

Article

Academic formal qualification criteria for parliamentary candidacy in Oman: Constitutional basis, comparative perspectives, and reform directions for knowledge-based governance

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Abstract: This article examines the legal and constitutional basis of academic formal qualification criteria for parliamentary candidacy in the Sultanate of Oman and assesses their adequacy in light of modern legislative responsibilities and Oman Vision 2040. It adopts a comparative-analytical and jurisprudential approach, combining doctrinal analysis of Omani constitutional and electoral provisions with a comparative review of selected Gulf, Arab, and international parliamentary systems. The study traces the evolution of candidacy requirements from early consultative traditions to the reforms introduced in 2011 and retained in subsequent legislation. The analysis finds that adopting the General Education Diploma as a minimum qualification represented an important institutional development, but that this threshold no longer appears sufficient for the increasingly technical demands of legislative work, including policy scrutiny, legal review, and oversight of public finance. This study examines whether the current academic qualification threshold remains adequate in light of evolving legislative demands. It argues that there are credible legal, comparative, and jurisprudential grounds to reconsider the existing framework, while recognizing that the relationship between formal education and legislative effectiveness remains empirically underdetermined. Rather than advancing a single prescriptive outcome, the article evaluates alternative institutional pathways, including qualification reform, structured legislative training, and expertise-based committee allocation. It therefore proposes a reform framework that includes raising the minimum academic qualification, introducing structured legislative training and competence certification, and aligning committee assignments more closely with members' expertise. The study contributes to the literature by connecting Islamic jurisprudential principles, Omani constitutional development, and comparative legislative practice in a reform-oriented framework for more capable and credible parliamentary governance.

Keywords: Oman; parliamentary candidacy; academic qualifications; constitutional law; legislative competence; shura council; governance reform

1. Introduction

Legislative institutions are increasingly expected to operate within environments characterized by regulatory complexity, fiscal scrutiny, and knowledge-intensive policymaking.

In Oman, this issue arises in the context of broader governance reform, including Oman Vision 2040, which emphasizes institutional efficiency, knowledge-based development, and enhanced public sector performance.

Oman Vision 2040, formally adopted in 2020 following a national consultative process, serves as the Sultanate's long-term strategic framework for economic

diversification and governance reform.

While existing scholarship has examined governance reform and education in public leadership, limited attention has been given to minimum eligibility thresholds for parliamentary candidacy as a distinct constitutional and policy issue in Oman.

Existing studies tend to address education and governance at a general level without directly evaluating whether formal academic thresholds constitute an appropriate mechanism for enhancing legislative competence.

This article addresses that gap by providing an integrated doctrinal, comparative, and jurisprudential analysis of academic qualification requirements for parliamentary candidacy in Oman.

It does not seek to establish a causal relationship between education and legislative effectiveness but rather evaluates whether the current diploma-level requirement remains adequate and what reform options may be considered.

The article proceeds as follows: Section 2 outlines the methodology; Section 3 examines legal development; Section 4 develops a conceptual framework; Section 5 presents comparative analysis; Section 6 provides jurisprudential evaluation; and Section 7 assesses reform options.

2. Materials and methods

2.1. Study design

This study adopted a qualitative doctrinal legal research design supported by comparative legal analysis and jurisprudential interpretation. This design was selected because the article examines the legal and constitutional basis of academic formal qualification criteria for parliamentary candidacy in Oman, traces their legislative development, and evaluates them against regional and international models discussed in the literature [1–6]. The study was interpretive in orientation and focused on the analysis of legal texts, constitutional provisions, parliamentary laws, official state documents, and relevant scholarly sources [2–16].

The article proceeds as follows: Section 2 outlines the methodological framework; Section 3 examines the legal development of qualification requirements in Oman; Section 4 develops a conceptual framework addressing competence and representation; Section 5 presents a structured comparative analysis; Section 6 offers a jurisprudential evaluation; and Section 7 assesses reform options and their implications.

The comparative analysis follows a structured selection logic. Gulf Cooperation Council (GCC) states are included due to institutional and regional proximity, Arab parliamentary systems are incorporated for legal-cultural comparability, and selected international systems are used as contrast cases. The comparison focuses on three analytical dimensions: (1) formal eligibility requirements, (2) institutional mechanisms supporting legislative competence, and (3) the complexity of legislative responsibilities.

