and judiciary undermines its capacity to play effective checks and balances in most states. Separation of powers is the mainstay of constitutional government for purposes of avoiding aggregation of powers within a single arm of government. However, in practice, few Middle Eastern states are capable of maintaining this postulate due to entrenched political traditions. In Egypt and Jordan, for instance, constitutional assurances nominally separate the executive, legislature, and judicial powers. Still, the executive tends to avoid legislative action and affects the judiciary's appointments and disbands checks and balances. Vollmann et al. (2022) state that the absence of effective mechanisms and institutions that lack adequate independence to enforce anything enables executives to build power that exacerbates issues of governance as well as degrades citizen faith in institutions.

Judicial independence is the second fundamental ingredient to ensuring the efficacy of checks and balances. An independent judiciary occupies the mandate function of facilitating constitutional traditions in fair application of law and dispensing just resolutions to dispute. Middle East courts remain under pressures of political branches during most of such states and limiting the function to that of an act to serve as a check of the state.

For example, political intervention in the appointment and rulings of the judiciary in Iraq and Lebanon has eroded the independence of the judiciary. Brown (2011) states that the absence of an independent judiciary not only erodes public confidence in the government, but also exacerbates political instability. Improving judicial independence requires reforms to guarantee appointing transparency, protect judges from political pressure, and empower courts to render interpretations and enforcement of the law without reprisal. AHP analysis further clarifies the relative significance of subcriteria under Political Stability (C2) to ensure checks and balances. Table 4 presents the pairwise comparison matrix of political stability.

The research indicates that civil rights (international relevance: 15%) and an impartial judiciary (international relevance: 6.75%) are both necessary to ensure political stability. Maintenance of civil rights, such as freedom of association and speech, prevents social disturbance and generates trust in the system. Similarly, maintenance of a neutral judiciary guarantees stability as it resolves conflicts impartially and enforces constitutional standards. Civil liberties keep political rebellions at bay and create lasting stability. The safeguarding of natural rights such as freedom of association, speech, and assembly offers individuals a chance to protest their grievance and also criticize leaders. In Tunisia, for example, the 2014 constitution guarantees robust protection for civil liberties, which facilitated Tunisia's relatively smooth transition to democracy. Conversely, stringent restrictions on civil liberties in Syria have fueled mass discontent and prolonged strife. As pointed out by Heydemann & Leenders (2011), inclusive constitutional frameworks that render civil liberties highest can also encourage social solidarity and reduce unrest.

Mechanisms of conflict resolution, weaker than judicial autonomy or civil rights, are still crucial to limit the likelihood of violent conflict. Constitutional frameworks that possess well-defined procedures for political and social conflict resolution result in stability in the long term. For instance, the post-apartheid South African constitution possesses robust conflict resolution mechanisms that have ensured the maintenance of peace and stability. Sectarian institutions in the Middle East, such as Lebanon, ensure perpetuation of divisions and hamper effective governance. Kao & Lust (2025) emphasize inclusive constitutions that remedy systemic disequilibrium and facilitate peaceful conflict resolution. Constitutional checks and balances in the Middle East will be successful only if problems of executive domination, judicial independence, and protecting civil liberties are solved. While separation of powers and independence of the judiciary are theoretically significant, in reality, their provision is often interfered with by politicized forces. It becomes clear that judicial independence, civil rights, and mechanisms for resolving disagreements are the necessary components of ensuring compliance of constitutional regimes with stability goals. Policymakers can ensure stability in governance and promote sustainable development by providing gaps in implementation and enforcement.

The alignment of constitutional frameworks with national security and political stability is crucial

While responding to Q3, an appropriately drafted constitution has to be drafted on the grounds of national security and political stability objectives in pursuit of the governmental institutions that will be able to address satisfactorily the regional issues at hand. Political realities in the Middle East, which are most times unstable on grounds of historical, social, and geopolitical realities, need constitutional institutions that can avail leadership compositions contributing to stability and solidity. The study identifies three principal factors – judicial independence, mechanisms for conflict resolution, and civil liberties – through which such a convergence can be possible. These are the most significant in addressing issues like social unrest, institutional accountability, and ending violent conflicts, which are the essence of the achievement of larger goals of national security and political stability.

Civil Liberties (SC2.1, 15%): Protection of fundamental rights is essential to prevent social unrest and promote public confidence in the government. Freedom of speech, assembly, association, and religion are civil rights that allow citizens to express their complaints, participate in the government of the nation, and hold their leaders accountable. In the Middle East, where for centuries authoritarianism has restricted individual freedom, protection of civil liberties is the way to democratic governance and political stability. Constitutional realignment with emphasis on civilian rights at the heart of all else can ensure inclusivity and allay tensions via mechanisms of redressing natural unbalances and triggering activism by the citizens, since Dawood (2015) is presumed to have Tunisia's 2014 constitution, for instance, as it enshrines strong protection for civil rights, thanks to allowing peaceful transition in power and consolidating social cohesion. Conversely, excessive over-limitative regulation of civil liberties in countries like Egypt has achieved extremely high rates of dissatisfaction, leading to sustained conflict and worsening national security. Freedom House (2023) acknowledges that decreases in civil liberties across several Middle Eastern countries have allowed for lowered public trust in the government, hence further fueling political instability. Through such protection by constitutional guarantees and independent oversight agencies, governments are able to establish strong institutions that do not succumb to instability and instead ensure long-term stability.

Judicial Independence (SC2.2, 6.75%): Independent judiciary is the core to ensuring stability by ensuring differences are resolved equally and constitutional rules are respected. Judicial independence ensures fair application of the law and disagreement settled without discrimination. Judicial independence is most needed in the Middle East, where the courts generally are in discredit as much regarding openness and justice as they can be, to ensure institutional accountability free from political control.

