
THE CHALLENGE OF POLITICAL REFORM: JORDANIAN DEMOCRATISATION AND REGIONAL INSTABILITY

This briefing is one of a series of occasional ICG briefing papers and reports that will address the issue of political reform in the Middle East and North Africa. The absence of a credible political life in most parts of the region, while not necessarily bound to produce violent conflict, is intimately connected to a host of questions that affect its longer-term stability:

- ❑ *Ineffective political representation, popular participation and government responsiveness often translate into inadequate mechanisms to express and channel public discontent, creating the potential for extra-institutional protests. These may, in turn, take on more violent forms, especially at a time when regional developments (in the Israeli-Palestinian theatre and in Iraq) have polarised and radicalised public opinion.*
- ❑ *In the long run, the lack of genuine public accountability and transparency hampers sound economic development. While transparency and accountability are by no means a guarantee against corruption, their absence virtually ensures it. Also, without public participation, governments are likely to be more receptive to demands for economic reform emanating from the international community than from their own citizens. As a result, policy-makers risk taking insufficient account of the social and political impact of their decisions.*
- ❑ *Weakened political legitimacy and economic under-development undermine the Arab states' ability to play an effective part on the regional scene at a time of crisis when their constructive and creative leadership is more necessary than ever.*
- ❑ *The deficit of democratic representation may be a direct source of conflict, as in the case of Algeria.*

Addressing this question is the governments' responsibility, but not theirs alone. Too often, opposition parties and civil society have contented themselves with vacuous slogans and unrealistic proposals that do not resonate with the people and further undermine the credibility of political action. In its analyses, ICG will focus on their behaviour as well.

I. OVERVIEW

Navigating the treacherous shoals of the Iraq conflict with a steady hand, Jordan appears to have emerged unscathed from the turbulent months just past. The Hashemite Kingdom adjusted its rhetoric to fit the public mood while backing U.S. policy in Iraq and in the Israeli-Palestinian struggle, managed to overcome its principal weaknesses and now faces the post-war world with renewed confidence and authority.

With a small economy that is particularly vulnerable to regional crises, its precarious demographic realities and limited public participation in government, it could have been otherwise. Continuing economic hardships (despite a steady growth in GNP), the two-year suspension of parliament that lasted until July 2003, restrictions on

a handful of basic freedoms and anger at regional developments have caused discontent and prevented public sentiment from being expressed through established channels. Angry demonstrations against the U.S.-led war in Iraq in March and April 2003 had to be held closely in check. To relieve pent-up pressures at war's end, King Abdullah II announced parliamentary elections, brought home economic rewards for Jordan's close alliance with Washington and raised the country's diplomatic posture on the peace process.¹ Most importantly, he made a strong

¹ This latter issue is the one that resonates most powerfully in the Kingdom, given its large population of Palestinian origin. Nevertheless, there have been no visible signs of discontent over the breakdown of the Roadmap initiative in August-September 2003 and King Abdullah's close alliance with the Bush administration. There was a good deal of anger, however, at the Central Bank's decision, following U.S.

pledge to institute domestic reform, asserting the need for “a society that empowers its people, and offers opportunity to all...an inclusive, democratic civil society, one that provides real hope”.²

Nevertheless, the regime’s Achilles heel is the feeble bond of trust between most citizens and the state. Meaningful relationships are based primarily on family or tribal loyalties, with religion also an important social glue. The state, however, is largely absent from these relations, being broadly perceived as non-transparent, unresponsive and unaccountable. This extends from the omnipotent security services, through the police, to civil servants protecting the state’s interests at all corners of the bureaucracy. Curbs on freedoms of expression and association have discouraged peaceful dissent outside the narrow limits of parliamentary debate and the political discourse of small political parties, a moderate and acquiescent Islamist movement and disparate civil society groupings.

Events in the southern town of Ma’an in November 2002, in which six persons were killed, underscored the danger of failing to address the absence of trust between local population and local authorities – and the state more generally.³ Because most of the circumstances in Ma’an were not unique, such events stand a fair chance of being replicated elsewhere in the Kingdom. One possible catalyst is the Israeli-Palestinian conflict across the Jordan River, another the unsettled – and, to Jordanians, unsettling – situation eastward in Iraq. Both crises, ladled out graphically on television screens, together with mounting economic difficulties have in the past triggered outbursts of fury and are likely to do so

pressure, to freeze the accounts of six Hamas members on 16 September. The bank was forced to rescind the decision the next day amid a public outcry, including a statement by the information minister distancing the government from the bank’s move and a call by 70 (out of 110) parliamentarians to relieve the bank’s governor of his duties. Sahar Aloul, “MPs call for removal of Touqan over Hamas monetary freeze”, *Jordan Times*, 18 September 2003.

² The King said that Jordan was “engaged in a rigorous process of domestic reform...a process that began some years ago, and is now accelerating”. He also expressed a commitment to “protecting and accelerating” respect for human rights, civil liberties and “the...role of women”. Remarks prepared for delivery to the Council on Foreign Relations, Washington, D.C., 18 September 2003. The speech was cancelled due to inclement weather but the text was posted on the King’s website, at http://www.kingabdullah.jo/main.php?main_page=0&lang_hmka1=1.

³ ICG Middle East Briefing, *Red Alert in Jordan: Recurrent Unrest in Maan*, 19 February 2003.

again. The absence of institutionalised channels through which to express and address these emotions may shake the government.

There is no indication that the Jordanian polity is about to become unstuck. Most Jordanian analysts consider the country to be stable, pointing to the regime’s management of the most recent regional crisis as evidence. But even the Jordanian political elite is asking itself how to manage the next crisis peacefully as long as the bond between state and individual remains fragile, and discontent continues to bubble directly beneath the surface.

Some hold that democratic reforms would threaten stability as long as regional crises remain unresolved, sparking unrest among a population that nurtures a close affinity with its Arab brethren in surrounding nations. Others argue that opening up the political system is the only way to ensure Jordan’s security in the long run⁴ and that the regime must improve trust between citizen and authority before frustrations rise to undermine the state. All, though, argue that any democratisation has to be a tightly managed process, lest passions and interests be unleashed that will spin out of control and take the Kingdom on an unpredictable and dangerous path.

Jordanians have begun to chart a careful middle course reflected in the recommendations of the Jordan First Committee in December 2002, the June 2003 establishment of the National Centre for Human Rights and the report on Ma’an issued by the Centre for Strategic Studies at the University of Jordan in September 2003. These recommendations should now be expanded, receive unequivocal regime encouragement, and themselves give rise to new measures. They include:

- **Bolstering the reform process.** Reform is most widely called for in several areas. Many of those interviewed by ICG emphasised the importance of making the electoral process more reflective of the country’s demographic

⁴ The King has done so most forcefully in recent statements, including during a visit to Washington in September 2003, when he declared: “The leadership of the Middle East don’t understand that 50 per cent of the population is under eighteen, and if they don’t get going to create some means for real political participation for these young people, they are going to have serious problems”. Jackson Diehl, “Jordan’s Democracy Option”, *The Washington Post*, 21 September 2003.

makeup and/or improving the representation of national political parties. Independent international election observers would go a long way toward enhancing the credibility of future elections. An equally important measure would be to expand media freedoms by revising the 1999 Press and Publications Law, especially as it concerns government licensing and censorship practices, restrictions on who may practice journalism, prohibitive minimum-capital requirements for newspapers and limitations on funding for research centres. Jordanians also suggested the establishment of a Constitutional Court as a practical step to lend greater credibility to the legislative process.

- **Strengthening civic institutions.** Popular participation in political life must extend to civic institutions, including political parties. As a critical first step, the government should loosen controls over their internal functioning and financing. Ultimately, it should strengthen civil society, promote independent voices and allow for genuine and constructive opposition.
- **Addressing the issues raised by the violence in Ma'an.** Following King Abdullah's explicit recognition that measures ought to be taken to benefit the people there and prevent further violence, the government took some modest steps toward improving relations between authorities and the population and delivering economic services. It should go further by modernising and standardising law enforcement nation-wide, including adopting a fresh approach to citizen-police relations, and developing essential infrastructure in Ma'an and towns suffering similar economic conditions, including by expanding technical training for young people and embarking on serious efforts to increase private sector investment.

II. KING HUSSEIN'S LEGACY

Entering most government offices or public facilities and even many shops in 2003, the visitor is still greeted by the twin portraits of King Abdullah II bin Al-Hussein and his late father, King Hussein bin Talal. Continued public deference to the long-time monarch who died of cancer in 1999 is a sign of both enduring respect and an uncompleted transition. Abdullah's reign is emerging only slowly from the

shadows of his father's legacy. This is so because he came suddenly to the job without prior experience in government,⁵ the economic problems that beset the Kingdom in the 1990s remain, and the promise of democratisation, first sounded in 1989 and reiterated by Abdullah upon his accession, has yet to be fulfilled.

Although an avowed supporter of democratic politics⁶, King Abdullah's first four years have shown an overriding penchant for regime stability that placed economic progress and Jordan's integration into the global market squarely before the need to open up the political system. The economy he inherited was deeply troubled, being heavily dependent on foreign donors, beset by a crushing debt – the equivalent of roughly 90 per cent of GDP – and registering growth that barely kept pace with the rising population.⁷ Nor was the political context particularly favourable. With the collapse of the Israeli-Palestinian peace process in 2000-2001 and rising tensions between Washington and Baghdad, Jordan rapidly found itself sandwiched between two dangerous conflicts. Between 2000 and 2003, Jordan's immediate environment has been defined by intifada across the river, Washington's "war on terrorism" and finally the war in Iraq.

Unresolved economic troubles and renewed regional instability gave ammunition to those who preferred a strict security state over a gradual opening of the political system. In turn, they weakened the position of those who, in the 1990s, had argued for

⁵ As a former prime minister explained, King Abdullah has been unable to make a swift transition in Jordan's conservative society because "he did not have strong roots in the administration, and his succession was so unexpected". ICG interview, Amman, August 2003.

⁶ King Abdullah came to power proclaiming that Jordan's democratic course would remain "a national and unwavering choice". King Abdullah's speech at the opening of the Thirteenth Parliament, Amman, 1 November 1999, at: http://www.kingabdullah.jo/main.php?main_page=0&lang_hmka1=1 (in English). More recently, the King asserted the need for democratic reforms during visits to Washington and Paris. Text of speeches available at http://www.kingabdullah.jo/main.php?main_page=0&lang_hmka1=1.

⁷ In 2002, real GDP growth was said to be 4.9 per cent while unemployment stood at 14.7 per cent. ICG telephone interview with Minister of Planning Bassem Awadallah, Amman, 6 October 2003. According to the World Bank, GDP growth would have to reach 6 per cent to stabilise unemployment in light of the expanding labour force. Mustafa Alrawi, "Economic snapshot", *Jordan Times Special Supplement*, 22 June 2003.

democratisation and a lifting of restrictions on basic freedoms. In 1989, King Hussein had responded to the severest economic crisis in the country's history by implementing an adjustment and austerity agreement with the International Monetary Fund.⁸ The resulting cutbacks in subsidies on food and other basic goods, within the context of an economic slump and devaluation of the dinar, triggered riots in traditional Hashemite strongholds such as Ma'an, Karak and Salt.⁹ This in turn brought calls for greater government accountability and political liberalisation which the regime sought to accommodate by organising parliamentary elections in November 1989, appointing a royal commission to draw up a National Charter to guide the liberalisation process (adopted in June 1991), lifting martial law, legalising political parties and relaxing restrictions on freedom of expression (all in 1992-1993).¹⁰

At the time, King Hussein was riding a wave of popularity because of his professedly neutral stance toward the U.S.-led war against the Iraqi occupation of Kuwait, which was interpreted in both official Washington and the streets of Amman, Zarqa and Irbid as a de facto pro-Iraq stance.¹¹ Punished economically and diplomatically by his American and Gulf allies, the King was able to use the points earned from this popularity to put his domestic house in order, then saw a chance in the wake of the

Madrid Peace Conference to make peace with Israel – a long-standing strategic objective – and so repair his relations with the U.S. and others.¹²

His pro-peace manoeuvres brought political discontent at home, and a gradual clampdown followed. Soon the vocal democratic opposition witnessed a partial reversal of some of the hard-won gains of the preceding decade: a postponement of parliament in the fall of 1991 (to prevent a no-confidence vote on Taher Masri's government in the run-up to the Madrid Conference) and changes in the electoral law in advance of the November 1993 elections (to enhance the chances of pro-regime forces).¹³ A pliant parliament endorsed the peace treaty with Israel in 1994 and approved the lifting of bread subsidies, one of the most controversial components of the IMF reform package.