These jurisdictions are not used to justify reform directly, but to illustrate the range of legally accepted approaches and to situate Oman within a broader spectrum of institutional design.

To avoid purely descriptive comparison, jurisdictions are grouped into: (a) low-threshold systems, (b) mixed or indirect qualification systems, and (c) systems

employing higher or functional competence filters.]

2.2. Data sources and materials

The study relied exclusively on secondary materials. Primary legal sources included the Basic Law of the State, the Council of Oman Law, Shura Council election laws [17–24], royal decrees, implementing regulations, and official gazettes relevant to parliamentary candidacy requirements in Oman [25–28], particularly the legal developments associated with Royal Decrees 101/1996, 99/2011, and 7/2021 [8,14–17,21–23]. These sources were used to identify the legal status, development, and formal articulation of academic formal qualification criteria in the Omani parliamentary system [14,17,21,24].

Secondary sources included peer-reviewed journal articles, academic books, legal scholarship, policy reports, and official institutional publications addressing parliamentary governance, constitutional law, legislative competence, Islamic political thought, and comparative electoral standards [1–6,10–12]. Comparative legal materials from selected Gulf Cooperation Council states, Arab jurisdictions, and relevant international systems were also reviewed where they contained applicable provisions or debates on educational eligibility for parliamentary candidacy [4–6,8,15].

2.3. Doctrinal legal analysis

The first analytical component consisted of doctrinal legal analysis. This involved a close reading of Omani constitutional and legislative texts governing candidacy for membership in the Shura Council and the Council of Oman [11,15,17,25–28]. The analysis focused on the wording, legal hierarchy, and historical evolution of formal qualification criteria across the main legislative stages identified in the manuscript, with particular attention to the reforms introduced in 1996, 2011, and 2021 [3,7]. This step was used to establish the formal legal framework regulating educational eligibility for parliamentary candidates in Oman [13,21,29,30].

The evolution of qualification requirements reflects a significant shift in legal structure. Earlier provisions embedded eligibility criteria within higher-order legal texts, whereas the 2021 reforms relocated the qualification requirement to ordinary legislation. This transition reduces constitutional entrenchment and increases legislative flexibility, allowing future modification through standard legislative processes. However, it may also reduce normative stability by making eligibility criteria more susceptible to policy fluctuation.

Close analysis of Royal Decrees 94/1991, 101/1996, 99/2011, 6/2021, and 7/2021 demonstrates a gradual institutional recalibration of eligibility requirements, reflecting broader governance reforms rather than a single decisive shift [11,15,22,26,31,32].

2.4. Comparative legal review

The second component was a comparative legal review. This stage examined the academic qualification requirements, where applicable, in selected Gulf, Arab, and international parliamentary systems in order to identify patterns, divergences, and possible benchmarks relevant to the Omani context [4–6,12–14]. Jurisdictions were included where their constitutional or electoral frameworks provided useful

comparative material on educational thresholds, candidate eligibility standards, or broader debates concerning competence and representation [3,12,16,31,32].

The assumption that formal education serves as a reliable proxy for legislative competence requires careful qualification. Existing research does not establish a definitive causal relationship between academic credentials and legislative effectiveness.

Legislative competence is multi-dimensional, encompassing political judgment, negotiation capacity, constituency representation, ethical reasoning, and practical experience. These dimensions are not reducible to formal academic attainment.

Accordingly, academic qualifications should not be interpreted as guarantees of competence. At most, they may function as a screening mechanism that correlates with certain analytical capacities, particularly in technically complex policy environments.]

2.5. Jurisprudential analysis

Islamic jurisprudence provides a normative framework through principles such as *maslahah* (public interest), *shura* (consultation), and *amanah* (trust and responsibility) [19,20,33,34]. These principles emphasize competence and sound judgment in governance [19,20,33,34].

However, they do not necessarily mandate formal academic qualifications as a condition for political participation. Rather, they support a broader conception of competence that may be achieved through multiple pathways. The conceptual framework developed for this study is presented in **Figure 1**, showing the interaction between the Maqasid ethical pillar, the constitutional pillar, and the policy pillar in assessing academic qualification criteria for parliamentary effectiveness.

