

A DECADE OF STRUGGLING REFORM EFFORTS IN JORDAN

The Resilience of the Rentier System

Marwan Muasher

MIDDLE EAST | MAY 2011

CARNEGIE ENDOWMENT

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Summary

The protests that spread throughout the Middle East in the spring of 2011 are calling greater attention to reform in the region. King Abdullah II has attempted to launch a number of political reform initiatives in Jordan since coming to the throne in 1999. But all efforts to open up the political system have been thwarted by a resilient class of political elites and bureaucrats who feared that such efforts would move the country away from a decades-old rentier system to a merit-based one. This group accurately predicted that reform would chip away, even if gradually, at privileges it had acquired over a long period of time in return for its blind loyalty to the system. It thus stood firm not just against the reform efforts themselves, but also in opposition to the king's own policies.

One example of the gradual and serious reform efforts by the king was the Jordanian National Agenda, a blueprint for political, economic, and social reform. The document was developed in 2005 by an inclusive committee of personalities from political parties, parliament, media, civil society, the private sector, and the government, who represented a wide spectrum of political, economic, and social ideologies. This group did not rely on rhetorical statements, but suggested specific programs with timelines, performance indicators, and links to the budget.

In the political reform field, the agenda proposed new laws to open up elections, prevent discrimination against women, encourage freedom of the press, and address other issues—all with the goal of gradually building a system of checks and balances in the country and moving from the old, rentier system that privileged a small elite class to one where success was based on skill. It is precisely because of this goal that the effort was shot down by an entrenched political and bureaucratic establishment.

It is important to understand the proposed initiatives and their role in developing a gradual and serious reform process to put the country on a solid track toward a political system of checks and balances and an economy characterized by sustained and internally generated growth. When analyzing the structural reasons for why reform efforts continue to falter the answer becomes clear—in order to protect itself, the regime created a loyal political and bureaucratic group. But this group is now entrenched and ossified and has no qualms about turning against its creator when its interests—as opposed to those of the country—are threatened. This phenomenon is not unique to Jordan, but can be found throughout most of the Arab world.

The reform process in Jordan has largely stalled since the National Agenda was first proposed in 2005. Successive governments paid lip service to it, but dropped all references to its recommendations on political reform. The old election law—structurally flawed to thwart the development of a strong parliament and a system of checks and balances—has largely been left intact. The lack of a serious reform process has resulted in successive weak parliaments, a rise in corruption, and an erosion of public trust in state institutions that has manifested itself in unprecedented social tensions in the country.

Introduction

On February 1, 2011, after weeks of protests that preceded the uprisings in both Tunisia and Egypt, King Abdullah II dismissed the unpopular government of Samir Rifai and entrusted Marouf Al Bakhit, an ex-army general and former prime minister, with forming a new government. Bakhit's major task would be "to take speedy practical and tangible steps to unleash a real political reform process that reflects [Jordan's] vision of comprehensive reform, modernization and development."¹ While the references to political reform abounded in this newest letter, they were far from new.

Since acceding to the throne in 1999, the king has entrusted almost every appointed government with some aspect of political reform. What was novel about this particular letter was his candid admission that "the process has been marred by gaps and imbalances" and that these were the result of "fear of change by some who resisted it to protect their own interests . . . costing the country dearly and denying it many opportunities for achievement."²

In several speeches and press interviews over the last few years, the king has hinted at his frustration with those who did not wish to embrace change. The words in this letter, however, marked the clearest attack yet on those who resisted reform. The accusation was explicit: the motives behind resistance to change from such groups, which had in fact been created and sustained by the system over many decades, stemmed from their desire to protect their own private interests—even at the expense of the state.

Could reform efforts have taken a different course in Jordan? In a country where the king has broad powers over all branches of government, his expressed frustration over the struggling reform efforts begs the question of why the status quo remains intact. This decade-long process, initiated by the king, has been largely ignored by an ossified layer of elites seeking to protect their own interests. The clear discrepancy between the king's directives to the seven prime ministers he had entrusted to form governments in his twelve years of power—and the actual record of reform completed by these respective governments—points to a structural problem that is all too often ignored.