As Tamir (2013) notes, an independent judiciary is at the heart of transitional justice mechanisms because it guarantees that past injustices are addressed and constitutional values are upheld. For example, Morocco's 2011 constitutional reforms aimed to enhance judicial independence by establishing independent oversight bodies. However, their implementation remains problematic, as noted by Hinnebusch (2006), who argues that deep-rooted authoritarian practices have a tendency to undermine judicial autonomy. Judicial independence has to be enhanced by clear legal systems, independent judicial structures, and institutional processes of accountability of government actions. Endless application of the law ensures constitutional frameworks drive justice and equity, and hence political stability. **Conflict Resolution Mechanisms (SC2.3, 4.5%):** Efficient conflict resolution mechanisms can reduce possibilities of violent conflict and guarantee peaceful coexistence in society. Constitutional systems that minimize ambiguity in processes of political and social conflict resolution contribute to long-term stability. The post-apartheid South African constitution, for instance, has efficient mechanisms for conflict resolution that have guaranteed peace and stability. Sectarian-narrow frameworks such as those found in Lebanon have the potential to deepen cleavages, and effective governance in the Middle East is difficult. Anderson (2011) is convinced that inclusive constitutional frameworks that break systemic inequalities and encourage peaceful management of conflict are very crucial. In the same vein, al-Fatlawi and al-Daboubi (2021) elaborate on how much legal instruments are involved in resolving conflicts in a fair way. They contend that the remedies for unjust enrichment under Jordanian civil law represent an exemplar of the ways in which legal frameworks can be utilized for the resolution of disputes and avoidance of their escalation. By integrating useful mechanisms of dispute resolution into constitutional frameworks, policymakers can provide a framework for peaceful dispute settlement and social cohesion.

To guarantee national security and political stability goals through constitutional means, one must carefully balance between protecting individual liberties and security interests. Overemphasizing security interests at the expense of civil liberties can erode public trust and heighten tensions. Conversely, neglecting security concerns can generate instability and tensions. As per Hinnebusch (2006), Middle Eastern authoritarian resilience is most often defended in the name of stability, but does harm long-term performance as a ruler. Constitutional structures can, however, strike a balance between addressing the immediacy of needs and providing room

for long-term development in terms of stressing civil rights, independence of the judiciary, and conflict management institutions. Constitutional setups are congruent with national security and political stability objectives premised upon the protection of civil liberties, guaranteeing judicial independence, and institutionally ensuring healthy mechanisms of conflict resolution. These factors have a particular relevance in the Middle Eastern context, as political institutions are tendentially polarized and susceptible to instability. In terms of filling gaps in implementation and enforcement, policymakers can more effectively ensure governance stability and assist in promoting sustainable development. The ideas that scholars like Dawood (2015), Tamir (2013), and Anderson (2011) have put forth reflect how important it is to design constitutions that are fair, accountable, and representative of all the citizens. While these changes are being formulated, they can help in reformulating the political landscape of the region, resulting in a more fair and effective system of governance for the future.

The role of constitutional law in promoting democratic governance and institutional accountability

To respond to Q4, constitutional law forms the foundation for democratic government by instilling values promoting accountability, transparency, and people's participation. In states like the Middle East, whose democratic government is derailed by historical autocracy, political turmoil, and societal disintegration, constitutional structures play a highly vital role in institution-building, leading to increased accountability and keeping states away from going back to authoritarianism.

AHP analysis shows that the three most important factors that aid democratic government and institutional responsibility are Rule of Law, Civil Liberties, and Electoral Systems. These factors do not only check governmental action in accordance with law, but also confirm that individuals are able to take part actively in the government and are able to believe in institutions.

Rule of Law (18.75%): Of constitutional law's contribution to democratic rule, arguably, the most crucial is the doctrine of the rule of law. It makes everyone and the institution, including the state, equal in the eyes of the law and prevents arbitrary authority and enables justice, fairness, and equality. Constitutional reforms that emphasize the rule of law can be a basis for democratization, especially in post-conflict states, as noted by Dawood (2015). For example, Tunisia's 2014 constitution emphasizes the primacy of law, which has been attributed to ensuring peaceful transfers of power and institutional accountability. Nonetheless, the rule of law is not strictly observed in the majority of Middle Eastern nations. Widespread evidence of arbitrary detention, lack of judicial independence, and discriminatory use of law undermine public confidence in the state, Freedom House (2023) asserts. A robust rule of law depends on explicit rules of law, independent courts, and an effective mechanism of government action accountability. By applying law impartially, constitutional governments can be able to ensure fairness and impartiality, enhancing more political stability and democracy.

Civil Liberties (15%): Guarantees the protection of civil liberties as a fundamental pillar of constitutional law that sustains democratic governance. Civil liberties like freedom of speech, association, assembly, and religion are what give citizens strength to criticize grievances, participate in governance, and hold leaders to account. In the Middle East, where through historical convention, authoritarian governments have smothered freedom, protecting civil liberties is the pivot on which political stability and democratic rule rest. As Anderson (2011) argues, the Arab Spring demonstrated the capability of civil liberties to fuel citizen activism and combat authoritarian regimes. Tunisia's smooth democratic transition, say, has been made possible because it constitutionally guaranteed civil freedoms, whereas Egypt's failure of these freedoms is a key driver of the perennial conflicts and decreasing trust of people in the state. Hinnebusch (2006) contends that stability needs can be used to justify authoritarian resilience within the region, yet the reaction will often have the effect of decreasing the effectiveness of governance in the long term. Governments can construct firm, institution-building stability that avoids unrest by implementing civil liberties within constitutional structures and creating independent oversight entities.