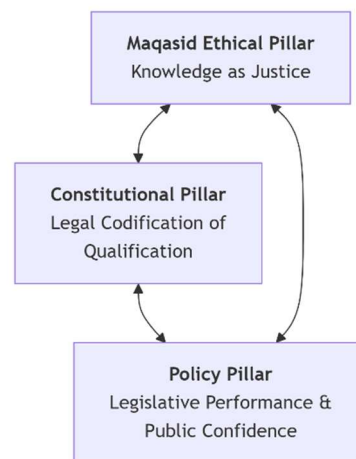


Figure 1. Conceptual framework for assessing academic qualification academic qualification criteria and parliamentary effectiveness.

Source: Authors' own development.

Note: **Figure 1** model represents the dynamic interaction among the three foundational pillars of analysis. The Maqasid Ethical Pillar establishes the normative requirement that knowledge is essential for justice. This informs the Constitutional Pillar, which provides the legal structure for academic qualifications. The Policy Pillar reflects how these standards influence legislative performance and public trust. The bidirectional flow between components indicates their ongoing reciprocal relationship.

2.6. Data collection procedure

The research materials were collected through document-based retrieval from official legal sources, institutional publications, and scholarly works cited in the manuscript [7–10]. Omani legal texts were first identified and organised chronologically in order to trace the historical development of formal qualification criteria for parliamentary candidacy [7–10]. Comparative legal materials were then assembled from selected external jurisdictions, followed by jurisprudential and scholarly sources used to interpret the constitutional and normative dimensions of the issue [3–6,18–34].

2.7. Analytical procedure

The collected materials were analysed qualitatively through a structured interpretive process. First, Omani legal provisions were examined to determine how academic formal qualification criteria emerged and changed over time [7–10]. Second, comparative legal materials were reviewed to identify differences between systems that impose no educational requirement, those that apply minimum school-level thresholds, and those that favour stronger competency-oriented eligibility models [4–6,12–14]. Third, jurisprudential sources were interpreted to assess whether knowledge, competence, and public interest could be treated as legitimate foundations for legislative eligibility [19,20,33–45]. The analysis was then organised thematically around legal development, comparative standards, and normative justification [2–6]. The analytical sequence used in this study is presented in **Figure 2**.

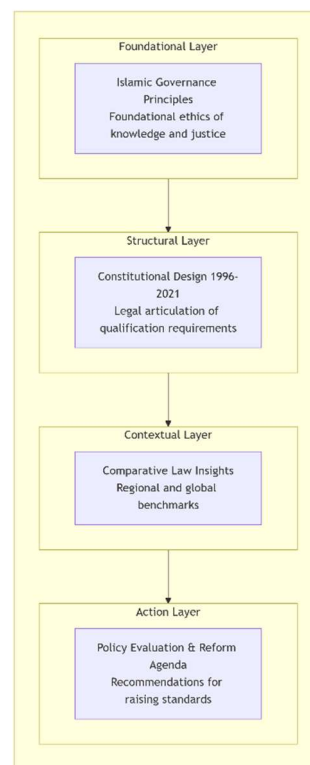


Figure 2. Analytical framework linking jurisprudence, law, and policy outcomes.
Source: Authors' analysis.

2.8. Ethical considerations

This study was based exclusively on secondary data drawn from publicly available legal documents, official reports, and published academic sources, including Sallem et al. [7], Al-Farsi [8], Kuwait [9], and France [10]. It did not involve human participants, interviews, surveys, experiments, or personal data collection. Accordingly, no institutional ethical approval was required.

2.9. Data availability

All materials analysed in this study are contained in publicly available legal texts, official publications, and scholarly sources cited in the reference list. Among these publicly available materials are Sallem et al. [7], Al-Farsi [8], Kuwait [9], and France [10]. No proprietary dataset, accession number, or restricted laboratory database was used in this research.

