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Arab Royal Houses Seek Affordable Medicines

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Under pressure created by the uprisings in the Middle East, the Arab royal houses attempt to contend with the call for reforms while endeavoring to pay the lowest possible price and avoid any significant erosion of their power.

On the face of it, the changes in the Moroccan constitution that were approved in a referendum on July 1, 2011 are significant, even far reaching, with the government claiming that voter turnout was twice that of the 2007 elections. The masses, led by the "February 20 Movement," did in fact take to the streets in the earlier in the year, but King Muhammad VI remains popular, evidenced by his decision to advance the parliamentary elections from September 2012 to November 25, 2011. The king explained that he is eager to see a new government that would implement the new constitution. The amendments grant more powers to the prime minister, but the new constitution also establishes the king's undisputed status as the head of state, the commander in chief of the armed forces, and the supreme religious leader. (The new constitution grants freedom of worship, and notes that the Jewish minority is among the minorities entitled to this freedom.) According to the new constitution, the prime minister is appointed by the king, but must be selected from the party that won the largest representation in parliament. The king may dissolve the parliament only after consulting with the constitutional court, half of whose members he will appoint.

The United States hastened to welcome the changes, but it would be an error to call Morocco a constitutional monarchy such as exists in a number of European states (England, Sweden, Belgium, Norway, Spain, and Holland). Indeed, the movement that led the mass demonstrations in Morocco rushed to criticize the changes, but it is not expected that its leaders could mobilize sufficient support to undermine the king's authority significantly.

In a related regional development, the committee appointed in April by King Abdullah II of Jordan to propose amendments to the Jordanian constitution of 1952 submitted its proposals to the king on August 14, 2011 in a well publicized ceremony with foreign

diplomats in attendance. The main proposed changes concern several central issues, though not the king's status and his political powers.

A series of amendments to Articles 15-18 of the constitution involve freedom of expression and freedom of association. According to the proposed amendment to Article 33, which concerns certain powers of the king, the parliament would ratify the king's decisions on declaring war, signing peace agreements, and signing treaties and conventions that involve changes to the country's borders and its sovereignty.

A proposed amendment to Article 42 of the constitution states that a serving minister cannot hold citizenship other than Jordanian citizenship. In other words, in the future a Jordanian minister would not be able to hold Palestinian citizenship. An amendment to Article 54 eliminates the Speech from the Throne as an alternative to presenting the government's policy for the parliament's approval. This can be considered a limited concession by the king and a strengthening of the parliament's status. An amendment to Article 55 would allow ministers to be tried in a court while in office. The parliament could also demand that the state prosecutor interrogate a minister.

The proposed amendment to Article 58 contains an important and interesting change: establishment of a constitutional court with nine judges, whose chief justice is appointed by the king. The court would monitor the legality of laws and regulations, and its rulings would be final and in the name of the king. The amendment also states that only formal state institutions would be permitted to turn to the constitutional court: the cabinet, the Senate, and the parliament, as well as the chief justice of the court if an appeal is submitted to him, and that an ordinary citizen would not have the right to apply directly to the court (Articles 59-60).

An amendment to Article 71 broadens the right of citizens to appeal the results of parliamentary elections, and they would be able to present a petition to the court and not just to the parliament itself. Another significant change, proposed to Article 73, would eliminate the king's ability to postpone elections because of "force majeure." The proposed amendment to Article 110 would establish a security court that would handle crimes of treason, espionage, and terrorism.

The King welcomed the proposed changes, noting they reflected political and judicial maturity, and highlighted in particular the significance of establishing a constitutional court. In addition, the King mentioned the proposal to lower from 30 to 25 the age of eligibility to run for parliament as a step that would encourage the younger generation to become involved in politics. The King further noted that he expects that the proposals will be approved within a month, thus allowing progress toward reform of two important basic laws, the election law and the party law. The reform of these laws constitutes an enormous challenge to the Jordanian royal house, which has always relied on an election law that

tilts election results in favor of the Hashemites in the population, at the expense of the Palestinians.

A reading of the proposed amendments to the Jordanian constitution reveals that they do not constitute a real erosion of the king's political powers regarding appointment and dismissal of prime ministers. And indeed, the Jordanian opposition, and in particular the Islamic Action Front (the political arm of the Muslim Brotherhood), hastened to point out this weakness. On the other hand, a public opinion poll by the Al-Quds Center for Political Studies in Amman – albeit conducted in June, before publication of the proposed amendments to the constitution – revealed that 71 percent of the 1,200 respondents want changes in the constitution, although 40 percent are opposed to establishing a parliamentary government based on a parliamentary majority and prefer the existing system, in which prime ministers and ministers are appointed by the king.

At this stage, King Abdullah is steering the process of reforms with a steady hand, but the handling of the election and party laws, a political minefield, is still underway. Furthermore, King Abdullah's ability to mollify the protesters will depend to a large extent on external influences. The success of the Muslim Brotherhood in Egypt will lend support to the movement in Jordan. Changes to the status of the military and the security apparatus in Egypt or in Syria will encourage a demand for similar change in Jordan. The process has begun, but it is not yet over.