Electoral Systems (7.5%): Electoral systems play a key role in endorsing political representation and inclusiveness, the very basis of democratic government. An effective electoral system guarantees that the various political voices are heard and citizens wield influence to exert in governance. Electoral systems are allocated 7.5% of their mark under AHP ranking in recognition of their function in the fulfillment of political stability, but much lesser than the rule of law or guarding of civil liberties. For instance, scholars credit Tunisia's proportional representation with creating inclusiveness and facilitating orderly power transition. In contrast, Lebanese sectarian-based electoral systems have entrenched cleavages and hindered good governance. Tamir (2013) opines that constitutionally more open and representative designs can make democratic rule secure and turn system imbalances around. Election reforms that

ensure fair and open processes, protection against election tampering, and promotion of active participation of citizens are needed for building trust in government and preventing political manipulation.

Where democratic government is fragile, constitutional provision must support institutional responsibility mechanisms to prevent relapse into authoritarianism. Civil liberties ensure citizen confidence and engagement in the process of governance, while the rule of law ensures legal accountability of governmental acts. However, electoral systems improve political representativeness and inclusiveness. All these come together to offer a foundation of democratic government ensuring transparency, accountability, and effective citizen engagement. Constitutional arrangement coordination with goals of national defense and overall political stability is also essential. For instance, upholding civil liberties ensures peace against social turmoil, and a neutral court resolves disputes fairly and applies constitutional regulations. According to Al-Fatlawi and al-Daboubi (2021), mechanisms in the legal framework, such as the unjust enrichment under Jordanian civil law, show the constitutionally defined capability of settling grievances and preventing enrichment. Through the integration of effective mechanisms of dispute settlement within constitutional regimes, lawmakers are able to establish a platform for peaceful conflict resolution and ensuring social solidarity. Constitutional law is most important to institutional accountability and democratic governance in the Middle East. The AHP analysis concludes that electoral institutions, civil liberties, and rule of law are variables of first choice in fostering transparency, accountability, and citizen participation. By filling gaps in implementation and enforcement, policymakers are able to enhance stability in governance and ensure sustainable development. Fairness-oriented, accountable, and citizen-inclusive constitutional arrangements have been explained by some researchers, including Dawood (2015), Anderson (2011), and Hinnebusch (2006), as being exceedingly important. As these reforms are realized, they stand to alter the political landscape of the region to a more just and effective system of governance for generations to come.

Key Areas for Improving Constitutional Frameworks to Enhance Governance Stability

To respond to Q5, the study identifies three core domains of constitutional reform that have the potential to significantly contribute to Middle Eastern governance stability: enhancing the separation of powers, maintaining the rule of law, and protecting civil liberties. These reforms address critical loopholes in existing constitutional provisions and provide a strategic roadmap for policymakers to create systems of governance that promote transparency, accountability, and inclusivity. By addressing these areas first, Middle Eastern governments can react to key challenges to governance and create robust political systems that ensure stability, trust, and sustainable development.

Among the most imperatively required subjects of reform is enforcement of firmly established divisions of power between the government branches – executive, legislative, and judicial. Separation of powers is the foundation of democratic rule aimed at avoiding concentration of authority in a single branch and affording a mechanism of checks and balances. Yet in many Middle Eastern countries, executive dominance invades legislative and judicial independence and inhibits substantive checks and balances. For instance, in Egypt and Jordan, constitutionally on paper, there is a separation of powers, but in practice, the executive bypasses legislative roles and makes contributions in the appointment of judges. Vollmann et al. (2022) say that weak enforcement mechanisms and institutions that are not adequately independent enable executives to centralize power, thus enhancing governance challenges and eroding citizens' trust in institutions. To mend this flaw, constitutions of nations in the Middle East should be drafted or amended to definitely list powers and responsibilities of all branches of the government. Having checks and balances implemented by independent commissions or committees of parliament would ensure that no executive power can be exercised and would encourage cross-checks. Constitutional reforms will reduce the rate of authoritarianism and ensure no single branch of the government overshadows the political machinery by providing a strict duty separation and checks. All these changes will strengthen democratic government, increase transparency, and promote equal enforcement of the rule of law among the various branches of the government.

The second to be transformed is the encouragement of legal transparency and access and strengthening judicial independence. Rule of law covers all citizens and institutions, including the state, under a single umbrella of law, so that everyone enjoys equality, justice, and fairness. In the Middle East, courts also too often experience transparency and fairness issues; the rule of law should be maintained to ensure the accountability of the government as well as avoid political manipulation. Brown (2013) contends that the absence of an independent judiciary is a breach of the rule of law and erodes government trust by citizens. For example, political interference with the appointment and rulings of the judges in Lebanon and Iraq weakened the judicial strength to be free from

interference. Improving the judicial independence is subject to the reform that institutes transparency in the process of appointments, shields the judges from the political interference, and allows for courts to execute and interpret law without fear of revenge. In addition, improving legal transparency means providing citizens with laws and ensuring that legal processes are predictable and fair. Through implementation of the rule of law, governments can improve public confidence in legal institutions and political stability by ensuring that government activities are subject to a legal test. This provides a foundation for the resolution of disputes fairly, which is crucial in maintaining peace and order in society.