3. Legal development and analytical findings

3.1. Evolution of academic qualification requirements in the Omani parliamentary framework

The evolution of academic qualification requirements within Oman's parliamentary framework reflects a gradual institutional transition from informal, experience-based eligibility criteria toward the partial codification of educational standards. In the early consultative phase, including the Council for Agriculture, Fisheries and Industry (1979) and the Consultative Council (1981), membership selection was primarily based on experiential competence, social standing, and administrative reputation, with no formal educational requirements [13,14]. This configuration corresponded to an early stage of institutional development in which governance structures prioritized functional legitimacy over codified qualification thresholds.

A partial shift occurred with the establishment of the Shura Council under Royal Decree No. 94/1991, which introduced elected representation while maintaining the absence of formal academic eligibility criteria. Candidacy continued to be governed by general considerations of suitability, including age, reputation, and perceived social competence. Similarly, the Basic Law of the State (Royal Decree No. 101/1996) did not introduce educational requirements for parliamentary candidacy, indicating continuity in the state's incremental approach to political institutionalization [22].

A substantive regulatory change emerged with Royal Decree No. 99/2011, which introduced the General Education Diploma as a minimum eligibility requirement for candidacy to the Shura Council [11,41]; this requirement was also reflected in later Ministry of Interior candidacy procedures for the Shura Council's tenth term [11,32,46,47]. This reform constituted the first formal linkage between educational attainment and legislative eligibility in Oman, signaling an institutional shift toward competence-based criteria. The requirement was subsequently retained under Council of Oman Law No. 7/2021, confirming its consolidation within the legal framework while maintaining a relatively low qualification threshold.

Overall, the trajectory reflects partial institutional rationalization, whereby

education has been formally recognized as relevant to legislative eligibility without a corresponding elevation of qualification standards. The resulting framework can be characterized as hybrid, combining elements of inclusivity with limited competence-based screening. **Table 1** summarises the evolution of academic formal qualification criteria in Omani parliamentary law, showing the shift from experience-based eligibility in the early consultative period to the formal adoption and retention of the General Education Diploma requirement.

Table 1. Evolution of academic formal qualification criteria in Omani parliamentary law.

Year	Legal instrument	formal qualification criteria	Legal status
1979	Law Establishing the Council for Agriculture, Fisheries and Industry	Experience-based selection	Not specified
1981	Law Establishing the Consultative Council	Experience only	Non-constitutional
1991	Shura Council Law (Royal Decree No. 94/1991)	No qualification stipulated	Legislative
1996	Basic Law of the State (Royal Decree No. 101/1996)	None	Constitutional
2011	Amendment under Royal Decree No. 99/2011	General Education Diploma	Constitutional
2021	Council of Oman Law No. 7/2021	General Education Diploma retained	Legislative

Source: Compiled from the Omani legal materials discussed in the manuscript, including Royal Decree No. 94/1991, Royal Decree No. 101/1996, Royal Decree No. 99/2011, Royal Decree No. 6/2021, and Council of Oman Law No. 7/2021.

3.2. Comparative positioning in regional and international context

Comparative analysis situates Oman within an intermediate category of parliamentary eligibility regimes. Within the Gulf Cooperation Council, Kuwait and Bahrain apply literacy-based requirements rather than formal academic-degree thresholds [9,31,39]. Saudi Arabia diverges structurally due to its constitutional and institutional framework and its appointed Shura Council, limiting direct comparability with elected legislative systems [48–67].

At the regional Arab level, substantial variation exists in educational eligibility standards. Some jurisdictions maintain minimal or non-specific requirements, others apply school-level thresholds, such as Egypt’s primary-education requirement [43,68], while a smaller subset, including Libya, requires a university degree or equivalent [37]. Within this distribution, Oman occupies a mid-level position, exceeding minimal-threshold systems while remaining below higher-qualification jurisdictions.

At the international level, two broad institutional models can be identified, including elected parliamentary systems and appointed consultative institutions with internal procedural rules governing deliberation and committee work [66,69–73]. Established democracies typically do not impose formal educational requirements, relying instead on party systems, electoral competition, and institutional maturity to regulate legislative entry. By contrast, several newer or hybrid governance systems incorporate explicit educational or competence-based criteria as part of broader

institutional strengthening strategies.