Much research has been done on the creation of rentier and semi-rentier systems in the Arab world,³ whereby the state relies on rents from such non-productive sources as oil or external assistance. Such rents, however, are also specifically utilized to provide privileges to the political elite in exchange for its loyalty. These groups, developed by many Arab systems over decades,

support the existing order because it occupies a privileged position that would be compromised by merit-based systems, rather than ones based on clientelism and patronage.

In the case of Jordan, this group has become so entrenched, powerful, and ossified that it is now not only resisting such reform from below but—more

This group of political elites has become so entrenched, powerful, and ossified that it is now not only resisting reform from below but—more dangerously—from above. In other words, these elites have become recalcitrant, self-appointed guardians of the state who believe they alone should decide how the country ought to evolve.

dangerously—from above. In other words, these elites have become recalcitrant, self-appointed guardians of the state who believe they alone should decide how the country ought to evolve. They have no qualms about opposing the directives of the leaders or systems that created them in the first place if those leaders are seen as adopting policies that threaten their interests.

An examination of the political reforms conducted by successive governments in Jordan over the last decade suggests that, in most cases, the king's directives were ignored, diluted, and, at times, directly opposed. This does not imply that the objectives of this class and the monarch were always in contradiction, but suggests that the rentier

system has, over time and through entrenchment, created monsters who will only acquiesce as long as the system perpetuates the old policy of favors.

These groups are therefore more likely to pursue policies that are antithetical to political reform, thus resulting in the gaps and imbalances lamented by the king's latest letter. These rentier systems have already proven to be difficult to maintain and, in an Arab world that is increasingly demanding better governance and greater accountability, such ossified systems will come to pose significant threats to stability, particularly in resource-poor countries such as Jordan.

The Early Years

King Abdullah inherited a country in 1999 that was politically stable; Jordan had signed a peace treaty with Israel five years earlier and, under his father, King Hussein, succeeded in both fending off threats from several Arab regimes and forging close relationships with many of them. Still, Jordan's economic crisis in 1988—caused by overspending by successive governments and a shortage of Arab economic aid—and its perceived position during the first Gulf War (when King Hussein opposed both the occupation of Kuwait and the deployment of foreign troops in the region) had culminated in a difficult economic situation that was compounded by the loss of traditional Arab aid and, until 1997, most U.S. aid as well.

Plans to privatize state-owned entities, encourage foreign investment, downsize the bureaucracy, and end subsidies, for example, had languished for years.⁴ Under such circumstances, it was only natural for the king to devote most of his early energies to the country's stark economic conditions. Still, the young monarch's age was much closer to that of the general population and, as his wife, Queen Rania, was of Palestinian origin, there were widespread hopes and expectations that the new ruler would devote more attention to opening up the political system and strengthening national unity.

In his first letter of designation to Prime Minister Abdul Rauf Al-Rawabdeh, the king emphasized the need to enhance national unity, promote democracy, strengthen the judiciary, boost efficiency in the public sector, and strengthen the role of the media in promoting freedom of expression. The references to such elements of political reform were still general and not yet part of a comprehensive program. The focus was largely economic and resulted in some notable achievements, such as Jordan's accession to the World Trade Organization in 1999 and its free trade agreement with the United States in 2000—the first agreement of its kind between the United States and any Arab country.

But on the political reform front, few positive developments took place. Rawabdeh, an experienced but conservative East Bank politician, was widely perceived as biased against Jordanians of Palestinian origin and generally averse to the private sector and media. His feud with a local paper, as well as his inaction on changing a highly controversial and restrictive press and publications law, did not endear him to the press.

In addition, his disagreement with the liberal chief of the Royal Court, Abdul Karim Kabariti, who supported the king's policy of treating all Jordanians equally, ended with Kabariti resigning in protest. This trajectory did not win Rawabdeh many supporters and, in April 2000, nearly two-thirds of the lower house of parliament signed a petition calling for his government's dismissal. His resistance to political and economic change, as well as the resignation of three liberal ministers in his government, finally did him in. The king's call to reform the electoral law was never even touched.