The next five years saw further back-peddalling on democratic reforms. The government introduced new restrictions on the media, which had criticised the government on a range of questions, exposed corruption and condemned normalisation with Israel.¹⁴ Objecting to newly-introduced changes to

⁸ On Jordan's economy, see Mustafa Hamarneh, *The Jordanian Economy: Problems and Prospects* (Arabic), (Amman, Centre for Strategic Studies, 1994).

⁹ For a brief look at the relationship between Jordan's economic adjustment strategy and political unrest, see Curtis R. Ryan, "Peace, Bread and Riots: Jordan and the International Monetary Fund", *Middle East Policy*, vol. 6, no. 2 (October 1998).

¹⁰ For an overview of the political opening after 1989, see Laurie A. Brand, "Liberalization and Changing Political Coalitions: The Bases of Jordan's 1990-1991 Gulf Conflict Policy", *Jerusalem Journal of International Relations*, vol. 13, no. 4 (1991); Beverly Milton-Edwards and Peter Hinchcliffe, *Jordan: A Hashemite Legacy* (London, 2001); Ranjit Singh, "Liberalisation or Democratisation? The Limits of Political Reform and Civil Society in Jordan", in George Joffé, ed., *Jordan in Transition: 1990-2000* (London, 2002), pp. 66-90; Renate Dieterich, "The Weakness of the Ruled Is the Strength of the Ruler: The Role of the Opposition in Contemporary Jordan", in Joffé, op. cit., pp. 135-137; and Sa'eda Kilani, *Press Freedoms in Jordan* (Copenhagen, Euro-Mediterranean Human Rights Network, 2002).

¹¹ The Gulf War caused large demonstrations in Jordan in support of Iraq and the Jordanian's government's policy – a dramatic turnaround following the anti-government riots less than two years earlier.

¹² Jordan entered formal negotiations with Israel over a peace treaty following the 1991 Madrid Conference but had been in secret peace negotiations to a degree since 1967. The Oslo Accords of September 1993 gave the political cover to clinch a deal. The Common Agenda for Peace agreed to by Jordan and Israel that month set out the framework of a peace treaty, which was completed and signed thirteen months later, in October 1994.

¹³ The new electoral law hurt the chances of political parties across the spectrum, not just Islamists, while helping pro-regime tribal representatives and independents. For an analytical discussion of the causal relationship between the retreat in political liberalisation and the peace process in Jordan, see Laurie A. Brand, "The Effects of the Peace Process on Political Liberalisation in Jordan", *Journal of Palestine Studies*, vol. 28, no. 2 (Winter 1999).

¹⁴ In 1997, Jordan counted about twenty weeklies. Although their circulation was limited, they were tantamount to opposition papers and served as a key source of criticism of the government. On 17 May 1997, the government introduced a new press and publications law designed to rein in the opposition through the imposition of broad restrictions on the press. These included a sweeping censorship regime; the imposition of substantial fines on journalists and editors in the event of an offence (from a maximum of 1,000 Dinars – U.S.\$1,408 – under the 1993 legislation to 50,000 Dinars – U.S.\$70,422 – under the new legislation); the reintroduction of the government's right to suspend and shut down newspapers for a variety of broadly defined infringements; and an exorbitant increase in the start-up capital requirements of weekly newspapers (from a minimum of 15,000 Dinars –

the electoral law and the press and publications law, the opposition parties, professional associations and prominent independent political figures (including two former prime ministers) boycotted the 1997 elections, thereby further consigning parliament to the role of willing adjunct to the regime.¹⁵ At the time of King Hussein's death, Jordan had slowly reverted to a country in which the security apparatus was preponderant, much as before the democratic awakening of 1989-1993, although the guise of political pluralism was carefully maintained.

III. ECONOMIC LIBERALISATION BEFORE POLITICAL REFORM

King Abdullah retained the dominant role of the security services, mindful of the plethora of potentially destabilising factors – economic, political, regional – that confronted him.¹⁶ The succession itself had been rocky, King Hussein in his dying hours having passed over his brother Crown Prince Hassan bin Talal, the heir apparent, in favour of his eldest son. Security became the touchstone against which new developments and proposed policies were assessed. As political space was circumscribed, blame was cast on Samih Batikhi, the director of the General Intelligence Department (GID), the *Mukhabarat*, during the first year and a half of the reign. In the eyes of many Jordanians, Batikhi, who also carried the title of Royal Advisor, assumed a far bigger political role than was traditional, most vividly manifested in his ubiquitous presence at official meetings and functions at home and abroad. Critics faulted him for repeated crackdowns on protests and

the dismissal of academics and others for perceived political offences.¹⁷

In November 2000, Batikhi himself was dismissed and replaced by Major General Saad Kheir, who has been much less visible in politics and public affairs.¹⁸ Still, many Jordanians interviewed by ICG expressed concern at the security services' continued heavy presence and direct role in appointments in both the public and private sectors, as well as its close monitoring of public meetings.¹⁹ This practice has alienated the political opposition as well as some long-time regime supporters and former government officials committed to democratic reform.²⁰ "Security", lamented a former prime minister, "has become the single criterion by which things are judged; it's both the default and the cure-all".²¹

Keeping a tight grip on the country but keenly aware of the need to institute economic reforms, King Abdullah appointed a new prime minister in June 2000, Ali Abul Ragheb, an entrepreneur known for his support of economic liberalisation, free trade and Jordan's integration into the global market. In a country that has seen prime ministers come and go in quick succession, his longevity is unusual, and the volume of legislation aimed at freeing the economy from state controls and increasing its competitiveness is remarkable. Most of this, including key laws on monopolies, competition and investment, came in the form of temporary measures, over 200 passed by royal decree in the absence of parliament in 2001-2003.²² The King

U.S.\$21,126 – to 300,000 Dinars – U.S.\$422,535). See Ali Kassay, "Jordan's Process of Democratization", in Joffé, op. cit.; Kilani, op. cit.; Joel Campagna, "Press Freedom in Jordan", *Middle East Report*, no. 206 (Spring 1998); and Human Rights Watch, "A Death Knell for Free Expression? The New Amendments to the Press and Publications Law", June 1997.

¹⁵ The opposition laid down three main conditions for rescinding the boycott, none of which was met: the annulment of the one-person-one-vote system (see below), the abolishment of the changes to the Press and Publications Law and the cessation of normalisation with Israel.

¹⁶ A former prime minister claims that because of his inexperience in government prior to ascending the throne, King Abdullah "has, unfortunately, had to rely heavily on the security apparatus". ICG interview, Amman, August 2003.

¹⁷ ICG interviews, Amman, May and August 2003.

¹⁸ Batikhi was arrested in March 2002 on charges of bank fraud, allegedly committed during his tenure as GID director. In July 2003 he received an eight-year prison sentence, which was reduced to four.

¹⁹ ICG interviews with former government officials, including former prime ministers, Amman, April-May 2003. GID director Saad Kheir plays a dual role as both head of security and King Abdullah's Adviser on Security Issues. As the latter, he routinely accompanies the monarch to key meetings abroad. See, for example, "King sees ways to boost U.S. investments in Jordan", *Jordan Times*, 17 September 2003, about King Abdullah's meeting with U.S. Secretary of Defence Donald Rumsfeld and National Security Advisor Condoleezza Rice in Washington the previous day.

²⁰ ICG interviews with a range of political actors in Amman, April-June 2003.

²¹ ICG interview, Amman, April 2003.

²² The precise number of temporary laws passed in this period is uncertain, but 211 were presented to the newly-elected parliament in July 2003. (Since all laws passed during the period when parliament was suspended were

postponed parliamentary elections in November 2001, citing the need for extra time to put in place procedures mandated by a newly-drafted electoral law.²³ This became an indefinite suspension of parliament, and the opportunity to deregulate the economy without legislative oversight was matched by zeal in keeping a close lid on political life.

One of the more controversial decrees, passed in 2001, amended Article 150 of the Penal Code, establishing stiff penalties for the publication of news that could damage national unity, incite crimes, spread hatred, undermine people's reputation or jeopardize stability through rumours or false information. These far exceeded the restrictions in the 1999 Press and Publications Law, which was considered very tough at the time.²⁴ Other temporary laws that have clamped down on public freedoms include:

- the public gatherings law, which compels organisers of public events not only to notify the government, as previously, but also to obtain a permit three days in advance and assume personal liability for damaged property; in practice, such permits are difficult to obtain;
- the state security court law, which denies citizens convicted of misdemeanours the right to appeal; and

temporary in nature, when the new parliament convened, it was charged with reviewing them all and deciding whether to approve or reject them.)

²³ In his letter of designation to Prime Minister Ali Abul Ragheb, King Abdullah had called for the "formulation of a modern elections law that gives everyone the opportunity to free and fair competition to represent the various sectors of society with its various political and cultural colours", and charged him with conducting a national dialogue on this issue. King Abdullah's Letter of Designation to the Government of Ali Abul Ragheb, 19 June 2000. An English translation is available at: http://www.kingabdullah.jo/main.php?main_page=0&lang_hmka1=1. Elections were postponed, first for a defined period to implement the administrative, organisational and logistical modifications specified in the new legislation, then on the claim that the regional climate was "difficult". This was an apparent reference to the situation in Israel/Palestine (the escalating intifada), the events of 11 September 2001, and the looming war in Iraq. See speech by King Abdullah, Amman, 15 August 2002. (In English: http://www.kingabdullah.jo/main.php?main_page=0&lang_hmka1=1.)

²⁴ Under this law, the penalties ranged from fines of up to 5,000 Jordanian Dinars (U.S.\$7,042) to imprisonment for up to three years, to the closure of newspapers.

- the municipalities law, which gives the government the right to appoint the head and half the members of municipal councils; previously all members, with the exception of those in the Greater Amman Municipality, were elected for four-year terms.

Opinions differ why the government dispensed with parliament at a time when it was generally supportive, and it was unlikely that elections would have produced a radically different one. According to one view, however conservative and deprived of real power, many parliamentarians were also corrupt and therefore reluctant to endorse the plan to reduce spending, as demanded by Western donors, which they feared might harm their ability to survive through patronage; they were *nawwab khadamat*, deputies skilled in servicing constituents as a reward for support.²⁵ Others argue that the regime saw parliament as a liability, a potential source of unwanted criticism of its management of regional crises (alliance with the U.S., support of the peace process) and a brake on economic reforms.²⁶ Indeed, the government and some of its supporters defend the decision on the grounds that the drive to effect a sea-change in economic policy would founder if subjected to protracted parliamentary debates and political horse-trading. "The absence of parliament", Michel Marto, the Minister of Finance, says, "was essential for the introduction of legislative reform, because in the past gaining parliamentary approval proved very difficult."²⁷

Supporters of economic reform contended that any losses for the democratic process could be reversed once conditions improved. According to this scenario, the domestic opposition would be silenced and political liberalisation follow in the wake of economic gains. "We were forced to postpone elections because of external [regional] factors", Faisal Fayez, Minister of the Royal Court, said. But, he added, referring to Jordan and the

²⁵ Russell E. Lucas, "Parliamentary Elections in Jordan: Lite and Not Much Heat", *Arab Reform Bulletin*, vol. 1, no. 2 (July 2003), at: <http://www.ceip.org/files/Publications/ARB-07-03.asp?p=1&from=pubdate>.

²⁶ Bassem Awadallah, the minister of planning, said that if there had been a parliament, or elections, in April 2002, those critical of the government's stance toward the peace process would have had a distinct advantage that would have harmed Jordan's long-term interests. ICG interview, Amman, 29 June 2003.