Oman's framework aligns more closely with the latter model insofar as it formally incorporates educational eligibility criteria while maintaining relatively low entry thresholds [41]. The 2023 Shura Council election also illustrates the operational scale of this framework, with 843 candidates contesting 90 seats and 753,260 registered voters participating through the national electoral process [29]. This positioning is consistent with broader state-led governance modernization agendas, including Oman Vision 2040. **Table 2** compares the minimum educational requirements across the selected jurisdictions.

Table 2. Comparative academic qualification requirements for parliamentary candidacy.

Country	Minimum educational requirement	Legal source	Observations
Oman	General Education Diploma	Royal Decree No. 99/2011; Council of Oman Law No. 7/2021	Introduced in 2011; retained in 2021
Kuwait	Literacy only	Law No. 12/1962	No formal qualification
Saudi Arabia	None specified	Royal Order No. A/91 (1992)	Appointment-based council
Libya	University degree	Law No. 2/2021	Highest standard among Arab states
Iraq	Secondary school diploma	Law No. 16/2005	Similar to Oman
Egypt	Basic education	Law No. 140/2020	Minimal threshold
Jordan	None specified	Law No. 4/2022	Relies on electoral experience

Source: Author's compilation based on the legal instruments [10,13,21,27–30,33].

At the broader international level, two contrasting patterns emerge [1,20,22,26]. Established democracies such as France and the United States generally do not impose formal academic qualifications for parliamentary candidacy [9,10,51–54]. In those systems, legislative competence is filtered through long-established party systems, dense civic participation, political competition, and strong institutional cultures [1,20,22,26,55–57]. By contrast, a number of newer or modernising systems referred to in the manuscript, including Malaysia and Indonesia, use more explicit competence-oriented screening or educational criteria to strengthen governance quality [58–64]. The Omani case aligns more closely with this latter tendency because it seeks to balance political participation with institutional competence in a state pursuing knowledge-based governance under Oman Vision 2040 [2,23].

3.3. Legislative functioning and the limits of the current threshold

The analysis does not establish that raising the qualification threshold is necessary. Instead, it identifies multiple institutional pathways for enhancing legislative competence:

- (1) Maintaining the current threshold with enhanced legislative training,
- (2) Raising the formal qualification requirement,
- (3) A hybrid model combining broad access with mandatory training,

certification, and expertise-based committee allocation.

The hybrid approach may offer a more proportionate balance between competence and inclusiveness.

Reform of qualification requirements raises a fundamental tension between competence-based eligibility and political inclusion. Higher educational thresholds may enhance analytical capacity but risk excluding candidates with limited access to formal education.

This concern is particularly significant in contexts where educational opportunities are unevenly distributed. Overly restrictive eligibility rules may therefore undermine representative legitimacy.

The challenge is to balance epistemic quality with democratic inclusiveness, rather than treating qualification thresholds as a purely technical issue. Similarly argue that “The findings highlight the need for a culturally tailored curriculum, continuous leadership development, and policy reforms to modernize governance training [65–84].

This concern becomes more acute at the committee level, because parliamentary committees play a central role in legislative scrutiny, budget review and oversight of executive performance [22,26,34,38,39,63–69]. Effective performance in such settings depends not only on representational legitimacy, but also on access to parliamentary library and research services, reliable policy information, and independent expert analysis for lawmakers and committees [22,26,34,38–41,66,67,70–72]. Where committee assignment is shaped more by internal preference or general political standing than by subject expertise, mismatches may arise between members’ background and the technical requirements of the committee’s work [38,39,73]. This creates an institutional risk that deliberation may proceed without sufficient analytical depth in precisely those areas where specialist judgment is most needed [22,26,38–41,66,67,69].

The broader debate identified in the manuscript reinforces this interpretation. Critics of educational requirements argue that such rules may constrain political equality by excluding citizens who have had unequal access to education [1,11,18]. Supporters respond that contemporary legislative work increasingly requires familiarity with law, economics, administration, and public policy, which are more likely to be developed through advanced education and structured training [20,22,26,34,38,39]. The manuscript situates Oman within this competence-representation tension and suggests that the present diploma-level threshold may no longer be proportionate to the expanding responsibilities of parliamentary office [2–3,8,10,13,21,29,30].