When Rawabdeh was dismissed in June 2000, his government could not point to any significant advancement on political reform. He had reportedly managed to temporarily convince the king that political reform carried major risks for stability if combined with accelerated economic reform.⁵ Rawabdeh, sixty years old at the time, was neither in sync with the general population (70 percent of whom are under 30) nor with the king—both were much younger in age than Rawabdeh and eager to accelerate the pace of change in the country.

These rentier systems have already proven to be difficult to maintain and, in an Arab world that is increasingly demanding better governance and greater accountability, such ossified systems will come to pose significant threats to stability.

The Governments of Ali Abu Ragheb, 2000–2003

Between June 2000 and August 2003, King Abdullah appointed Prime Minister Ali Abu Ragheb to head three successive governments. Abu Ragheb was supposed to be everything that Rawabdeh was not. Although also an East Bank politician, Abu Ragheb was younger and more liberal, both politically and economically. The king not only reiterated his wishes to preserve national unity in his letter of designation to the new prime minister, but also entrusted the new government to enact a constitutional provision calling for equality and equal opportunity for citizens, regardless of their origin.

His directives on political reform were even stronger and more than compensated for the previous letter's lack of specificity. He asked Abu Ragheb to enact "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 colors."⁶

Beyond the elections law, the king gave further specific directives, including supporting the formation of political parties (and the legitimate inclusion of the opposition), protecting the independence and efficiency of the judiciary, and working toward a free and independent press. The king's directives on reform were beginning to be shaped along a more comprehensive view of the elements needed to enact it and had clearly moved beyond mere rhetoric.

Unfortunately, the directives were not implemented. The government may have embarked on an accelerated path of economic reform, but it continued to waver on the political reforms necessary to ensure the development of a system of checks and balances that could monitor economic activities and curb abuses. In fact, it moved in the exact opposite direction.

Instead of promoting pluralism, democracy, and the formation of political parties, the king—acting on the recommendation of the government and the powerful intelligence services—dismissed the parliament in June 2001. Elections were postponed indefinitely under the pretense of "regional tensions" in the Palestinian territories and later in Iraq. Indeed, elections would not be held again until a full two years later, in June 2003.

Approximately 211 provisional laws were passed during the parliament's absence, making use of a clause in the constitution that allows laws to be passed by the government in the absence of parliament under pressing circumstances. This was at best a gross misinterpretation of the Jordanian constitution, which, in Article 94, Paragraph A, gives the Council of Ministers (with the approval of the king) power to issue provisional laws in the absence of parliament only on matters requiring "necessary measures which admit of no delay or which necessitate expenditures incapable of postponement."⁷

Contrary to the designation letter's directives, the government passed laws that further limited press freedom and public demonstrations. Rather than commit to privatizing the media and withdrawing its hand from the press, the government opted to relinquish direct control over the Social Security Corporation instead (which was a primary shareholder in three of four local daily newspapers), but maintained its control over these papers through indirect means.

More significantly, the amendments made to the election law (Law No. 34 of 2001)⁸ were largely inconsequential, lowering the voting age from nineteen to eighteen, increasing the number of deputies from 80 to 110—including a quota of six seats for women—and resizing electoral districts by raising their number from 20 to 45.

But on the core amendments necessary to address the king's directives—formation of political parties and ensuring the equality and representation of Jordanians regardless of their ethnic origin—nothing was done. The new law did not amend the voting system to allow political party representation, and it kept the controversial districting system largely intact—a system designed to keep the number of parliament members of Palestinian origin to a minimum.

The Jordan-First Initiative, 2002

The Jordan-First campaign was the first initiative under King Abdullah that attempted to articulate a comprehensive vision of economic and political reform, although it leaned more strongly toward economic issues. Initiated by the palace, the initiative included the formation of a national committee to deal with different economic and political issues. The section on political reform debated five issues: (1) the possibility of establishing a constitutional court, (2) drafting a new political parties law with the aim of ending the state of fragmentation among political parties by encouraging mergers between them, (3) introducing a parliamentary quota for women, (4) enacting anti-corruption measures, and (5) setting rules to cover relations between professional organizations and the state and society in general.