²⁷ ICG interview, Amman, 13 May 2003.

Arab world more generally, “There will be change. Once economic development takes off, political development will follow suit”.²⁸

By spring 2003, however, advocates of the functional argument in favour of a hiatus were prepared to see parliament return, since the war was over and economic restructuring on its way. “Now it is time to bring parliament back”, Marto told ICG in May 2003, “because all the necessary legislative reforms have been introduced, and parliament does serve an important purpose”.²⁹

Predictably, the dissolution of parliament, the postponement of elections and the peremptory passage of important legislation engendered major controversy. Some political actors assailed the summary dispatch of parliament as both unwarranted and unconstitutional, arguing that while Article 73 (iv) of the constitution stipulates that “the king may postpone the holding of the general elections if a force majeure has occurred which the Council of Ministers considers as rendering the holding of elections impossible”, neither the domestic situation nor the regional environment rose to that standard.³⁰ Moreover, in the words of a former prime minister, the prolonged suspension undermined the rule of law and, in so doing, set a dangerous precedent.³¹

Likewise, critics, mainly members of the disparate opposition, claim that all temporary laws passed in 2001-2003 directly violated the constitution. Article 94, they point out, stipulates that “in cases where the National Assembly is not sitting or is dissolved, the Council of Ministers has, with the approval of the King, the power to issue provisional laws covering matters which require necessary measures which admit of no delay or which necessitate expenditures incapable of postponement”. They challenge the government’s claim that the laws passed by royal decree brooked no delay.³² As one political activist said: “There was no real urgency to adopt these laws in the absence of parliament. Instead, they were introduced to further the political and economic agenda of the government”.³³ This “massacre of

legislation”, as another critic called it, has added to the ranks of the opposition and harmed the credibility of the legislative process.³⁴ Some of the government’s most vocal critics have gone so far as to claim that these laws accelerated a process of “de-democratisation” that, they say, the regime launched after the risky freedom it had been forced to concede in 1989-1993.³⁵

Some even among the government’s supporters have expressed scepticism over effecting economic reforms without the input of even a moderately inquisitive parliament. A Jordanian entrepreneur interviewed by ICG, for example, observed:

In the absence of Parliament, major decisions are taken without the necessary checks and balances, for example concerning Jordan’s membership in the World Trade Organisation and the Free Trade Agreement with the United States. These agreements may have been rushed through and not have the best interest of Jordan in mind; better deals might have been negotiated.

That said, he noted with satisfaction, “the amount of housekeeping has been tremendous. Some 100 regulatory laws have been scrapped in the past eighteen months, and this has led to an opening up of trade and investment”.³⁶

IV. DIGGING IN FOR WAR

In the summer of 2002, the signs were unmistakable, at least to King Abdullah and his advisers, that the regional situation was darkening, and public opinion would need a chance to express its feelings. Abdullah reportedly came away from a White House meeting with President George W. Bush in July convinced that the U.S. would wage war against Saddam Hussein in winter or spring 2003, and that it

parliament violate the constitution. ICG interview, Amman, 8 September 2003.

²⁸ Ibid.

²⁹ Ibid.

³⁰ ICG interview with Saleh Armouti, Amman, 12 May 2003.

³¹ For example, ICG interview with Laith Shbeilat, an independent Islamist who was elected to parliament in 1989 and faced harassment and imprisonment for his exposure of corruption and relentless criticism of government policy in the 1990s, Amman, 7 April 2003. In his view, this process of de-democratisation amounts to a “martialisation of the law” to the point that imposing martial law would be unnecessary.

³² ICG interview, Amman, April 2003.

³³ ICG interview with Emile Nafaa, Amman, 15 May 2003.

³⁴ Ahmad Obeidat, a former prime minister, contends that “many” of the temporary laws introduced in the absence of

²⁸ Ibid.

²⁹ Ibid.

³⁰ ICG interviews, Amman, May 2003.

³¹ ICG interview, Amman, 6 May 2003.

³² ICG interviews Amman, May 2003.

³³ ICG interview with Emile Nafaa, Amman, 15 May 2003.

Ahmad Obeidat, a former prime minister, contends that “many” of the temporary laws introduced in the absence of

would win a swift victory.³⁷ If this was a given, the government needed to make preparations to sit out the storm on its eastern border and, potentially, at home.

Jordan has the misfortune of being sandwiched between two major conflict zones. On its western border, the unresolved Israeli-Palestinian conflict compels it to negotiate a path through a domestic minefield, since perhaps 60 per cent of its citizens hail from the area of historic Palestine (Israel and the Palestinian Occupied Territories), having arrived in successive waves in 1948, 1967 and 1991 (the latter from the Gulf), or over decades as part of a steady stream of economic migrants.³⁸ The outbreak of the second Intifada in October 2000 caused portions of this Palestinian-origin population, especially in the desperate reaches of the refugee camps, to veer, along with their compatriots across the river, onto an increasingly Islamist course. They call for the government to cease normalisation with Israel, expel the Israeli ambassador and resist any accommodation with the government of Prime Minister Ariel Sharon as long as Israel continues to re-occupy parts of the West Bank and Gaza and commit what are perceived and reported in Jordan as daily atrocities against the civilian population.³⁹

On its eastern border, Jordan endured a twelve-year siege of its more powerful neighbour, Iraq, the humanitarian consequences of which are imprinted on the average Jordanian's psyche as so many direct

indignities – to themselves as much as to their Iraqi brethren. Heavily dependent on subsidised Iraqi oil and on the Iraqi market for its (in many cases imported and trans-shipped) products, Jordan had no choice but to deal with what became, after the 1990 invasion of Kuwait, a “rogue” state run by an unsavoury regime, a stance for which it was either punished (by ostracism from 1990 to 1993) or chastised (with a wink and a nod, even as Jordanian traders evaded international sanctions).⁴⁰ Where King Hussein's position on Iraq in 1990-1991 was lauded at home as a brave act of defiant Arab nationalism, the subsequent return to the American embrace was seen as a betrayal. Over time, Jordanian sympathies for the regime in Baghdad evaporated, but close affinity remained with the people of Iraq, victims of the dual vice of an oppressive regime and a suffocating embargo. When the Bush administration ratcheted-up anti-Iraq rhetoric following the events of 11 September 2001, anti-U.S. sentiments steadily began to build in the Jordanian street. The political opposition, fragmented and weakened though it was, embarked on a vocal critique of the regime's close proximity to Washington.

The criticism in and of itself was unlikely to force the government to modify its position or bring it to collapse. It was the combination of anger over Jordan's choices in the world and its dire economic situation, in part brought on by the twin crises on its borders, that began to shake up the regime. Rather than picking the promised fruits from peace with Israel in the 1990s, Jordanians have seen few benefits from the subsequent growth in the economy,⁴¹ much of which was fuelled by foreign aid rather than

³⁷ The King reportedly made this point to visiting journalists in early 2003. ICG interview with one of these journalists, Amman, February 2003.

³⁸ The composition of Jordan's population is highly contested, and a precise breakdown is not available. Those of Palestinian origin tend to inflate their numbers, going as high as 70 per cent of the population. The more commonly cited figure is 60 per cent. The government holds that in the most recent census, in 1994, the number of citizens who traced their origin to Palestine was no more than 43 per cent. ICG interview with Bassem Awadallah, minister of planning, Amman, 29 June 2003. The next census is scheduled for October 2004.

³⁹ For an analysis of Jordanian policy in relation to the Israel/Palestine conflict in the 1990s, see Laurie Brand, “The Effects of the Peace Process”, op. cit.; Paul L. Scham and Russell E. Lucas, “‘Normalisation’ and ‘Anti-normalisation’ in Jordan: the Public Debate”, *Middle East Review of International Affairs*, vol. 5, no. 3 (September 2001); Marc Lynch, *State Interests and Public Spheres: The International Politics of Jordan's Identity* (New York, 1999); and Curt Ryan, *Jordan in Transition: From Hussein to Abdullah* (Boulder, 2003).

⁴⁰ For a history of this period, see Asher Susser, *Jordan: Case Study of a Pivotal State* (Washington, The Washington Institute for Near East Policy, 2000).

⁴¹ “If it is true,” stated one Jordanian entrepreneur about the reported growth rate of 4.9 per cent in 2002, “then great. It exceeds population growth. But people in the street are not feeling it. Where is the growth?” ICG interview, Amman, April 2003. Even the King concurs, declaring in a speech in August 2002: “I have worked throughout the past three years with the Government to ensure the growth of our economy, deal with foreign debt, unemployment and poverty, attract investments, create new work opportunities, rehabilitate and train the Jordanian citizen, and review our educational programmes. We have succeeded, thanks be to Allah the Almighty, in raising the rate of real economic growth, establishing many projects and investments, and creating work opportunities. But this economic growth has not been clearly reflected yet on the living standards of individuals”. Speech by King Abdullah, Amman, 15 August 2002, op. cit.

domestic production and trade and therefore did little to generate employment.⁴² As one commentator argued, “The much touted peace dividend has turned out to be a bait and switch for ordinary Jordanians. Unemployment remains high (around 20 per cent of the labour force), population growth is rapid, and despite peaks and valleys, per capita income has essentially remained locked at its 1984 level”.⁴³

The Regional Business Council, established and managed by the U.S. in 1995 to facilitate business ventures between Palestinian, Jordanian and Israeli entrepreneurs, collapsed within two years, while the Qualified Industrial Zones, set up in Jordan to further such ventures and accrue revenue by the condition that no less than 11.7 per cent of the content of goods produced in them and exported to the U.S. be Jordanian, did not live up to their promise.⁴⁴

⁴² According to the World Bank, the net official development assistance or aid (loans and grants) for all middle-income countries, including Jordan, amounts on average to 0.4 per cent of national income. World Bank, “World Development Indicators, 2003”, Washington, 2003, p. 340. In the case of Jordan, grants alone reached as high as 4.1 per cent of GDP in 2001/2002 – ten times the average for a middle-income country. Ministry of Finance, “Government Finance Bulletin”, vol. 5, no. 2, April 2003, p. 23. In 2003, external financial flows to Jordan increased to much higher levels as foreign aid surged, especially from the U.S., to help the country cope with the economic consequences of the war on Iraq.

⁴³ Pete W. Moore, “The Newest Jordan: Free Trade, Peace and an Ace in the Hole”, *Middle East Report Online* (26 June 2003), at <http://www.merip.org>. Arguably, variations in per capita income are not the most reliable measure of a population’s well-being. They exclude such factors as access to medical care, clean water and schooling, all of which have improved in Jordan over the past decade. The Jordanian government claims the unemployment rate in 2002 was 14.7 per cent.

⁴⁴ *Ibid.* Jordan has only limited returns from its twelve Qualified Industrial Zones (QIZs), as most of the production there involves textiles, run by non-Jordanian firms that import the cloth and pay extremely low wages to their workers, only about half of whom are Jordanians. The contributions by Israel and especially Palestinians are either negligible or non-existent, contrary to the original rules. There are also questions about sustainability in light of QIZ investors’ distinct preference for garment manufacturing. At least one prominent Jordanian economist has warned that with the removal of global textile and clothing quotas by 1 January 2005, Jordanian textile and clothing exports will face mounting competition from other producers. Taher Kanaan, cited in Marwan A. Kardoosh, “The Jordanian Economy into the Third Millennium: Staying the Course in a

Certain sectors of the economy were hit harder by regional instability than others. Without doubt, the vital tourism sector suffered most,⁴⁵ with Western travellers shunning the region – despite the fact that no attacks against tourists have taken place in Jordan, and the situation generally has been peaceful for years. Between 1999 and 2001, tourism receipts contracted by 12.3 per cent – from 564 million dinars (U.S.\$806 million) to 496 million dinars (U.S.\$699 million).⁴⁶ This put hotels, tour operators, guides, taxi drivers and a host of others out of business or on reduced income. The hotel room occupancy rate, for example, dropped from 37.4 per cent in 1998-2000 to 30.5 per cent in 2001,⁴⁷ while local tour operators reported an 85 per cent reduction in business in the last quarter of 2000, immediately after the start of the intifada.⁴⁸ Investors, too, became less enthusiastic: according to official figures, total investment in projects that benefited from exemptions provided by the Investment Promotion Law declined from 881 million dinars (U.S.\$1.2 billion) in 2001 to 301 million dinars (U.S.\$424 million) in 2002.⁴⁹

The impact of economic decline in such sectors as tourism was felt mostly in people’s homes, as irregular and insufficient incomes forced resort to family networks and odd jobs to make ends meet. In 2002, the government reported an unemployment rate of 14.7 per cent,⁵⁰ a 1 per cent rise from the previous year, but this does not take into account the endemic problem of under-employment. Unofficial figures are higher.⁵¹ Unemployment has been most acute – almost twice the national average – among those aged 20 to 24.⁵² It will remain a serious problem as long as population growth remains high – Jordan’s population was an estimated 5.2 million (39.6 per cent under the age of 15), with an average

Dim Regional Climate”, Amman, The Higher Council for Science and Technology, August 2003, p. iii.