3.4. Jurisprudential and constitutional dimensions

From a jurisprudential perspective, competence-based governance finds resonance within Islamic political thought, which emphasises knowledge, justice, and capability as essential criteria for public authority [19,20,33,34,40,45,65]. Within the Omani-Ibadi intellectual tradition, leadership has historically been associated with learning, ethical conduct, and judgment, rather than purely hereditary or status-based considerations [16,20,45]. This provides a culturally embedded normative foundation

for linking governance authority to competence.

At the constitutional level, the introduction of the General Education Diploma requirement in 2011 represents the formal institutionalisation of education as a criterion for legislative eligibility [38]. The retention of this requirement in the 2021 legal framework indicates continuity in principle, although its relocation from constitutional to legislative status reflects institutional flexibility in its legal entrenchment.

Taken together, these developments indicate an incremental constitutional acknowledgment of educational relevance in legislative eligibility, albeit without a decisive shift toward higher or more demanding qualification thresholds.

3.5. Integrated discussion and reform implications

Across historical, comparative, functional, and jurisprudential dimensions, the findings demonstrate a consistent pattern of partial institutionalisation of educational requirements within Oman's parliamentary framework. While education is formally recognised as relevant to eligibility, the current threshold remains relatively low in relation to the increasing technical complexity of legislative governance.

However, the evidence does not support a singular reform pathway based exclusively on raising educational requirements. Legislative effectiveness is structurally multidimensional and cannot be adequately explained or improved through educational thresholds alone.

Accordingly, the findings support a calibrated reform approach combining three interrelated components: (i) a moderated adjustment of academic eligibility standards, (ii) structured training and capacity-building mechanisms for legislators, and (iii) improved alignment between committee assignments and members' expertise profiles. Such an approach preserves representational inclusivity while strengthening institutional competence and deliberative quality.

This reform orientation is consistent with Oman Vision 2040, particularly its emphasis on institutional efficiency, knowledge-based governance, administrative modernisation and public trust in institutions [2,80,83]. Further study supports this national-policy framing by emphasising "the equilibrium between cultural identity, national sovereignty, and international engagement" [85]. Within this framework, qualification reform should be understood as part of a broader institutional development strategy rather than a narrowly exclusionary policy intervention.

4. Conclusion

This study does not advance the position that the elevation of qualification thresholds constitutes either a necessary or sufficient condition for the enhancement of legislative performance. Rather, it contends that the extant eligibility framework merits sustained critical re-examination in light of persuasive legal reasoning, comparative constitutional experiences, and relevant strands of jurisprudential interpretation. Collectively, these sources of analysis indicate that prevailing minimum qualification requirements may not be fully congruent with the broader normative objectives of effective representation, institutional competence, and democratic legitimacy.

Concurrently, the purported relationship between formal educational attainment and legislative effectiveness remains empirically indeterminate. While educational credentials may, in certain contexts, correlate with enhanced analytical capacity or technical proficiency, there exists no robust or consistent evidentiary basis upon which to assert a direct or causal linkage between formal education and improved legislative outcomes, including the quality of lawmaking, the efficacy of oversight functions, or the representational responsiveness of elected officials. Legislative performance is instead more plausibly understood as a multidimensional construct shaped by a confluence of factors, including but not limited to political experience, institutional design, party structures, socio-economic background, and access to legislative resources and advisory support.

In light of these considerations, any prospective reform of eligibility criteria ought to be approached with circumspection and situated within a broader institutional reform agenda, rather than predicated solely upon educational attainment as a proxy for competence. Rather than endorsing exclusionary eligibility reforms in isolation, policymakers may more productively consider complementary institutional mechanisms, such as structured capacity-building initiatives for legislators, the strengthening of parliamentary research and advisory services, and the enhancement of committee systems designed to improve deliberative quality irrespective of formal educational background.

Ultimately, the adoption of more stringent qualification thresholds requires further and more rigorous empirical substantiation. Future research should prioritise the systematic evaluation of legislative performance across diverse institutional contexts, with particular attention to isolating the independent explanatory power of educational attainment when controlling for confounding political, institutional, and socio-economic variables. Only through such methodologically robust inquiry can defensible normative conclusions be drawn regarding the legitimacy and desirability of more restrictive eligibility reforms.

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