But while the resulting final document claimed that the initiative would represent a new social contract that would redefine the relationship between the citizen and the state, the committee was not exactly inclusive. Most of its members were government officials, parliament members, and some private-sector leaders, but there were no members from the opposition. In this case, the internal failings of the program cannot be purely attributed to sabotage by the political elite but, rather, to the failure of the committee to adequately

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communicate its objectives and aims. The committee also lacked wide buy-in from the government, and produced a document that did not live up to its promise of a comprehensive social contract.

Thus the palace shares part of the responsibility for the lack of a coherent and comprehensive strategy. Other than huge billboards, pins, and other promotional material with the slogan, “Jordan-First,” there was little effort to explain the purpose behind the initiative. According to the University of Jordan’s Center for Strategic Studies, three-quarters of Jordanians had heard of the “Jordan-First” motto, but only 16 percent of them knew that it was a strategic document on reform.⁹ As a result, it was reduced to a slogan, and either hailed or attacked for its perceived inward-looking approach, depending on which side of the political spectrum one stood.

In the end, the only recommendation that was adopted by the government was the six-seat parliamentary quota for women. The initiative and the billboards died quickly, having never acquired real traction in society.

The replacement of the conservative Rawabdeh with the liberal Abu Ragheb ultimately did not result in any serious political reform. The two prime ministers’ political views aside, the king’s call for more democracy and equality ran opposite to the views of the political establishment at large, particularly those of the powerful intelligence services at the time. While the king’s own views about political reform were still being developed—as the Jordan-First campaign showed—the political establishment was unprepared for such major transformations in Jordanian society. They had therefore successfully pushed to postpone elections for two years, and secured an election law that only touched at the margins of the real issues and did not even come close to the king’s designation directives.

Meanwhile, many of the 211 laws passed were intended to further liberalize the Jordanian economy but, without a sitting parliament to pass these laws, many of these laws were—and still are—viewed with skepticism, as the process was less than transparent. Recurrent riots in the southern city of Maan that began at the end of 2002—which involved clashes between the police and the army on one hand and local Maani elements on the other—might have been partly the result of some lawless gangs. But many saw it as a manifestation of frustration over the government’s socioeconomic and political policies, as well as an indication of mounting tensions and economic difficulties. In many ways, Maan has served as a litmus test for Jordan’s socioeconomic and political difficulties.¹⁰ Political disaffection in Maan is often shared by others throughout the country, specifically on matters such as the unraveling situation in Iraq, the occupied Palestinian territories, and restrictions on peaceful dissent.¹¹

The Shift Toward Political Reform: The 2003 Government of Faisal Al-Faiz

In a February 2003 speech in the lead-up to the war in Iraq, U.S. President George W. Bush called on Arab leaders to address the “freedom gap” and suggested that the removal of the Saddam Hussein regime could potentially inspire the opening of political systems in the Arab world.¹² Thus 2003 was a difficult year for the region, and Jordan was no exception. The U.S. invasion of Iraq in March brought domestic and regional tensions to unprecedented levels, and Jordan found itself in a position where it did not want to repeat its policy of the first Gulf war, which had brought it both Arab and international isolation. The war was widely unpopular among Jordanians, with demonstrations occurring all over the country. Fortunately, the war itself was short-lived, but—with tensions running high and no political space through which to channel them—it was becoming clear that more attention was needed on the issue of political reform if such tensions were to be adequately addressed.

It was in the same year that a stark division within the country’s political forces clearly emerged—further eroding the existence of a middle course for Jordan, and the charting thereof. An International Crisis Group (ICG) report described it best as a division between those who continue to see democratization as a threat to stability, and those who see it as the only way to ensure Jordan’s security in the long run.¹³

The king listened to both points of view, and ultimately decided to hold parliamentary elections in June and accelerate the reform process in the hopes of addressing rising political tensions. In October 2003, he replaced the incumbent government with a new one led by Prime Minister Faisal Al Faiz, mandated with both accelerating the pace of political reform and institutionalizing it. Traditional and tribal, Faiz was widely perceived as a “king’s man” who the king hoped would not derail or undermine reform.