⁴⁵ ICG interview with Taher Kanaan, Secretary General of the Higher Council for Science and Technology, Amman, 14 August 2003.

⁴⁶ Kardoosh, *op. cit.*, p. 97.

⁴⁷ Central Bank of Jordan, “Annual Report 2002”, Amman, Central Bank of Jordan Press, June 2003, p. 14.

⁴⁸ The Oxford Business Group, “Emerging Jordan, 2003”, London: 2003, pp. 123-124.

⁴⁹ Central Bank of Jordan, “Annual Report 2002” (Arabic), p. 90, quoted in Kardoosh, *op. cit.*, p. 9.

⁵⁰ ICG telephone interview with Bassem Awadallah, minister of planning, Amman, 6 October 2003.

⁵¹ The Oxford Business Group, *op. cit.*, p. 11.

⁵² Kardoosh, *op. cit.*, p. 12.

annual growth rate of 2.8 per cent, in 2001.⁵³ Poverty, not surprisingly, appears to have increased in recent years.⁵⁴ Official estimates indicate that almost one-third of Jordanians live below the poverty line, including 12 per cent in abject poverty.⁵⁵

In light of the twin dangers of rising economic and political frustrations, the government launched its “Jordan First” campaign in October 2002. Its goals were to shift the public’s attention from the crises on the borders to domestic issues and, in so doing, promote national unity. The campaign emphasised the need to invest in education, health and communications, to fight poverty and unemployment, enhance public freedom, accountability and transparency, and change the status of women in society, or at least the way in which they are perceived.⁵⁶ On 18 December, the 31-member royally-appointed Jordan First Committee presented recommendations to the King. These included introducing a parliamentary quota for women, establishing a constitutional court, amending the 1992 Political Parties Law, reforming school and university curricula, activating parliament’s self-monitoring mechanisms, addressing the inadequate training of judges, encouraging mergers among political parties and enhancing public and press freedoms.⁵⁷ Thus far, however, the only recommendation to be implemented in part has been a six-seat quota for women in parliament, by raising the number of seats from 104 to 110.

The initiative was supported by some Jordanians, who argued that their country should first and foremost attend to its own needs – a step, it was emphasised, that did not have to mean forsaking

regional responsibilities.⁵⁸ They claimed that external tensions should not prevent government focus on the well-being of its own citizens, to whom it owed primary responsibility. Others were unconvinced. For them, Jordan First was essentially an attempt to divert growing anger at inability to affect major events in the region and its excessive subservience to the U.S. They also saw it as an indirect way to suppress political dissent at a time of great internal ferment over the regional situation. According to one former politician: “What we need is a constructive attitude that does not kill the sense of Arab community, rather than a defensive, isolationist attitude that discourages the mentality of cooperation and complementarity amongst the Arab states”.⁵⁹

As if to underline the urgent need to address simmering domestic problems, within a month unrest broke out in Ma’an, a town in southern Jordan that is one of the original pillars of the Hashemite monarchy and has acted as a bellwether for political trends.⁶⁰ While the unrest was the outcome of circumstances unique to Ma’an, it also reflected concerns far more national in scope, including shortcomings in Jordan’s local and national systems of representation.

Nevertheless, despite this additional warning about the deficit in political representation, the government maintained its position that the regional environment remained unsuitable for parliamentary elections. Regional events certainly played a role: the government in all likelihood feared that if elections were held in the lead-up to the Iraq war, popular hostility towards the U.S. might translate into a strong opposition showing, and however weak and divided a resulting parliament might be, this could easily be interpreted as a resounding vote of no-confidence in the government at a particularly inconvenient, if not dangerous time.⁶¹ All the same, the King held out the promise of elections in the spring, apparently – and as it turned out, rightly – placing his confidence in American assurances that the war would be brief.

⁵³ Department of Statistics, Government of Jordan, “Selected Indicators”, available at: http://www.dos.gov.jo/jorfig/2001/jor_f_e.htm.

⁵⁴ Kardoosh, op. cit., p. 24. Taher Kanaan pointed out in an interview with ICG that as long as the rate of unemployment continues to rise in the kingdom so, too, will the incidence of poverty. ICG interview, Amman, 14 August 2003.

⁵⁵ Department of Statistics, “Household Income and Expenditure Survey”, Amman, 1997. For a comprehensive assessment of the development of living conditions in Jordan, see Jon Hanssen-Bauer, Jon Pedersen and Age A. Tiltnes, eds., *Jordanian Society: Living Conditions in the Hashemite Kingdom of Jordan* (Oslo: Fafo Institute for Applied Social Science, 1998).

⁵⁶ Government of Jordan, “Jordan First National Campaign Concept”, at: <http://www.jordanembassyus.org>.

⁵⁷ *Jordan Times*, 23 December 2002.

⁵⁸ See, for example, excerpts from former Prime Minister Ahmad Lawzi’s lecture on “Jordan First”, reprinted in the daily *Al-Ra’i*, 28 May 2003.

⁵⁹ ICG interview, Amman, May 2003.

⁶⁰ For more on the Ma’an crisis, see ICG Briefing, *Red Alert in Jordan*, op. cit.

⁶¹ ICG interviews, Amman, April-May 2003.

V. FRUITS OF COOPERATION

The regime successfully navigated the difficult period of the war. Jordan's alliance with Iraq, which was driven by mutual interests as well as a degree of popular and elite affinity for the Baath regime in the 1980s, had eroded by the early 1990s. Nevertheless, the country remained heavily dependent on subsidised Iraqi oil, and the people by and large continued to express great affection for their Iraqi cousins and in some cases – perhaps more as a jab at the United States and its Middle East policy than as a reflection of true love – rekindled their sympathy for the Iraqi regime as well.⁶² Unlike his father, who risked Jordan's international standing (but garnered crucial regime legitimacy at home) by in effect supporting Iraq a decade earlier, King Abdullah engaged in risky but ultimately successful brinkmanship, fine-tuned as the war got underway, that placed him rhetorically against the war but, via concrete help for U.S. and British forces, effectively within the American camp. To pull this off – to provide his Western allies with practical support while keeping the potentially explosive “street” quiescent – the regime had to:

- Actively, though mostly rhetorically, pursue peaceful alternatives to war to show its bona fides to its citizens, but without angering the Bush administration (as it might have done had it supported the positions of France, Germany

and Russia). From summer 2002 until the outbreak of war in March 2003, King Abdullah shuttled across the world in a professed bid to find a diplomatic solution.

- Consistently and categorically deny the presence of U.S. and British troops in Jordan over and beyond the several hundred it acknowledged were there for defensive and humanitarian purposes: to launch search-and-rescue missions and man Patriot anti-missile batteries for the Kingdom's own – and more likely, as many Jordanians charged, Israel's – protection. However, media reports, later substantiated by official U.S. sources, suggested that U.S. and British Special Forces were using remote areas to launch missions inside Iraq, including and especially to hunt Scud missiles.⁶³
- Reassure the public that subsidised oil would continue even in the event of war and warn against hoarding of food and fuel.⁶⁴ Saudi Arabia, Kuwait and the United Arab Emirates pledged to compensate Jordan for the loss of Iraqi oil, for an initial three months, free of cost.⁶⁵ No official information is available on the details of this or any subsequent arrangements, including the conditions for further supplies, but the high level of foreign aid, particularly from the U.S., has helped foot the bill, at least in the short term.⁶⁶

⁶² See Jillian Schwedler, “Occupied Maan, Jordan's Closed Military Zone”, *Middle East Report Online* (3 December 2002), at <http://www.merip.org>; Alia Shukri Hamzeh, “Rallies, Marches, Demonstrations in Capital Condemn U.S.-led Attack on Iraq”, *Jordan Times*, 21 March 2003; “Protests, Demonstrations Continue across the Kingdom Against U.S.-led War on Iraq”, *Jordan Times*, 22 March 2003; Justin Huggler, “King Abdullah under Pressure after Furious Subjects Urge Support for Saddam”, *The Independent*, 26 March 2003. For a short analysis of the Jordanian public's growing disappointment with U.S. policy, see Marc Lynch, “Jordan's King Abdullah in Washington”, *Middle East Report Online* (8 May 2002), at <http://www.merip.org>. King Abdullah had outlined his position on “fraternal” Iraq in June 2000, when no war was imminent. He wrote: “As for Iraq, we emphasize our constant eagerness to preserve the unity of fraternal Iraq and its full sovereignty on all its land. We call on the international community to carry out its duty toward Iraq through lifting the unjust siege imposed on this fraternal, neighbourly, and dear Arab country and putting an end to the tribulation of this deep-rooted country and this dignified people”. King Abdullah's Letter of Designation, op. cit.

⁶³ See, for example, John F. Burns, “Jordan's King, in Gamble, Lends Hand to the U.S.”, *The New York Times*, 9 March 2003. These reports were confirmed to ICG by a U.S. defence official speaking not for attribution, Washington, July 2003.

⁶⁴ Iraq supplied Jordan with 5.5 million tons of crude oil per year in the 1990s, half of which was free of charge (the equivalent value of around U.S.\$300 million, depending on oil prices) the rest at undisclosed concessionary prices and mostly paid for in kind with goods manufactured in or imported by Jordan.

⁶⁵ ICG interviews with government officials, Washington, April 2003. The U.S. government had long requested in vain such a step from Gulf countries in order to reduce Jordan's dependency on Baghdad. ICG interview with former U.S. official, Washington, September 2003.

⁶⁶ Although the Jordanian government has been able to offset the loss of subsidised Iraqi oil supplies in the short-term, analysts are sceptical about the long-term implications. As economist Marwan Kardoosh explains: “For more than a decade now, cheap Iraqi oil and the method of settling its cost has constituted not merely a steady source of annual support for the country's finances, but also a considerably

- Issue tough warnings that while citizens could express displeasure over the war, there were definite limits to the tolerance for protest. Red lines included unlicensed public rallies and demonstrations, the exploitation of mosques and civic institutions such as the Professional Associations complex for rousing public sentiment, and marches on and protests outside sensitive buildings, particularly the Israeli and U.S. embassies.⁶⁷
- Denounce the war, but only once developments on the ground suggested that the American march on Baghdad was hitting some early bumps, and public expressions of sympathy for the Iraqi people, if not the regime, surged in the Kingdom. On 31 March 2003, two weeks into the conflict, the King was strongly challenged for his position on the war in a petition signed by more than 90 prominent persons, including former prime ministers, cabinet ministers and members of parliament, who called on him “to declare the illegality of the aggression against

secure market for much of Jordan’s manufacturing industry and transportation services. Unless an equally sustainable source of support shows up in the coming years, the losses stemming from the war in Iraq on this count alone are going to be formidable. Such losses will affect the value of revenues from Jordanian exports to Iraq, from transportation of transit goods thereto from Aqaba Port as well as from the trucking of oil supplies to Jordan (prior to the start of the war, some 250-300 Jordanian trucks would cross the Iraqi border each day)”. Kardoosh, op. cit., p. 6. Taher Kanaan echoed this view. ICG interview, Amman, 14 August 2003.