The promotion and protection of civil liberties is the third dimension of constitutional reform. Civil liberties, such as freedom of speech, assembly, religion, and the press, are critical to the functioning of a democratic society and political stability. Inscribing such rights in constitutional texts and positively safeguarding them are the requirements for developing public confidence, citizen participation, and social harmony. The policymakers must give highest priority to the inscription of fundamental rights in constitutional provisions and the establishment of autonomous monitoring authorities for ensuring adherence by the government to civil liberties. For instance, the 2014 Tunisian constitution has robust protections for civil liberties, which have been attributed with ensuring peaceful regime change and national cohesion. By contrast, the authoritarian restrictions of civil liberties in Syria have bred mass discontent and extended conflict.

Freedom House (2023) highlights that the erosion of civil liberties in certain Middle Eastern countries has also contributed to declining public trust in the government, exacerbating political instability. By safeguarding these fundamental rights and holding state institutions accountable for their implementation, policymakers can promote active citizenship and enable the creation of an active civil society. When people feel that their rights are protected, they are more likely to trust government institutions and participate more in the democratic process, which leads to a cohesive and stable society.

The three primary areas for constitutional reform – strengthening the separation of powers, strengthening the rule of law, and protecting civil liberties – are key steps toward strengthening government institutions and political stability in the Middle East. These reforms, prioritized by importance based on the AHP analysis, offer policymakers a tool for establishing constitutional frameworks that foster openness, accountability, and participation. By engaging in these industries, Middle Eastern governments can tackle core challenges to governance and build robust political institutions that underpin stability, trust, and sustainable development. As reforms are formulated, they can contribute to remaking the region's political landscape, building a more equitable and effective system of governance for future generations.

The role of constitutional law in shaping governance structures in the Middle East

The study shows how important constitutional law is in shaping the operations of Middle Eastern governments. It offers practical details on basic rules, checks and balances, their efficacy in conforming to national aspirations, democratic government, and areas of improvement. In addressing these areas comprehensively, it offers a roadmap for Middle Eastern governments to improve institutional accountability, ensure civil liberties, and foster political stability in the long run. These activities aim at creating a governance system that is effective and fair, ensuring sustainable development and public trust in institutions.

Constitutional law constitutes the cornerstone of government, offering values that guide government institutions and achieve stability. Most significant among these values are separation of powers, rule of law, and electoral systems. Separation of powers prevents concentration of power by dividing the work among the executive, legislative, and judiciary bodies and facilitating accountability. Rule of law holds each and every institution accountable as per the legal frameworks by providing justice and equality. Electoral mechanisms choose the avenue through which the citizens are involved in governing the nation and influence the representation and legitimacy. AHP analysis calculates the importance of separation of powers (global weight: 48.75%) and how pivotal it is in creating stable government institutions. Constitutional reforms that promote such principles can be the foundation on which to base a democratic transition, particularly in post-conflict countries, Dawood (2015) suggests. Tunisia's 2014 constitution, for example, enshrines robust guarantees of such principles that have served to safeguard its relatively stable democratic transition. In Egypt and elsewhere, however, loose enforcement has rendered governance ineffective, as pointed out by Freedom House (2023). Enshrining such foundation principles through thoughtful constitutional reforms consolidates stability in governance and public trust.

The fortunes of constitutional provisions in furnishing checks and balances vary in the Middle East. While separation of powers is important in theory, in reality, it is generally frustrated by vested political interests. In Jordan and Morocco, for example,

constitutional provision formally separates powers, but in reality, it typically lapses into customary executive hegemony. The asymmetry, Anderson (2011) contends, erodes institutional accountability and fuels governance problems. Judicial independence is also extremely important in the guarantee of decisions that are subject to checks and balances. An impartial judiciary is important in the protection of constitutional ideals through the fair application of rules and administration of justice according to what is just. Judicial power in most Middle Eastern countries, however, is still vulnerable to manipulation by the executive, and thereby their roles as checks on state power are compromised.

Judicial independence is guaranteed through reforms that enhance transparency of appointment, shield judges from politics, and grant the courts the freedom to make judgments and interpret the law free from intimidation. Policymakers argue that closing enforcement and implementation loopholes is at the core of embedding constitutional checks and balances.

Constitutional interventions need to be aligned to general national security and political stability objectives. Securing civil liberties, such as freedom of expression and association, is critical in averting unrest and fostering social cohesion. Judicial independence and institutions of conflict resolution also ensure long-term stability as they allow for the adjudication of conflicts and enforcement of constitutional essentials in a fair manner. Tamir (2013) is of the opinion that independent judiciary is at the helm of transitional justice mechanisms that provide redress for historic injustice and constitutional essentials. In the same way, al-Fatlawi and al-Daboubi (2021) explain how legal mechanisms actually solve disputes in a fair way. For them, the provisions of unjust enrichment in Jordanian civil law illustrate how legal systems can be designed in a way that reverses injustices and prevents them getting out of control. Through the incorporation of viable tools of conflict resolution in constitutional design, policymakers can provide foundations for the peaceful resolution of conflict and social harmony. Constitutional law is relevant to the provision of democratic governance and institutional accountability. This occurs through the assurance of such values as the rule of law, civil rights, and political institutions.

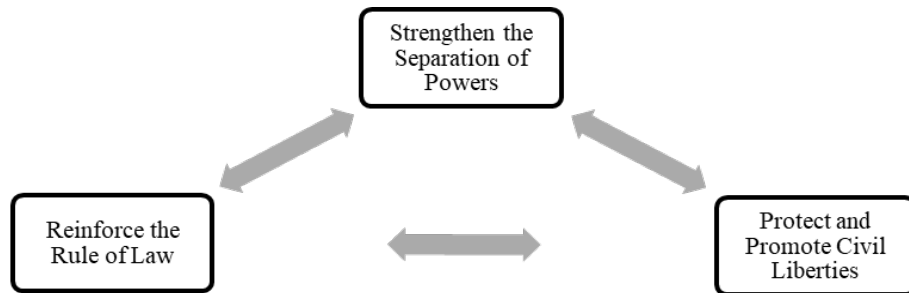
Civil liberties are given a global weight of 15% by the AHP estimate and show how much it contributes toward making political stability a reality.