In his letter to Faiz, the king made it clear that “political development with all its aspects”¹⁴ was high on the list of priorities, and acknowledged that economic reform had to be accompanied by political opening. “It is time we apply the concept of political development in which all the sectors and political powers of society take part We want political development that yields strong and unified parties of different characters that fulfill the concept of ‘Jordan-First’ and preserve the country’s pride and strength.”¹⁵

In his letter of designation, the king was very specific about the areas of political reform that needed attention: a pluralistic system that includes women and youth; a responsible and free press; a modern political parties law; a concerted fight against corruption; judicial reforms to ensure neutrality and safeguard rights; and the establishment of a knowledge-seeking system based on tolerance and creativity. He asked, once again, for a modern political parties law and a modern election law—implying that the measures passed just a few

months before were insufficient; it had once again produced a very traditional and weak parliament through electoral engineering and the one-person, one-vote system, under which voters can cast only one ballot in multi-seat districts.

In practice, this system is structurally biased, primarily due to the delineation of uneven and heavily gerrymandered districts that serve to maximize the number of individuals elected from tribal and rural areas—which traditionally depend on services from the state—at the expense of those from urban ones. Retaining this formula would allow for the continued favoring of tribal candidates and would also ensure the election of unaffiliated candidates (rather than members of political parties). As such, it perpetuates the rentier system by allowing for the continuation of an unreflective and exclusionary electoral framework.

As a measure to consolidate all things related to political reform, a new ministry of political development was established as a tool for institutionalizing the king's vision and translating it into a specific work plan with objectives and timetables. The ministry was tasked with achieving a number of strategic objectives over a period of five years. These included: enhancing public freedoms and freedom of the press; empowering women, youth, and political parties; and strengthening the judiciary's independence—all reforms that had been repeatedly outlined in the king's designation letters.

In February 2004, the Bush administration resurrected the issue of political reform when its document, "The Greater Middle East Initiative," which was to be submitted to the G8 summit in June of that year, was leaked. The document was seen as an attempt by the United States to impose reform by force, while ignoring key issues such as the Arab-Israeli conflict and appearing to move against Islam. The effort prompted discussions at the Arab League on the need to counter such an effort through a home-grown Arab initiative that would be produced by Arabs and directly address Arab needs.

The resulting document, endorsed by Arab leaders at the Arab summit in Tunisia in May 2004, produced the first collective official Arab document on political reform.¹⁶ Short on specifics, timelines, and monitoring mechanisms, it nonetheless identified key areas of political reform that needed to be addressed by Arab countries: respecting human rights and freedom of expression; ensuring the independence of the judiciary; pursuing the advancement of women; acknowledging the role of civil society; modernizing the educational systems; and adhering to the values of tolerance and moderation.

Intending to modernize the political process from above, the king's revitalized efforts and calls for reform fell on deaf ears yet again. The rentier system, firmly entrenched by that time, ensured that no serious political process could succeed without considerable difficulty. On the one hand, the structural flaw in the election law—which the system had no intention of changing—ensured that parliament remained a service-oriented body, subservient to the government and reliant on it for services rendered to member constituencies. It was not a body collectively concerned with major issues, and certainly not political reform.

Government, on the other hand, had an interest in appeasing members of parliament, through the steady provision of services, in order to remain in power. Thus, although the government had a few vocal reformers, the prime minister quickly discovered that advancing political reform would entail difficult confrontations with the country's political elite, including its intelligence services. Instead, he opted to gradually lower expectations on what could be achieved, rather than engage in any systematic process aimed at developing political life in the country.

Instead of pushing the government's political reform agenda, Faiz, under pressure from the intelligence services, shifted gears and started talking about "administrative reform" as the top priority during the latter part of the year. Even then, the government found it hard to match its rhetoric with deeds. One particular move that raised a lot of questions was the prime minister's decision in December to appoint over 30 people—many of whom were relatives or friends of parliament members—to senior government positions and also to replace many university presidents without a vetting process.