⁶⁷ On 20 March 2003, Minister of Interior Qaftan Majali warned that the authorities would take a “firm” stand against unlicensed public rallies and demonstrations. The minister also warned against exploitation of mosques, civil society institutions and the Professional Associations complex for political aims including incitement and public disturbance. That same day, security forces and anti-riot police banned lawyers from marching from the Palace of Justice to the Iraqi Embassy. See Alia Shukri Hamzeh, “Rallies, Marches, Demonstrations in Capital Condemn U.S.-led Attack on Iraq”, *Jordan Times*, 21 March 2003. On 21 March, security forces and anti-riot police used tear gas and clubs in addition to arresting scores of protestors in an attempt to disperse unlicensed demonstrations across the Kingdom. In Amman, riot police cordoned off streets adjacent to the Israeli embassy and banned protestors coming out of a nearby mosque from reaching the building. *Jordan Times*, 22 March 2003. For an analysis of the government’s response to political protest, see Jillian Schwedler, “More than a Mob, The Dynamics of Political Demonstrations in Jordan”, *Middle East Report*, no. 226 (Spring 2003).

Iraq”.⁶⁸ “The idea behind the petition”, explained a signatory, “was to voice our objection to an illegal war. We did not expect a change in the government’s position”.⁶⁹ Two days later, King Abdullah publicly condemned the war in carefully calibrated terms, stressing that Jordan had done all within its means to avert it.⁷⁰

The bottom line is that, even if the King belatedly, momentarily and strictly rhetorically condemned the war, the regime never wavered in its support of Washington. It stayed the course despite rising opposition to some extent because the ubiquitous security presence dammed up any potential public protest beyond the standard, largely peaceful, demonstrations that erupted at mosques and on university campuses, especially on Fridays. Most importantly, the regime was able to survive unscathed because it got the short war it had been promised and counted upon. But the economic troubles that had accumulated long before the war remained, and political alienation continued undiminished and perhaps even sharpened by the population’s keen awareness that it had been impotent to alter the course of events.

King Abdullah, therefore, took advantage of the end of the war to begin to defuse pent-up pressures. First, he made good on his promise to organise parliamentary elections in the spring – the government announced the date (17 June) less than two weeks after war’s end.⁷¹ Next, the government repealed the temporary amendments to Article 150 of the Penal Code instituted in 2001, which had introduced stiff fines, imprisonment of journalists for up to three years, and closure of newspapers for a number of violations. Finally, Jordan embarked on a diplomatic campaign to jump-start the Road Map initiative in the Palestinian-Israeli peace process, seeking to hold George Bush and Tony Blair to their pre-war promise to King Abdullah that they would

⁶⁸ Francesca Sawalha, “Opposites Attract on Petition to Declare War on Iraq ‘Illegal’”, *Jordan Times*, 1 April 2003.

⁶⁹ ICG interview, Amman, May 2003.

⁷⁰ King Abdullah’s interview with Petra News Agency, 2 April 2003, <http://www.jordanembassyus.org>.

⁷¹ Khalid Dalal, “Elections Scheduled for June 17”, *Jordan Times*, 20 April 2003.

throw their combined weight behind it once hostilities in Iraq had largely ended.⁷²

The U.S. reciprocated for Jordan's role in the war through various economic and diplomatic measures, but results tangible to average Jordanians have been meagre, and it is reasonable to suppose that in the final analysis the regime's efforts were more successful in purchasing time than domestic peace. For two months after the war, Jordan was *the* country to be in American eyes. Its diplomacy went into overdrive, as the Bush administration selected the port of Aqaba as the site of the first post-war summit on the Road Map (4 June), and a special session of the World Economic Forum was convened at the Dead Sea later that month. Washington used the latter occasion to draw attention to two new economic initiatives in the Middle East in which Jordan was to be the testing ground, linchpin and one of the primary beneficiaries: the Middle East Partnership Initiative (MEPI) and the Middle East Free Trade Area (MEFTA).⁷³ There were also more direct economic rewards. On 13 May, the U.S. administration committed itself to a U.S.\$700 million emergency

aid package to make up for Jordan's war losses.⁷⁴ This was in addition to the U.S.\$250 million in general and U.S.\$198 million in military assistance already approved by Congress for 2003 as part of the annual aid package for the Kingdom. Moreover, the U.S. rescheduled U.S.\$178 million of Jordan's debt in the early days of the war (23 March).

The end of the war and the lifting of international sanctions on Iraq on 22 May meant Jordan could look forward to reinvigorated trade with its potentially rich neighbour and playing a significant role in reconstruction.⁷⁵ These hopes look to be realised in part only, as events in summer 2003 made clear that Iraq's Shiite population, in particular, feels no love for a Jordan that had traditionally sympathised, if not colluded, with the Baath regime.⁷⁶ A car bomb attack against Jordan's Baghdad embassy in August, whose perpetrators have yet to be identified, was followed by an apparently spontaneous demonstration there during which Iraqis angrily shouted anti-Jordanian slogans. Other snags in the relationship are likely. A prominent member of Iraq's Interim Governing

⁷² Jordan played an instrumental role in persuading the United States to agree to work on a roadmap in the first place. ICG interview with a U.S. official, Washington, June 2003. A return to calm, it hoped, could reinvigorate trade and tourism, while Jordan's forward-leaning posture could strengthen its regional role. See Marwan Muasher, "A Path to Arab Democracy", *The New York Times*, 26 April 2003.

⁷³ Moore, *op. cit.* The Middle East Partnership Initiative (MEPI), announced by the U.S. Secretary of State on 12 December 2002, aims to support economic, political and educational reform in the Middle East, with particular emphasis on women and youth, by working with the private sector, civil society and governments. The U.S. has pledged to support MEPI reform goals with Economic Support Funds (ESF) – U.S.\$29 million in FY 2002, U.S.\$100 million in FY 2003, and U.S.\$145 million requested in FY 2004 – as well as through a realignment of its existing economic assistance programs in the Arab world. U.S. Department of State, Middle East Partnership Initiative, available at <http://www.state.gov/p/nea/rt/mepi/>. A plan to create a U.S.-Middle East Free Trade Area (MEFTA) within ten years was first announced in President Bush's commencement address at the University of South Carolina on 9 May 2003. U.S. Department of State, "Bush Calls for U.S.-Middle East Free Trade Area", available at: <http://usinfo.state.gov/regional/nea/summit/text2003/0509bushfta.htm>. The text of U.S. Trade Representative Robert Zoellick's remarks at the World Economic Forum summit, 23 June 2003, can be found at www.weforum.org.

⁷⁴ According to an official statement handed out at a signing ceremony attended by U.S. Secretary of State Colin Powell in Amman on 13 May 2003, "The purpose of the additional funds is to help Jordan offset the economic dislocation it faces due to the conflict in Iraq". Francesca Sawalha, "\$700m U.S. aid deal signed", *Jordan Times*, 14 May 2003.

⁷⁵ This was immediately claimed by Jordan's Minister of Trade and Industry, Salah Bashir, following the U.N.'s decision to lift sanctions on Iraq. See "Kingdom Welcomes Lifting Sanctions", *Jordan Times*, 25 May 2003. As one example of reinvigorated trade, ICG observations at Jordan's duty-free zone in Zarqa in early June suggested a massive sale of cars and spare parts in the direction of Iraq in the absence of an Iraqi authority capable of levying customs duties.

⁷⁶ The Iraqis' anger was directed more specifically at Palestinians, including Jordanians of Palestinian descent, as well as at Jordanians generally. ICG interviews, Baghdad, May-June and August-September 2003. A key reason is the perception common among Iraqis that Iraqi exiles and migrants in Jordan were maltreated by the Jordanian security services, who were seen to be collaborating with Iraqi agents. Throughout the Iran-Iraq War (1980-1988), Jordan offered strong support, including troops, to Iraq, and the Baath regime paid large amounts of money to members of the Jordanian elite to buy their loyalty. ICG interviews, Baghdad and Amman, 2003. See also, Mustafa Alrawi, "Pan-Arabism, dead in Baghdad's streets", *Daily Star*, 17 September 2003. Alrawi refers in particular to graffiti on the walls of Mosul University, saying: "No Jordanians, No Palestinians", which he attributes to many non-Iraqi Arabs' collusion with the Baath regime.

Council, Ahmad Chalabi (its president in September 2003), is a fugitive from Jordanian law, having fled in 1989 before being convicted in absentia for his role in the collapse of the Petra Bank; Chalabi, in turn, accused Jordan of doing the bidding of the Baath regime.⁷⁷

VI. THE DEMOCRACY DEBATE

The regime's decision to resuscitate parliament in June 2003 reflected a fine balancing between various views among Jordan's elite concerning the degree of political openness the country requires. The political elite is divided between those who continue to see democratisation as a threat to stability, given the unresolved Israeli-Palestinian conflict and Iraq's uncertain future, and those who see it as the only way to ensure Jordan's security in the long run. Both are agreed, though, that Western notions of democracy (unhindered civil and political rights, election of governments through free popular contests, broad public participation in political life via organisations and institutions of civil society, and the like) are not applicable in Jordan and that democratisation, if it is to occur, has to be tightly managed lest the process unleash passions and interests that may spin beyond the control of the security apparatus and take the Kingdom into uncertainty and danger.⁷⁸ Where they differ, in essence, is on the degree of the allowable opening.

For example, Mustafa al-Qaisi, Minister of State for Prime Ministry Affairs until 12 July 2003, told ICG that following the fall of the Iraqi regime, "the region has started moving towards improvement but there remains the Palestinian question, which serves to create extremism. Unless a just solution to the Palestinian question is found, extremism will persist". In that context, he asserted, Jordan is "an oasis of democracy in the Arab world" and does not require further reform of the Elections Law or the

Press and Publications Law.⁷⁹ Adherents to this notion of no or only limited further democratisation contend that for many the priority is not a parliament but rapid improvement in living standards, and that as long as political parties do not have real programs, parliament will not be able to deliver on basic needs. This, for example, was the view of a former senior government official, who told ICG that although journalists should not be jailed for what they write, they must be bound by a code of ethics that places the interests of the nation above all else. "Here in Jordan democracy is interpreted as complete freedom without checks", he said.⁸⁰

On the other side of the debate are those who hold that Jordan's long-term security can *only* be protected through further widening of political space. One exponent is Foreign Minister Marwan Muasher. While he agrees that democratisation is not a priority for the public, he insists that the international situation requires Jordan to push forward.⁸¹ One reason, he told ICG, was that Jordan needed to pre-empt Washington's counter-productive demands for democratisation in the region. Although President Bush's speech in February 2003,⁸² during the run-up

⁷⁹ ICG interview, Amman, 19 June 2003. He applauded the repeal of the amendment to Article 150 of the Penal Code and said that, "today we are living in a period in which any individual can express his opinion freely and in public without fear".

⁸⁰ ICG interview, Amman, April 2003. Polls do indicate that the public considers improvements in living standards and the Middle East peace process to be more urgent than political reforms. See Centre for Strategic Studies, Poll No. 33, "Democracy in Jordan 2003", June 2003. Summary in English available at: <http://www.css-jordan.org/polls/democracy/2003/index.html>.

⁸¹ ICG interview, Amman, 16 June 2003.

⁸² President Bush first suggested that the toppling of Saddam Hussein could open the way to greater political participation in the Middle East in a speech in February 2003. "A new regime in Iraq", he declared, "would serve as a dramatic and inspiring example of freedom for other nations in the region". He went on to say: "The world has a clear interest in the spread of democratic values, because stable and free nations do not breed the ideologies of murder. They encourage the peaceful pursuit of a better life. And there are hopeful signs of a desire for freedom in the Middle East. Arab intellectuals have called on Arab governments to address the 'freedom gap' so their peoples can fully share in the progress of our times". "President Bush Discusses the Future of Iraq", 25 February 2003, available at: <http://www.whitehouse.gov/new/release/2003/02/20030226>. Jordanians interviewed by ICG, whether from opposition circles or within the political establishment, expressed reservations about President Bush's stated goal of bringing

⁷⁷ See David Leigh and Brian Whitaker, "Financial scandal claims hang over leader in waiting", *Guardian*, 14 April 2003.