Protecting basic rights and freedoms provides citizens with the ability to voice grievance and hold leaders accountable. Electoral processes, while less critical, continue to play an important role in making government stability a reality through enhancing representation and inclusiveness. In the view of Hinnebusch (2006), calls for stability tend to apologize for authoritarian longevity in the region, but for the most part operate to undermine good governance in the long term. By foregrounding democratic values, constitutional regimes can establish good institutions that eschew anarchy and ensure stability in the long term. Three most significant fields of constitutional reform are outlined by the study: entrenching the separation of powers, strengthening the rule of law, and guaranteeing civil liberties. Such reforms provide a strategic agenda for policymakers to introduce constitutional arrangements providing transparency, accountability, and inclusiveness. Figure 1 summarizes the three large steps toward entrenching government institutions and political stability in the Middle East. Entrenching the separation of powers involves getting constitutions written or rewritten to establish clear divisions of power between branches of government. The rule of law is upheld through open legal codes and unbiased judicial bodies. Safeguarding civil liberties involves enshrining fundamental freedoms in constitutional protections and establishing independent watchdog agencies to monitor government compliance. Through such reforms, Middle Eastern governments can surmount serious challenges to governance and build sound political systems that promote stability, trust, and long-term development. Constitutional law plays a constituent role in developing governance institutions and enhancing political stability in the Middle East. The response of the study to the five research questions gives us useful information on basic principles, checks and balances, goal alignment with the nation, democratic government, and reform priorities. Middle Eastern governments can institutionalize accountability, protect civil liberties, and ensure lasting stability in the political atmosphere, and thus establish an efficient and equitable system of governance through selective constitutional reform.

DISCUSSION

There is a multilayered interaction of political, legal, and societal pressures that affects the process of constitutional change in the Middle East. These processes are impacted by regional and international dynamics of constitutionalism and shaped by trends in this direction. The studies of scholars such as Zhu and Kouroutakis (2019) examine the role of the judiciary and supreme courts in shaping constitutional reform design, and the case study for this study is Nepal. Although their research is specific to Nepal, its implications resonate in Middle Eastern nations undergoing similar transformation. Autonomy of the judiciary and commitment

Fig. 1: The three main actions needed to improve government structures and political stability in the Middle East.



to democratic principles are central to making constitutional amendments possible or impossible. In the Middle East, judiciaries are confronted on a routine basis with questions of impartiality and transparency, and judicial independence needs to be ensured to achieve institutional responsibility and prevent political interference (Zhu & Kouroutakis, 2019). This is particularly relevant, given the region's history of authoritarianism and executive abuses.

Peters (2021) addresses this argument by asserting that constitutional theory must go beyond Western models to encompass alternative forms of governance. This is especially required in the Middle East, where constitutions often blend traditional, religious, and modern legal principles. It is a challenge to create frameworks that are both true to local conditions and also in line with global norms, but this is necessary if stability and good governance are to be achieved (Peters, 2021). For example, countries like Tunisia have managed to integrate democratic principles into their constitutional frameworks, while others, like Egypt, remain inconsistent in application. The tension between international constitutional norms and domestic traditions underlines the complexity of constitutional transitions in the region. Xu (2024) addresses the importance of constitutional normativity and how strong oversight and enforcement mechanisms are necessary for constitutional provisions to take effect in the real world. Chynybaeva et al. (2024) support this by particularly highlighting constitutional and legal responsibility of the state agencies and high-ranking officials. Accountability institutions are crucial for the stability and legitimacy of the government because, without accountability, abuses of power might be established and destabilize governments (Chynybaeva et al., 2024). Dawood (2015) further argues that though constitutional change is a necessary condition for democratic change in the Middle East, it is not sufficient by itself. Transitions are only going to be effective if institutions are strengthened and the culture is transformed toward democratic ideals. This is due to the fact that autocratic regimes are extremely adept at hanging on. This is echoed by Gerschewski (2013), who describes the three pillars of autocratic stability – legitimization, repression, and co-optation – as the greatest obstacles to democratic change in the region.

Lemak and Badyda (2019) argue that the interpretation of constitutional provisions is the essence of governance. They emphasize clarity and consistency of legal interpretation to ensure stability. Unclearness of constitutional texts, particularly in the Middle East, usually leads to conflicts of power and destabilizes the state (Lemak & Badyda, 2019). Skowronek and Orren have used the discussion of the “paradox of adaptability” in the constitutional duration of their work published in 2019. They opine that flexibility of constitutional interpretation, although to be favored, becomes risky when defining principles are relinquished. Vapniarchuk et al. (2020) also contribute to research founded on the philosophical understanding of truth and analysis of how criminal procedure will yield justice while maintaining the trust of citizens in the justice system, particularly at times of political unrest. Yesimov (2019) confirms that there is a need for legal frameworks to remain flexible to maintain key constitutional principles steady, particularly during times of crisis, to ensure stability.

Basysta et al. (2024) cite the harmonization of national constitutional standards and international human rights law, especially in the European Court of Human Rights, as one means of achieving maximum legitimacy of constitutional change and political stability.

This is particularly crucial for Middle Eastern countries, for which international human rights norms are often at odds with national traditions (Basysta et al., 2024). Bâli (2013) refers to the Turkish case, illustrating the judiciary's critical role in enabling or obstructing democratic reforms. Bâli (2013) also shows how a broader political context and judicial independence can significantly influence the success of constitutional transitions.