Instead of building on the Tunis document, the momentum for political reform lost steam by the end of 2004. A cabinet reshuffle in October of that year did little to remedy the situation. In March 2005, the interior minister introduced a government-approved bill to parliament that further reduced political space by regulating the activities of all professional associations. The bill required associations to keep discussions apolitical and called for the creation of a disciplinary structure to penalize those who broke the law. A series of sit-ins and protests by civil society followed and was met with government crackdowns and arrests. This directly contradicted the king's letter of designation to the government, in which he called for a "democracy based on dialogue and respect of others' viewpoints."¹⁷

When 59 members of parliament signed a petition asking the government to withdraw the law, the government exercised so much pressure that nearly a third of them withdrew their signatures. Several journalists stated that the government had directed newspapers to refrain from publishing news about the upheaval. By the end of that month, the situation had become untenable.

The National Agenda, 2005

The political reform process, largely instigated from above, was going nowhere. The king's directives were directly opposed by a rentier elite that did not want to lose any of its vastly enjoyed privileges. It did not matter that the directives were coming from the head of state, with the very broad powers given to him by the constitution. If the directives could threaten the status quo and result in a new system—even one that would be more merit-based and thus more productive economically—they were to be delayed and derailed by all means.

The king's own thinking was evolving as well. At the start of his reign, the focus had been distinctly on economic reform, "to put bread on the table," as he often said. But such economic reforms—which included privatization of state assets and trade liberalization—were unvetted by a true political process and, with little buy-in from parliament, not positively received. Many of its members believed that the state was selling its assets to the private sector and, by doing so, reducing the privileges awarded to the elite, such as employment opportunities in state-run enterprises.

When the king introduced elements of political reform—such as equality before the law for all Jordanians, more press freedoms, and a modernized election law—such measures were presented without a clear guiding framework, strategy, or timeline. The directives were thus taken by government institu-

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tions as being open to their own personal interpretations, and often resulted in either a watered-down version of reform or no reform at all.

In February 2005, the king offered a new initiative. He entrusted Faiz's government with drafting "a national agenda that embodies the vision of all of us and specifies strategic programs and national policies whose realization should be binding to all successive governments."¹⁸ The

National Agenda was thus the first effort in the country

to approach the reform process in a holistic, rather than a piecemeal, fashion. The king went on to name a royal committee "that would embody wide categories of society" and that would suggest policies "in all political, economic and social fields."

In contrast with the Jordan-First committee, the new committee named by the king was the most inclusive since the National Accord Committee, formed under King Hussein in 1990, was tasked with drafting a new social contract after the 1989 economic crisis and riots. The National Agenda Committee of 2005 (so the reader does not get lost among committees) was composed of representatives from political parties (including the Muslim Brotherhood), parliament, civil society, women activists, media, and the private sector, in addition to the government. The king gave the committee leeway to discuss a wide variety of political, economic, and social policies. They were directed to develop initiatives in all of these areas that would be linked to the budget and include timelines and performance indicators to facilitate the monitoring and evaluation of progress.

The 27-member committee, headed by the author, adopted a holistic approach to reform and arrived at a set of recommendations within the context of three interdependent areas: 1) economic and social policies, 2) basic rights and freedoms, and 3) services and state infrastructure.¹⁹ The committee argued that reforms in these three spheres are complementary and must be imple-

mented holistically on the basis that economic and social reform cannot take place in the absence of a parallel political reform process.

The national committee subsequently agreed on eight themes that would need to be addressed and, to this end, selected several hundred Jordanians to help develop specific initiatives in these eight areas. They were as follows: 1) political development and inclusion, 2) legislation and justice, 3) investment development, 4) financial services and fiscal reform, 5) employment support and vocational training, 6) social welfare, 7) education, higher education, scientific research, and innovation, and 8) infrastructure upgrades.²⁰

It is important to evaluate some of the objectives that they put forth to provide some background on the extent of reforms studied. In the political field, the agenda proposed a new election law that would gradually build greater parliamentary strength and address structural flaws by adopting a mixed electoral system. It suggested removing all clauses that discriminated against women from Jordanian laws by 2015. It also called for laws that would grant political parties, civil society organizations, and the media the right to operate free from government interference. It also suggested laws that would guarantee judicial independence and competence.