⁷⁸ Faisal Fayeze, Minister of the Royal Court, told ICG: "Democracy has to be home-grown and supported by a middle class for it to succeed. The U.S. wants to introduce democratic reform in the Arab world but it has to realise that Western-style democracy cannot be imposed on the region". Interview, Amman, 13 May 2003.

to the Iraq war, does not appear to have been aimed at Jordan, the impact was the same. His rhetorical insistence on democratisation, Muasher explained, has marginalised such true voices of reform as may exist in the region by encouraging the conviction that the concept is part of an imperialist plot and that accommodating Arab regimes are U.S. stooges. The better way for Jordan, Muasher concluded, is to take full control of the process, make clear it is its own initiative, and manage it in a gradual and orderly way.

Secondly, the foreign minister argued, "Jordan's strength lies in the fact that we are more open – politically and economically – than the rest of the region. This is how we managed to capture the attention of the West in the first place". To maintain its competitive edge and continue to receive economic support as a reliable, tolerant and friendly regional partner, Jordan must open up further in response to the developing situation around it, including in Iraq, or risk losing out. "The fortress mentality is obsolete", he insisted. "The best security for Jordan lies in opening up".⁸³

"democratic values" to the Middle East. Some questioned the administration's sincerity. One view expressed in Amman is that Washington, in the wake of 11 September, favours economic liberalisation and a degree of political participation in the Middle East to relieve the pressure from below on regimes that are popularly deemed to lack legitimacy, but not full democratisation, because it fears that truly free and fair elections might bring to power forces that are fundamentally hostile to U.S. interests. As one Arab intellectual put it: "The U.S. wants democracy when the election results serve its interests. The problem is that no freely elected government in the Middle East will make a peace deal with Israel; the regimes, by contrast, are far more accommodating". ICG interview, Amman, May 2003. Likewise, a Jordanian official said: "When the United States talks about democratisation in Saudi Arabia and elsewhere, they do not mean a process leading to full democracy, because they realise that free elections will bring a bin Laden regime to power. What they mean is a controlled opening-up: a functioning Parliament, women's participation, etc". ICG interview, Amman, June 2003.

⁸³ In an opinion piece published in *The New York Times* immediately after the war, Muasher expanded on his vision: "It is becoming clear that the Arab world needs to take the initiative in making its political and economic systems more democratic. The frustrations Arabs feel today – prompted by the slow pace of democratic reform, stagnant economies and political instability – all threaten the region's future. The moment has come for the Arab world to engage in a home-grown, evolutionary and orderly process of democratisation – one that will respect Arab culture while at the same time giving citizens the power to be part of the political process". Muasher, op. cit.

While pro-democratisation advocates acknowledge that Jordan is under no immediate threat from within, they question the country's stability and the regime's sustainability in the long run. In particular, they worry that if political liberalisation does not take place and the economic livelihood of the average citizen does not improve, Jordanians may in time revert to undemocratic means to express their growing frustrations, effectively swelling the ranks of extremists.⁸⁴ As one former prime minister told ICG: "The absence of democracy and the rule of law has given rise to bitterness, frustration and extremism".⁸⁵ Recent polls reflect that significant numbers believe that the political system is unfair, corrupt and wasteful.⁸⁶ The best solution, according to members of this camp, is to embark on a genuine process of democratisation, provide space for political expression and nurture social harmony, as this would prevent extremism from taking root.⁸⁷

⁸⁴ ICG interviews with former Prime Minister Taher Masri, Amman, 12 August 2003; Mustafa Hamarneh, the director of the Centre for Strategic Studies, Amman, 14 August 2003; Taher Kanaan, Secretary General of the Higher Council for Science and Technology, Amman, 14 August 2003; and Hani Hourani, director of the al-Urdun al-Jadid Research Centre, Amman, 17 August 2003. For a brief analysis of democracy as a guarantor of stability in the Arab world, see Mustafa El-Fiqi "The Importance of Being Democratic", *Al-Ahram Weekly On-line*, 9-15 March 2000, no. 427, <http://weekly.ahram.org.eg/2000/472/op2.htm>.

⁸⁵ ICG interview with Taher Masri, Amman, 12 August 2003. The University of Jordan's Centre for Strategic Studies arrived at a similar conclusion in a study on recent events in Ma'an, stating that the absence of individual, popular or institutional means to convey grievances was a contributing factor to the outbreak of protest and violence there. The study argued that legal and political mechanisms that enjoy citizens' trust – whether a parliament, a judiciary or political parties – are guarantors against protest and violence. The Centre for Strategic Studies, "Ma'an: An Open-ended Crisis", Amman: CSS-University of Jordan, 2003, (Arabic), pp. 74-78.

⁸⁶ For example, in the latest opinion poll to be released by the University of Jordan's Centre for Strategic Studies, an overwhelming majority of respondents from a national sample of 1,350 expressed the belief that the government will not improve equality between citizens (62.7 per cent), that it will fail to apply justice (58.6 per cent) and that it will not respect the principle of equal opportunity (70.8 per cent). See the Centre for Strategic Studies, *Poll No. 34: "Abu Ragheb's New Government"*, July 2003. Summary in Arabic available at: <http://www.css-jordan.org/arabic/polls/government/aburaghebnew/summary.html>.

⁸⁷ ICG interviews, Amman, August 2003. Taher Kanaan, for example, told ICG: "In the case of Jordan, a gradual process

Ahmad Obeidat, whose eclectic resumé includes stints as prime minister, head of the General Intelligence Department and director of the newly-established National Centre for Human Rights, and who was in the forefront of the democratisation campaign in the early 1990s, has perhaps put the issue most forcefully. Given continuing threats from instability in both Israel/Palestine and Iraq, the regime must establish a bond of trust between the individual and the state, "lest frustrations grow, bringing danger to the country". Moreover, it should not fear an opening:

Both absolute democracy and total political closure will bring danger to Jordan. The government needs to balance between risks and needs – between security, human rights and democracy. It is all a matter of wise state management – you need a vision, a strategy, a system and regulations. Jordan is not a new state; it has been in existence for more than 70 years. It should not be that worried about opening up politically. Regional problems are bound to be felt here but this should not mean that the government must place a limit on political openness.⁸⁸

VII. ELECTORAL ENGINEERING

The June elections occupied a specific place in this debate. Whereas one camp within the regime saw them as a critical first step in a process of democratisation, the other saw them as the end point. Yet, for both the elections fitted their notion of what was necessary and permissible to maintain stability. Both saw the elections as a much-needed reopening

of democratisation will not lead to instability. On the contrary, gradual democratisation and law and order are guarantors against extremism and chaos and will prevent certain sectors of society from going underground". Interview, Amman, 14 August 2003. Similarly, Mustafa Hamarneh, director of the Centre for Strategic Studies, warned: "If economic conditions do not improve and if political liberalisation does not take place, people will revert to non-democratic means to express themselves. They will ultimately revert to violence". ICG interview, Amman, 14 August 2003.

⁸⁸ ICG interview, Amman, 8 September 2003. One of the central stated objectives of the National Centre for Human Rights is, in Obeidat's words, to "help build citizen confidence and trust in the regime, provide the citizen with the kinds of guarantees that he or she needs to live in peace and security, and compel the government to become more tolerant of and responsive to its citizens".

of political space that in no way altered the basic rules of the political game that has guaranteed the regime's and the country's stability. For both the intended result was to offer Jordanians a chance to express themselves and for the regime to narrow the yawning gap between public policy and public opinion. Nor were they a major risk for the system. Even if they were considered generally "fair" – no officially-sponsored irregularities were noted by international observers⁸⁹ – they were not truly "free" either, as the general outcome was preordained by a careful design of the electoral rules and procedures, consistent with past practice.⁹⁰

The use of an "invisible hand" to engineer, in broad outline, the quadrennial electoral outcome stems from two principal regime concerns. First is the uneasy cohabitation of two primary population groups that, it is hoped, will gradually assimilate: those who trace their ancestry to Trans-Jordan, the area east of the River Jordan, and those of Palestinian extraction, who migrated eastward as wars, military occupation and economic hardship made their lives unbearable and their futures hopeless in Israel/Palestine. The modern Kingdom of Jordan has hosted successive waves of Palestinians, offered them citizenship (unlike, say, Lebanon or Egypt) and opportunities of personal advancement. Yet many Palestinians do not feel they have been treated fairly and remain disaffected.⁹¹ Despite social and economic advances, even educated Jordanians of Palestinian origin have not been fully absorbed into the political power structure. Granted at most a handful of cabinet positions, including prime minister on several

⁸⁹ A number of Amman-based diplomats visited polling stations on election day. ICG telephone interview with a U.S. Embassy official, Amman, 19 June 2003.

⁹⁰ As soon as the polls closed in June 2003, the opposition Islamic Action Front, the political arm of the Muslim Brotherhood in Jordan, claimed that the elections were marred by vote rigging. In a letter addressed to the prime minister, IAF Secretary-General Hamza Mansour declared that electoral fraud was widespread, that hundreds of voting cards had been forged in the Karak governorate by supporters of certain candidates, and that many voters had used irons to flatten out the stamp authorities had embossed on voting cards, thus allowing them to vote more than once. Officials confirmed a limited number of individual attempts to tamper with voting cards but insisted that the authorities had dealt with the problem. Khalil Dalal, "1.3 million Voters Elect New Parliament", *Jordan Times*, 18 June 2003.

⁹¹ ICG interviews with a wide variety of Jordanians of Palestinian origin in 2002-2003.

occasions, they are generally shunned from high-ranking positions in the military and security services, central pillars of the regime. For all practical purposes, achieving Jordanians of Palestinian descent find themselves largely consigned to the private sector, in which they have excelled, being responsible for bringing big business to Jordan (the Arab Bank, the pharmaceutical industry) and turning Amman from the sleepy capital it was not even 30 years ago into the thriving city, if not yet regional hub, it has become today.⁹²

A second motive behind electoral engineering is the fear that a radicalised – largely urban – political opposition, unleashed through parliamentary democracy, might set the nation on a political course sharply at a variance with that favoured by those currently in power, that is, the regionally-centred elites drawn from prominent Jordanian tribes and families. This fear concerns more than a redistribution of resources such as might flow from any change in power. The urban professional class takes a much more active interest in issues of ideology (Arab nationalism, Islamism, democracy, previously Marxism) and foreign policy (the Israeli-Palestinian conflict, the U.S. occupation of Iraq) than its rural/tribal compatriots. Both the Leftist and Islamist opposition parties, which together dominate the executive branches of the professional unions, have been particularly harsh in their criticism of the country's stance on the twin conflicts on its borders and have laced their politics with a vigorous ideological rhetoric.⁹³ Given the predominance of

the Palestinian-origin population (including the large refugee camps) in urban centres, the regime is particularly concerned about a possible combination of the two, that the political radicalism of the cities would often take on a pronounced Palestinian and Islamist hue, accentuating the perceived urban-based opposition threat to the Kingdom's stability.

If the motives are straight forward, the mechanics of electoral engineering are complex, involving a careful manipulation of both rules and voting district boundaries. The two key mechanisms are:

- *The under-representation of urban centres on electoral lists.* According to the government's latest population estimates, Amman and Zarqa – the kingdom's largest urban hubs – accounted for 54 per cent of its population in 1999.⁹⁴ Yet, the 2001 Electoral Law gives these two electoral districts only 32 per cent of the seats (33 out of the 104 assigned to districts).⁹⁵ The towns of Mafraq, Karak, Tafileh and Ma'an, only 12 per cent of the population, are allocated 22 seats (21 per cent). Amman and Zarqa house the largest concentration of Jordanians of Palestinian origin in the Kingdom, whereas "East Bank" constituencies predominate in Mafraq, Karak, Tafileh and Ma'an, which are in large rural areas that have historically produced the strongest support for the regime. In short, despite calls from King Abdullah for reforming the electoral law to allow for elections reflective of "the various sectors of society with its political and cultural colours",⁹⁶ such change, Jordanians say, has yet to occur. To the contrary: by increasing the number of seats across all constituencies, the electoral law once again has been carefully fashioned, as one former Jordanian politician put it, "to disenfranchise Jordanians of Palestinian origin".⁹⁷

⁹² For a perspective on the complex relationship between Transjordanians and Jordanians of Palestinian origin, see Adnan Abu Odeh, "Jordanians, Palestinians, and the Hashemite Kingdom in the Middle East Peace Process", Washington D.C., United States Institute of Peace, 1999. See also Laurie Brand, "Palestine and Jordan: A Crisis of Identity", *Journal of Palestine Studies*, vol. 24, no. 4 (Summer 1996).