Lastly, Kopytko and Sylkin (2023) speak about the application of information support systems in the efforts to curtail corruption in state security management. They suggest that constitutional guarantees of transparency and accountability can help suppress corruption significantly. They conclude that through the adoption of advanced technologies, governments can entrench their institutions and increase stability (Kopytko & Sylkin, 2023). The scholarship in these diverse studies illustrates that Middle Eastern constitutional transitions are influenced by a broad range of legal, political, and cultural forces. Constitutional reforms ought to lead to a genuine democratic transition and political stability. This can happen only if the judiciary, good laws, accountability mechanisms, and compliance with international norms are all in place.

The ongoing challenge is one of reconciling local tradition and international constitutional pressures with the demands of flexibility in response to changing political circumstances. As the Middle East moves toward such changes, learning from regional and international experience will be a crucial component in the evolution of functional governance systems for the future. Decisionmakers can push forward constitutional formulations on openness, accountability, and inclusion through responding to pioneering scholarly questions pertaining to concerns such as the core axioms of government, functioning of checks and balances, their coordination with nation-level objectives, the contribution of constitutional law to democratic progress, and areas to be reformed. These efforts seek to build strong political institutions that promote stability, trust, and sustainable development, so that the system of governance is both effective and fair.

CONCLUSIONS

The application of AHP in this study has made it possible to gain a deeper insight into the impact of constitutional law on governance systems and political stability in the Middle East. Through an in-depth analysis of the five research questions, the study offers implementable recommendations to policymakers and reformers who want to enhance governance stability in the region.

The AHP analysis placed separation of powers as the most important constitutional principle with a global weight of 48.75%. This underscores its pivotal position in preventing concentration of power and strengthening accountability through checks and balances. The rule of law (18.75%) and civil liberties (15%) are indispensable principles, respectively underlining the imperatives of fairness, justice, and protection of individual rights. Although electoral systems, judicial independence, and conflict resolution mechanisms are less pervasive, they too are crucial to ensure inclusive governance and peaceful conflict resolution.

In spite of the salience of the separation of powers, its operational reality is bound to be problematic in light of entrenched executive dominance and lack of strong enforcement mechanisms. To entrench the separation of powers, there must be more precise constitutional delimitation of government branch roles and robust oversight mechanisms to preempt authoritarian tendencies. Judicial independence, the cornerstone of effective checks and balances, remains compromised in most Middle Eastern countries through political intervention, necessitating reforms to ensure impartiality and autonomy.

Constitutional arrangements must be in harmony with broader national security and political stability objectives. Protection of civil liberties is crucial to avoid upheavals and foster social cohesion, and an independent judiciary allows for fair resolution of disputes and enforcement of constitutional principles. Conflict resolution mechanisms also promote long-term stability by solving grievances and rendering violent conflict improbable. All of these are the pillars of governance institutions' resilience to change.

Constitutional law plays a central role in promoting democratic governance by entrenching key principles such as the rule of law, civil rights, and electoral processes. These principles establish transparency, accountability, and citizen participation, which are the foundations of democratic governance. Their effectiveness, however, depends on consistent application and enforcement. Bringing these elements together can strengthen institutional accountability and public confidence in governance.

The report identifies three principal themes of constitutional reform: entrenching the separation of powers, consolidating the rule of law, and protecting civil liberties. These reforms provide a strategic roadmap for policymakers to develop constitutional frameworks for greater transparency, accountability, and inclusiveness. Middle Eastern governments can resolve priority governance challenges and build robust political systems underpinning stability, trust, and long-term development by closing implementation and enforcement gaps.

The study suggests the following on the basis of the findings:

- Entrenching the Separation of Powers: Draft or revise constitutions to clearly define the distinct roles and functions of each branch of government, ensuring that each is subject to checks and balances by the others in order to prevent authoritarianism.

- Consolidating the Rule of Law: Secure open and accountable systems of justice, strengthen independence of the judiciary, and create equal enforcement of laws to enhance fairness and justice.
- Protection of Civil Liberties: Enshrine fundamental rights in the form of constitutional guarantees and make provisions for independent regulatory bodies to protect the rights against abuse.
- Public Participation: Involve citizens in the process of constitutional amendments to make the governance systems responsive to the values and ideals of society.
- Building Institutional Capacity: Invest in the capacity-building programs of legislative and judicial institutions, so that they are capable of implementing constitutional provisions.

While this book offers a general portrait of Middle Eastern constitutional systems, future research should conduct country-by-country analysis within the regional diversity of historical, cultural, and political conditions. This would throw particular light on how provisions of constitutions impact governance stability in a specific Middle Eastern country and inform country-specific policy measures.

In conclusion, the study underscores the importance of constitutional law in shaping governance structures and promoting political stability in the Middle East. In its answer to the five research questions, it provides pragmatic insights into underlying principles, checks and balances, congruence with national objectives, democratic governance, and opportunities for reform. With guided constitutional reform and institutional reconstruction, Middle Eastern regimes can embed institutional accountability, protect civil freedoms, and promote long-term political stability, thereby realizing a form of governance that is effective and fair. The editors look forward to receiving a revised manuscript version for potential publication in the winter edition, and being able to deal with all issues raised adequately will enhance manuscript quality and its chance of acceptance.