⁹³ There are thirteen professional associations in Jordan at present with an estimated membership of over 80,000. Ever since the signing of the Jordanian-Israeli Treaty of Peace in 1994, professional associations have spearheaded a campaign against normalisation of relations with Israel, organising demonstrations and sit-ins, boycotting Israeli products and Jordanian companies that do business in Israel, publishing black lists of individuals and companies that have relations with Israeli companies and individuals and expelling professionals from their respective associations for maintaining links with Israelis. For a study on the development of these associations and their role in the democratic process, see al-Urdun al-Jadid Research Centre, "The Professional Associations and the Challenges of

Democratisation in Jordan" (Arabic), Amman, al-Urdun al-Jadid Research Centre, 2000.

⁹⁴ Department of Statistics, Estimated Population by Governorate and Sex, 1999, <http://www.dos.gov.jo>. For an analytical review of the 2001 Electoral Law, see Francesca Sawalha, "Democratisation in Jordan – The Electoral System", Amman, Friedrich Ebert Stiftung, December 2001.

⁹⁵ This represents a very slight improvement over the prior arrangement. Under the 1989 electoral law, Amman (excluding Madaba) and Zarqa were assigned 24 of 80 seats, or the equivalent of 30 per cent.

⁹⁶ King Abdullah's Letter of Designation, op. cit.

⁹⁷ ICG interview, Amman, April 2003. As political analyst Francesca Sawalha put it, "By increasing the number of seats

□ *The one-person-one-vote system.* In the 1989 elections, opposition groups benefited from a multi-voting system in which citizens were granted as many votes as the number of seats in their respective constituency – an arrangement that allowed the Islamists to win an unprecedented and unrepeatable 30 seats.⁹⁸ The introduction of the one-person-one-vote rule in 1993 was, therefore, vehemently criticised by opposition groups.⁹⁹ Although such a voting system is not inherently unfair and even its critics would have to concede that it does not limit citizens' freedom to choose the candidate of their choice, the key lies in the government's assumed motive: In Jordan's highly tribal and family-based society, a one-person-one-vote system inevitably will produce patterns that privilege those types of ties rather than political or ideological affiliation.¹⁰⁰ Many in the

across the Kingdom and maintaining more or less the same ratio of representation, the government appears to have sent a clear message that it would continue the policy of keeping Jordanians of Palestinian origin (more than half the population) underrepresented, especially with a solution of the Palestinian problem still out of sight and deep internal stability concerns". Sawalha, op. cit., p. 13. Another analyst called the amendments to the Electoral Law in 2001 an exercise in "gerrymandering". ICG interview with Musa Keilani, Amman, 5 May 2003.

⁹⁸ Francesca Ciriaci, "Opposition Coalition Finalising Proposal for 'Alternative Election Law'", *Jordan Times*, 19 April 1998.

⁹⁹ The introduction of the one-person-one-vote system was one of the principal reasons for the opposition's decision to boycott the 1997 parliamentary elections.

¹⁰⁰ For a discussion of the one-person-one-vote system and its implications, see Abla Amawi, "The 1993 Elections in Jordan", *Arab Studies Quarterly*, vol. 16, no. 3 (Summer 1994). Tribal influences on national politics routinely are on vivid display during parliamentary elections in Jordan, both during the selection process of candidates and in voting patterns. It is a common custom among tribes to hold formal by-elections or convene a meeting of elders to select their choice of tribal candidate in advance of elections. Selected candidates in turn promote themselves as representing their tribe rather than running on a political ticket. Then, in line with tribal solidarity, Jordanian voters prioritise family and clan allegiances over their political and ideological inclinations. In the June 2003 election an estimated 18,000 voters travelled from Amman to their tribal hometowns in Tafileh, Salt and elsewhere to vote for their tribal contender. Jumana Herash and Mahmoud Al Abed, "18,000 Migrate South to Vote, Protect 'Birthplace'", *Jordan Times*, 18 June 2003. For a brief look at tribal influence on the recent poll, see Francesca Sawalha, "Tribalism Still Main Ingredient of Polls", *Jordan Times*, 12 May 2003; and Rana Sabbagh-Gargour, "Islamists and Tribes Dominate Jordanian Campaign", *Daily Star*, 23 May 2003. For a discussion on

opposition had hoped that if the government refused to revert to the multi-voting system, it would either introduce a specific quota for national political party lists or increase the number of ballots voters could cast at least to two: one for any candidate from the constituency (presumably the familial or tribal choice), the other for a candidate on a national political party list. Either measure would have increased party representation in parliament.¹⁰¹

The June 2003 elections underscored the effectiveness of the mechanisms. On 17 June, over a million citizens – slightly over half the registered voters – chose from among 765 candidates competing for 104 seats.¹⁰² The lowest turnout was in Amman – 44.6 per cent – where media interviews with people in the streets seemed to suggest pronounced disillusionment with the institution of parliament.¹⁰³ As predicted¹⁰⁴, the weight of the new parliament lay in the tribal and rural heartland of "Trans-Jordan" – at the expense, once more, of urban-based opposition candidates. Two thirds of the

tribal influence on political development in Jordan more generally, see Schirin H. Fathi, *Jordan an Invented Nation? Tribe-State Dynamics and the Formation of National Identity* (Hamburg, Deutsches Orient-Institut, 1994); and Christine Jungen, "Tribalism in Kerak: Past Memories, Present Realities", in Joffé, op. cit., pp. 191-207.

¹⁰¹ ICG interviews with Taher Masri, Amman, 6 May 2003; former parliamentarian Toujan Faisal, Amman, 6 May 2003; and Saleh Armouti, Amman, 12 May 2003.

¹⁰² Hala Boncompagni, "Jordanians vote in first poll since 1997", Agence France-Presse, in *Daily Star*, 18 June 2003. An additional six seats were set aside for women, a quota intended to dilute the male-dominated parliament. In the event, of the 54 female candidates, none was elected to one of the 104 open seats, and the six highest-polling women – relative to the number of voters in their district – were then granted the quota seats.

¹⁰³ Francesca Sawalha and Sahar Aloul, "Turnout in Capital Spells Apathy", *Jordan Times*, 18 June 2003; and "Combating Indifference", *Jordan Times*, 18 June 2003.

¹⁰⁴ As Jordanian analyst Rami Khouri wrote a month before the poll: "The election results are predictable. The combination of the electoral districting system favouring the rural regions, the one-person-one-vote procedure, and the tribal make-up of Transjordanian society makes it certain that the next Parliament, like the last several, will be dominated by a centrist, tribal, pro-government majority (about 60 per cent of the seats) ... constantly pestered by a legitimate, vocal, yet effectively powerless opposition (about 25 per cent), with independent MPs comprising the balance". Rami G. Khouri, "Listen Carefully to these Electioneering Arabs", *Daily Star*, 21 May 2003.

seats went to tribal figures, only 21 to Islamist candidates.¹⁰⁵

In the absence of a far more fundamental overhaul of the political system, parliamentary elections are unlikely to augur meaningful change. In ways similar to many other Arab countries, Jordan suffers from a fragmented political party system that has weakened the possibility of genuine representative politics. Although it has witnessed a surge in the number of parties since their legalisation in 1992 – some 31 registered at latest count – they remain, with the exception of the Islamists, institutionally and financially weak, lack defined agendas and suffer from a deficit in grassroots support. Certain civic institutions, most notably professional associations, have tried to fill the vacuum by assuming a more political role, but legal restrictions curtail their activities and, of course, they are unable to run as parties in the elections.

While shortcomings within the parties themselves are largely to blame for this weakness, Jordanians interviewed by the ICG also point to actions by the government that have stymied the development of a sustainable party system.¹⁰⁶ As one activist explained:

[The government] allowed political parties but imposed direct and indirect restrictions on them via laws, actions and intimidation, stifling channels of funding, and generally weakening them. The only ones who benefited were the Islamists, because they had already been a party before and had managed to spread their influence. They had the opportunity to organise and they had a link with the people via schools, clinics, and mosques. So the period of opening up benefited the Islamists. To balance that, other groups had to be

encouraged, but the government was more afraid of the others than of the Islamists.¹⁰⁷

What the 2003 elections showed is that, successive amendments to the Electoral Law notwithstanding¹⁰⁸, parliamentary polls have reinforced rather than modified the engineered electoral arrangement described above. By giving disproportionate representation to rural areas, the government is able both to minimise the Islamists' votes and ensure the preponderance of the traditional Trans-Jordanian elites over those of Palestinian descent. Put differently, the government has chosen to depend on the conservative tribal nature of segments of society to act as a counterweight to the organised opposition. Not surprisingly, therefore, the government's reluctance to reform the electoral law – and the political system more generally – in a meaningful way produced elections in 1993, 1997 and 2003 that ushered in parliaments that were by and large tribal assemblies.¹⁰⁹

VIII. CONCLUSION: A ROADMAP WITH A COMPASS

Jordan faces a difficult choice as it surveys the troubled political landscapes at home and in the region. The regime is focused, above all, on its own stability, as it has been since multi-party politics were suspended in 1957, but the key question is whether this goal would be better served by a continued clampdown on expression and association or by a gradual, carefully managed opening of political space. The latter would not satisfy those among the government's critics who demand a more ambitious

¹⁰⁵ One source suggests that 50 of the 765 candidates were incumbents; of these, some 30 secured a seat in the new parliament. ICG telephone interview with Hussein Abu Rumman, head of the Electoral and Parliamentary Studies Program at Al-Urdun Al-Jadid Research Centre, Amman, 27 August 2003. Generally, the new parliament saw an influx of fresh blood, although it could be argued that this was a case of "new faces, old clans" – large families and tribes tend to rotate their candidates, so no incumbent parliamentarian from one of those clans has a prima facie guarantee to be encouraged to present his or her – mostly his – candidacy.

¹⁰⁶ ICG interview with Hisham Ghasib, a former member of a leftist party, Amman, 6 May 2003.

¹⁰⁷ ICG interview with Asma Khader, a human rights lawyer, Amman, 7 April 2003.

¹⁰⁸ The most recent amendment to the Electoral Law was effected in July 2001 and concerned primarily procedural issues. Magnetic voting cards were introduced in place of the easily duplicated paper ones; ballots now must be counted at polling stations rather than in designated vote-counting locations; and elections must now be supervised by a committee that includes members of the judiciary, not only representatives of the ministry of interior. Even critics of the government concede that these modifications were positive and helped improve the transparency of the electoral process. ICG interviews with human rights activist Fawzi Samhoury, Amman, 7 May 2003; and member of the Jordanian Communist Party Emily Nafaa', Amman, 15 May 2003.

¹⁰⁹ ICG interviews with a number of political actors and commentators, Amman, May-September 2003.

democratisation agenda – full respect for human rights, a more accountable government, the strengthening of democratic institutions and an opportunity to construct a vigorous independent civil society. But given the current orientation of Jordan's political class, it appears for now the most the regime will contemplate. If successfully implemented, it might keep on the sidelines a radical fringe of Islamists that has appeared in recent years and has shown no reluctance to use violence.¹¹⁰

Jordan is a constitutional, tribal monarchy in which the king – Abdullah II and his father, Hussein bin Talal, before him – has played a dynamic role in effecting social and political change. The country's path towards greater political openness has been complicated and delayed by a number of external developments ranging from the stalled Arab-Israeli peace process and the Palestinian intifada, to the events of 11 September and the Anglo-American war against Iraq. But instability on its borders has not been the only reason for arrested democratic development and the decision to give priority to a predominantly security-oriented approach. The kingdom's demography – in particular the incomplete integration of Jordanians of Palestinian extraction – the belief that economic liberalisation must precede political reform, the expanded role of the security apparatus, the persistent and strong influence of tribalism on national politics and the weakness of political parties have also contributed to hinder development of a more participatory system.