REFERENCES

- Aisheh, B. N. A., Elkhatib, N. A., & Moghli, M. A. A. (2023). THE CONSTITUTIONAL RULE IS THE MOST IMPORTANT GUARANTEE OF HUMAN RIGHTS IN THE MIDDLE EAST AND NORTH AFRICA (MENA) (THE JORDANIAN CASE). *Russian Law Journal*, 11(3), 186-202.
- Al-Ali, Zaid, and Eirik Stiansen. "Constitutional Reform and Political Participation in the Gulf." Routledge, 2022, <https://doi.org/10.4324/9780429029056>.
- Alazzam, Faisal A. F., Bader M. A.-R. Tubishat, Oleg Savchenko, Nataliia Pitel, and Olena Diuk. "Formation of an Innovative Model for the Development of E-Commerce as Part of Ensuring Business Economic Security." *Business: Theory and Practice*, vol. 24, no. 2, 2023, pp. 594-603, <https://doi.org/10.3846/btp.2023.19781>.
- Alazzam, Faisal A. F., Husam J. M. Shakhathreh, Zaid I. Y. Gharaibeh, Iryna Didiuk, and Oleksandr Sylkin. "Developing an Information Model for E-Commerce Platforms: A Study on Modern Socio-Economic Systems in the Context of Global Digitalization and Legal Compliance." *Ingénierie des Systèmes d'Information*, vol. 28, no. 4, 2023, pp. 969-974, <https://doi.org/10.18280/isi.280417>.
- Albrecht, Holger, and Oliver Schlumberger. "'Waiting for Godot': Regime Change Without Democratization in the Middle East." *International Political Science Review*, vol. 25, no. 4, 2004, pp. 371-392, <https://doi.org/10.1177/0192512104045082>.
- al-Fatlawi, Shakir, and Duaa al-Daboubi. "Legal Features of the Provisions of Unjust Enrichment in Jordanian Civil Law and Comparative Law." *Arab Law Quarterly*, vol. 37, no. 4, 2021, pp. 474-487.
- Alsaad, Abdullah, Rosli Mohamad, Abdullah Taamneh, and Norzaidi Ismail. "What Drives Global B2B E-Commerce Usage." *Technology Analysis & Strategic Management*, vol. 30, no. 8, 2018, pp. 980-992.
- Alsaad, Abdullah, Rosli Mohamad, and Norzaidi Ismail. "The Moderating Role of Trust in Business-to-Business Electronic Commerce Adoption." *Computers in Human Behavior*, vol. 68, 2017, pp. 157-169.
- Al-Sawalha, Ahmad M. "Qualitative and Quantitative Study on Listening Anxiety." *International Journal of Humanities and Social Science*, vol. 6, no. 1, 2016, pp. 82-93.
- Anderson L. Demystifying the Arab spring: parsing the differences between Tunisia, Egypt, and Libya. *Foreign Aff.* 2011;90:2.
- Anderson, Lisa. "Demystifying the Arab Spring: Parsing the Differences Between Tunisia, Egypt, and Libya." *Foreign Affairs*, vol. 90, no. 3, 2011, pp. 2-7.
- Azam SA, Airout M. The Death Penalty in Jordan: A Critical Examination of its Application and Abolition Debate. *Pakistan Journal of Criminology*. 2024 Jul 1;16(3).