Pronouncements by the King and recent steps taken, however reluctantly, by the government suggest that

¹¹⁰ On 28 October 2002, a USAID administrator, Laurence Foley, was assassinated outside his home in Amman. Immediately afterwards, the Jordanian authorities sought to question Mohammad Shalabi, otherwise known as Aby Sayyaf, a native of Ma'an, and other militant Islamists whom it said it suspected of possessing information that could help to apprehend the culprits. On 14 December, the Jordanian authorities announced the arrest of two alleged al-Qaeda members, Salem Saad bin Suweid, a Libyan, and Yasser Fatih Ibrahim, a Jordanian, in connection with the Foley killing; neither appeared to have any link to Abu Sayyaf. That said, Islamist extremism – personified in groups such as al-Qaeda – does not appear to have significant support base in Jordan, as it does in Yemen, Saudi Arabia, and even Egypt. For an analysis of the relationship between the nature of state power and patterns of Islamic activism in Jordan, see Quintan Wiktorowicz, *The Management of Islamic Activism: Salafis, the Muslim Brotherhood, and State Power in Jordan* (New York, 2001).

the political leadership in Amman is set, at least for the time being, on returning to a more participatory approach to governance, as well as on loosening the state's hold over basic freedoms. The repeal of the amendment to Article 150 of the Penal Code and the resuscitation of parliament via elections constitute important first steps towards greater political participation. Prime Minister Ali Abul Ragheb, sworn in to head a new government in July 2003,¹¹¹ publicly declared a commitment to greater political liberalisation, a new political parties law and an anti-corruption campaign.¹¹²

These encouraging developments should not obscure the fact that Jordan still faces significant challenges. What it needs is a Roadmap, but unlike the one across the river, a Roadmap that is accompanied by a compass that will guide the Jordanian polity as it embarks on changes that are both necessary and fraught with risks. Some important initiatives have already been launched, including the recommendations of the Jordan First Committee in December 2002, the June 2003 establishment of the National Centre for Human Rights and the report on Ma'an issued by the Centre for Strategic Studies at the University of Jordan in August 2003. These should now be expanded, receive unequivocal regime support and themselves give rise to further independent initiatives. They include:

¹¹¹ It is a tradition, not a rule, in Jordan for prime ministers to resign following a general election, even if only to be reappointed by the King. In line with this, Abul Ragheb resigned on 20 July 2003 and was called on by royal decree to form a new government the following day. The cabinet had eight new faces, including the ministers of the interior and information. Although a vote of confidence in the government is not mandated in the constitution until the ordinary session of parliament commences, Abul Ragheb was inclined to seek such a vote, analysts say, in a bid to strengthen his position. On 14 August, he secured the result he desired, winning an overwhelming 77.7 per cent of the vote. A cabinet list is available at: <http://www.jordanembassyus.org/new/govlisting.shtml>. For reporting on Abul Ragheb's resignation, reappointment and decision to obtain a parliamentary vote of confidence, see Francesca Sawalha, "Abul Ragheb may Reshuffle Government", *Jordan Times*, 14 July 2003; "King Entrusts Prime Minister to Form New Government", *Jordan Times*, 21 July 2003; Francesca Sawalha, "New Government Sworn In", *Jordan Times*, 22 July 2003; and Dina al Wakeel and Sahar Aloul, "Government wins 77.7 per cent Vote of Confidence", *Jordan Times*, 15-16 August 2003.

¹¹² *Al-Ra'i*, 7 August 2003.

□ **Bolstering the reform process.** There are several areas where reform is most widely called for: the Electoral Law, the Press and Publications Law, the Political Parties Law and the various laws governing the operation of non-governmental organisations. The most important electoral requirement for democratic transition arguably is a system that maximises inclusiveness.¹¹³ Yet, the Electoral Law is fashioned in such a way as to prevent certain segments of society from enjoying significant political expression. Many interviewed by ICG emphasised the importance of making the process more reflective of the country's demographic makeup and/or increasing to two the number of ballots voters can cast in order to guarantee better political representation of national political parties. The call for reform comes not from the public alone but extends to the political establishment. Recently, the Political Parties Committee, one of five committees formed by the government to implement the Jordan First campaign, came out in favour of reform of the Electoral Law and the Political Parties Law.¹¹⁴ The presence of independent international election observers would go a long way toward enhancing the credibility of future elections.

Equally important would be to expand media freedoms. While the annulment of the latest amendment to Article 150 of the Penal Code is an important first step towards loosening the government's hold over the media, many insist that the 1999 Press and Publications Law must also be revised in order to guarantee greater press freedoms. The most obvious amendments concern government licensing and censorship practices, restrictions on who can be a journalist, prohibitive minimum-capital requirements for newspapers and limitations on funding for research centres. The government also should sell its shares of the Kingdom's daily newspapers and revoke the provision that allows for pre-trial detention of journalists.

Jordanians interviewed by ICG also suggested the establishment of a Constitutional Court as

a practical step to help resolve future disputes over the constitutionality of laws and decrees and thereby lend greater credibility to the legislative process. Such a court, which the 1991 National Charter calls for, would have authority to "decide on disputes and challenges pertaining to the constitutionality of laws and decrees which are brought before it by interested parties".¹¹⁵

□ **Strengthening civic institutions.** Popular participation in political life must extend to civic institutions, including parties. Although Jordanians are free to form civic organizations and a number of these have been working to enlarge the public space, defend basic freedoms and promote political ideas, the government could do far more to facilitate their work. A critical first step would be to loosen state-imposed controls over their internal functioning and financing. Ultimately, the goal should be to strengthen civil society, promote independent and alternative voices and allow for genuine and constructive opposition.

□ **Addressing the issues raised by the violence in Ma'an.** Following the events in November 2002 and King Abdullah's explicit recognition that measures were needed to benefit the people there and prevent further violence, the government moved modestly to improve the severely-frayed relations between authorities and the population and deliver economic services to those most in need. It withdrew the overbearing presence of security services, compensated 220 citizens for damage incurred to property, began reconstruction in the Shamiyyeh and Tor areas most damaged in the violence, and announced budgetary allocations for development programs.¹¹⁶ Ma'an is a bellwether for how political winds are blowing in the Kingdom.¹¹⁷ Failure to tackle head-on the

¹¹³ Peter Harris and Ben Reilly, "Democracy and Deep-Rooted Conflict: Options for Negotiators", Stockholm, International IDEA, 1998.

¹¹⁴ *Jordan Times*, 25-26 April 2003.

¹¹⁵ The Jordanian National Charter (December 1990), Chapter Two, available in English translation at: http://www.mfa.gov.jo/pages_txt.php?id_s=85.

¹¹⁶ ICG interview with Dr. Adel Tweissi, President of Al-Hussein Bin Talal University in Ma'an, Amman, 19 August 2003.

¹¹⁷ ICG wrote: "Unemployment, poverty, political frustration, social conservatism and a sense of political marginalisation initially fostered a small, radical movement of militant Islamism in Maan and, since 1989, has resulted in recurring political violence....But the lessons of Maan's story hold for more than the South. The confrontations in the

issues raised by the violence might have a boomerang effect beyond the boundaries of the town. As ICG recommended in February 2003, the government should modernise and standardise law enforcement throughout the country; adopt a fresh approach to citizen-police relations through public education programs, sensitivity training, and joint councils or ombudsman-type mechanisms to examine routine complaints; implement intensive job-training and skill-building efforts to enhance young Ma'anis' technical and administrative capabilities and broaden opportunities and offer new social outlets for them by developing local tourism, encouraging volunteer programs and building cultural and sports facilities; and embark on serious efforts to expand private sector investment.

- These recommendations are echoed in a recent report of the Centre for Strategic Studies at the University of Jordan, which called on the government to deal directly with the Popular Committee of Ma'an, improve the performance of local state institutions in the town, apply a single standard of law in the area, develop essential infrastructure in Ma'an and towns suffering similar economic conditions and organise activities for Ma'ani youths that will offer them outlets through which to channel their capabilities.¹¹⁸

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town have been localised events, to be sure, but by and large they have dealt with national issues – inadequate popular participation, political representation and government responsiveness; economic distress in the face of rapid change and dislocation; uneven law enforcement and arbitrary security tactics; and anger at developments in the occupied Palestinian territories and Iraq”. ICG Briefing, *Red Alert in Jordan*, op. cit., pp. 12-13.

¹¹⁸ The Centre for Strategic Studies, “Ma'an: An Open-ended Crisis”, op. cit., pp. 80-81.

APPENDIX

ABOUT THE INTERNATIONAL CRISIS GROUP

The International Crisis Group (ICG) is an independent, non-profit, multinational organisation, with over 90 staff members on five continents, working through field-based analysis and high-level advocacy to prevent and resolve deadly conflict.

ICG's approach is grounded in field research. Teams of political analysts are located within or close by countries at risk of outbreak, escalation or recurrence of violent conflict. Based on information and assessments from the field, ICG produces regular analytical reports containing practical recommendations targeted at key international decision-takers. ICG also publishes *CrisisWatch*, a 12-page monthly bulletin, providing a succinct regular update on the state of play in all the most significant situations of conflict or potential conflict around the world.

ICG's reports and briefing papers are distributed widely by email and printed copy to officials in foreign ministries and international organisations and made generally available at the same time via the organisation's Internet site, www.crisisweb.org. ICG works closely with governments and those who influence them, including the media, to highlight its crisis analyses and to generate support for its policy prescriptions.

The ICG Board – which includes prominent figures from the fields of politics, diplomacy, business and the media – is directly involved in helping to bring ICG reports and recommendations to the attention of senior policy-makers around the world. ICG is chaired by former Finnish President Martti Ahtisaari; and its President and Chief Executive since January 2000 has been former Australian Foreign Minister Gareth Evans.

ICG's international headquarters are in Brussels, with advocacy offices in Washington DC, New York, London and Moscow. The organisation currently operates thirteen field offices (in Amman, Belgrade, Bogota, Cairo, Freetown, Islamabad, Jakarta, Kathmandu, Nairobi, Osh, Pristina, Sarajevo and Tbilisi) with analysts working in over 30 crisis-affected countries and territories across four continents. In Africa, those countries include Burundi, Rwanda, the

Democratic Republic of Congo, Sierra Leone, Liberia, Guinea, Ethiopia, Eritrea, Somalia, Sudan, Uganda and Zimbabwe; in Asia, Indonesia, Myanmar, Kyrgyzstan, Tajikistan, Turkmenistan, Uzbekistan, Pakistan, Afghanistan and Kashmir; in Europe, Albania, Bosnia, Georgia, Kosovo, Macedonia, Montenegro and Serbia; in the Middle East, the whole region from North Africa to Iran; and in Latin America, Colombia.

ICG raises funds from governments, charitable foundations, companies and individual donors. The following governmental departments and agencies currently provide funding: the Australian Agency for International Development, the Austrian Federal Ministry of Foreign Affairs, the Canadian Department of Foreign Affairs and International Trade, the Canadian International Development Agency, the Royal Danish Ministry of Foreign Affairs, the Finnish Ministry of Foreign Affairs, the French Ministry of Foreign Affairs, the German Foreign Office, the Irish Department of Foreign Affairs, the Japanese International Cooperation Agency, the Luxembourgian Ministry of Foreign Affairs, the Dutch Ministry of Foreign Affairs, the Royal Norwegian Ministry of Foreign Affairs, the Swedish Ministry for Foreign Affairs, the Swiss Federal Department of Foreign Affairs, the Republic of China Ministry of Foreign Affairs (Taiwan), the Turkish Ministry of Foreign Affairs, the United Kingdom Foreign and Commonwealth Office, the United Kingdom Department for International Development, the U.S. Agency for International Development.

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