- Bâli, Aslı Ü. "Courts and Constitutional Transition: Lessons from the Turkish Case." *International Journal of Constitutional Law*, vol. 11, no. 3, 2013, pp. 666–701, <https://doi.org/10.1093/icon/moto26>.
- Basysta, Iryna, Roman Blahuta, Oleg Drozdov, Olena Drozdova, and Andrii Khytra. "Analysis of the Admissibility of Establishing the Circumstances of Intentional Deprivation of Life of the Testator by the Heir in a Civil Case Through the Lens of the Presumption of Innocence, the Practice of the European Court of Human Rights." *Social and Legal Studios*, vol. 7, no. 3, 2024, pp. 137–147, <https://doi.org/10.32518/sals3.2024.137>.
- Bellin, Eva. "Reconsidering the Robustness of Authoritarianism in the Middle East: Lessons from the Arab Spring." *Comparative Politics*, vol. 44, no. 2, 2012, pp. 127–149, <https://doi.org/10.5129/001041512798838021>.
- Benomar J. Constitution-making after conflict: Lessons for Iraq. *J Democr.* 2004;15(2):81-95.
- Benomar, Jamal. "Constitution-Making After Conflict: Lessons for Iraq." *Journal of Democracy*, vol. 15, no. 2, 2004, pp. 81–95, <https://doi.org/10.1353/jod.2004.0033>.
- Brown, N. J. (2011). *Egypt's Constitutional Ghosts*. Carnegie Endowment for International Peace. <https://carnegieendowment.org>
- Chynybaeva, Nazgul, Aizhamal Kubatbekova, Aigul Ormonova, Aibek Koombaev, and Daniar Askarbekov. "Constitutional and Legal Responsibility of State Bodies and Senior Officials." *Social and Legal Studios*, vol. 7, no. 3, 2024, pp. 27–35, <https://doi.org/10.32518/sals3.2024.27>.
- Cross, E., & Sorens, J. (2016). Arab Spring constitution-making: polarization, exclusion, and constraints. *Democratization*, 23(7), 1292–1312.
- Dawood, Yasmin. "Transitioning to Democracy Through Constitutional Reform: The Middle East." *International Journal of Constitutional Law*, vol. 13, no. 2, 2015, pp. 241–253, <https://doi.org/10.1093/icon/mov024>.
- Dweiri F, Kumar S, Khan SA, Jain V. Designing an integrated AHP-based decision support system for supplier selection in automotive industry. *Expert Systems with Applications*. 2016; 62:273-283.
- Elkins Z, Ginsburg T, Melton J. *The Endurance of National Constitutions*. Cambridge University Press; 2009.
- Freedom House. *Freedom in the World 2023: Middle East and North Africa*. Available from: <https://freedomhouse.org>
- Gerschewski, Johannes. "The Three Pillars of Stability: Legitimation, Repression, and Co-optation in Autocratic Regimes." *Democratization*, vol. 20, no. 1, 2013, pp. 13–38, <https://doi.org/10.1080/13510347.2013.738860>.
- Ginsburg T, Elkins Z, Blount J. Does the process of constitution-making matter? *Annual Review of Law and Social Science*. 2009; 5:201-223.
- Ginsburg T, Elkins Z, Blount J. Does the process of constitution-making matter? *Annu Rev Law Soc Sci*. 2009;5:201-23.
- Ginsburg, Tom, Zachary Elkins, and Justin Blount. "Does the Process of Constitution-Making Matter?" *Annual Review of Law and Social Science*, vol. 5, 2009, pp. 201–223, <https://doi.org/10.1146/annurev.lawsocsci.4.110707.172247>.
- Heydemann, S., & Leenders, R. (2011). Authoritarian learning and authoritarian resilience: regime responses to the 'Arab Awakening'. *Globalizations*, 8(5), 647-653.
- Heydemann, S., & Leenders, R. (2011). Authoritarian learning and authoritarian resilience: regime responses to the 'Arab Awakening'. *Globalizations*, 8(5), 647-653.
- Hinnebusch R. Authoritarian persistence, democratization theory, and the Middle East: An overview and critique. *Democratization*. 2006;13(3):373-95.
- Hinnebusch, Raymond. "Authoritarian Persistence, Democratization Theory and the Middle East: An Overview and Critique." *Democratization*, vol. 13, no. 3, 2006, pp. 373–395, <https://doi.org/10.1080/13510340600579243>.
- Kao, K., & Lust, E. (Eds.). (2025). *Decentralization, local governance, and inequality in the Middle East and North Africa*. University of Michigan Press.
- Kopytko, Mykola, and Oleksandr Sylkin. "Modelling Information Support for Combating Corruption in the Economic Security Management System of the State." *Social and Legal Studios*, vol. 6, no. 3, 2023, pp. 60–66, <https://doi.org/10.32518/sals3.2023.60>.
- Law DS, Versteeg M. The evolution and ideology of global constitutionalism. *California Law Review*. 2011;99(5):1163-1257.
- Law DS, Versteeg M. The evolution and ideology of global constitutionalism. *Calif Law Rev*. 2011;99(5):1163-1257.
- Law, David S., and Mila Versteeg. "The Evolution and Ideology of Global Constitutionalism." *California Law Review*, vol. 99, no. 5, 2011, pp. 1163–1257.
- Lemak, Vasyl, and Andrii Badyda. "Interpretation of Law: Problems of Defining the Concept, Composition, Practical Need." *Public Law*, vol. 4, no. 36, 2019, pp. 133–143, doi: 10.37374/2019-36-15.
- Moustafa T. *The Struggle for Constitutional Power: Law, Politics, and Economic Development in Egypt*. Cambridge University Press; 2007.
- Moustafa, Tamir. "The Struggle for Constitutional Power: Law, Politics, and Economic Development in Egypt." Cambridge University Press, 2007.
- Peters, Anne. "Constitutional Theories of International Organisations: Beyond the West." *Chinese Journal of International Law*, vol. 20, no. 4, 2021, pp. 649–698, doi: 10.1093/chinesejil/jmab034.

Saaty TL. Decision making with the analytic hierarchy process. *Int J Serv Sci.* 2008;1(1):83-98.

Saaty TL. Decision making with the analytic hierarchy process. *International Journal of Services Sciences.* 2008;1(1):83-98.

Saaty TL. *The Analytic Hierarchy Process.* New York: McGraw-Hill; 1980.

Skowronek, Stephen, and Karen Orren. "The Adaptability Paradox: Constitutional Resilience and Principles of Good Government in Twenty-First-Century America." *Perspectives on Politics*, vol. 18, no. 2, 2019, pp. 1-16.

Tamir, Moria. "Constitutional Transitional Justice in the Middle East." *Cornell International Law Journal*, vol. 46, no. 3, 2013, pp. 751-778.

Vapniarchuk, Viktor V., Volodymyr A. Zhuravel, Viktor M. Trofymenko, and Mykhailo O. Karpenko. "The Essence of the Philosophical Category Truth: Criminal Procedural Aspect." *Astra Salvensis*, vol. 1, 2020, pp. 273-290.

Vollmann, E., Bohn, M., Sturm, R., & Demmelhuber, T. (2022). Decentralisation as authoritarian upgrading? Evidence from Jordan and Morocco. *The Journal of North African Studies*, 27(2), 362-393.

World Justice Project. Rule of Law Index 2023. Available from: <https://worldjusticeproject.org>

Xu, Jin. "Supervision and Guarantee of Constitutional Normativity in a Legal System Aimed at Legal Regulation." *Applied Mathematics and Nonlinear Sciences*, vol. 9, no. 1, 2024, pp. 1-17, doi: 10.2478/amns-2024-0560.

Yesimov, Serik. "Implementation of Constitutionalization of Law and Order in Terms of Constitutional Risks." *Social and Legal Studios*, vol. 2, no. 3, 2019, pp. 52-57, <https://doi.org/10.32518/2617-4162-2019-3-52-57>.

Zhu, Guobin, and Antonios Kouroutakis. "The Role of the Judiciary and the Supreme Court in the Constitution-Making Process: The Case of Nepal." *Stanford Journal of International Law*, vol. 55, 2019.