In the economic and social fields, the committee suggested plans that would almost double real per-capita income, reduce unemployment by half, and convert the budget deficit from about 11 percent of the gross domestic product (GDP) into a surplus of 1.8 percent by 2017—in essence, moving from a rentier state to a productive and self-sufficient economy. It also included a plan to have all Jordanians medically insured by 2012.

The committee was loosely divided among three groups: traditional elites, who saw themselves as guardians of the state and thus wanted to ensure that the basic pillars of the rentier system were untouched (particularly the election law); economic neo-liberals, who were mostly concerned with liberalizing the economy and whose attitudes toward political reform were lukewarm at best; and political liberals, who desired real changes to the political system. The first and third groups were often at loggerheads, with the second group taking a backseat on political issues.

The determination of the traditional political elite to sabotage this process stemmed from their fear that a merit-based system—emerging from the discussions on political and economic reform—would come at their expense. From the outset, the political liberals were skeptical that the system would actually allow a transformation away from rentier politics but were determined to at least give it a chance.

Faced with immense resistance to change from his traditional constituency, the king continued to voice his frustration. In a letter sent in the spring of 2005 to the newly designated prime minister, Adnan Badran, the king explicitly stated that “we notice, and continue to monitor, the focused attack on reform and its backers. We would not have objected if criticism and rejection

were built on knowledge and objectivity. But the truth is evident, because the principles of reform were by-passed, and what we witnessed was that those individuals who adopted reform came under a less than objective attack; it is a pity that those who criticize and attack this national program deviated from reform principles, and succeeded in personalizing its proponents.”²¹

One of the most telling examples of the political elite’s position involved a meeting between some of the major figures in the traditional elite—all members of the appointed upper house of parliament—and the king on June 2, 2005. The king was upset that much of the criticism levied against the National Agenda effort had originated in this group, and he argued in favor of the comprehensive reform program. In response, one senator told the king that the problem in fact stemmed from a group around the king that was prioritizing “merit over loyalty”—suggesting that the two are mutually exclusive—and indicated that he and his group could not support such an agenda.²²

Nowhere was this fundamental difference more prominently displayed than during the discussions surrounding the proposed new election law. The old guard sought only marginal reforms that would retain the flawed one-person, one-vote formula. Such a voting system would be unable to independently exercise any real oversight over the executive. The political liberals, on the

The king’s directives aside, the elite were unprepared to relinquish power, however gradually, even if it would mean a better quality of life for all Jordanians.

other hand, were lobbying to introduce a mixed electoral system, whereby each voter would be given two votes: one for a district-based candidate, and the other to a national list that would encourage the emergence of political parties with representation in parliament. The percentage of seats given to party lists versus districts would gradually increase in each election cycle to allow Jordanians to acclimate to such a system, by gradually moving away from tribal-based politics and transitioning to a stronger, party-based parliament.

This new system proposed by political liberals was clearly a major departure from the rentier state discourse that had shrouded domestic politics for decades. The king’s directives aside, the elite were unprepared to relinquish power, however gradually, even if it would mean a better quality of life for all Jordanians. The group thus proceeded to mount a fierce campaign in the press against political liberals, pegging them as economic neoliberals unconcerned with the devastating social effects of economic liberalization.

They also accused liberals of participating in a conspiracy to weaken the Jordanian state, as well as any other charges they felt would resonate with a public already skeptical of state-initiated reform efforts. Armed with support from most of the state’s political and military institutions, the elite once again invoked the argument of stability versus reform and painted the entire plan as premature and dangerous.²³

The government of Badran, a liberal who strongly voiced his support for the initiative, was replaced the day after the National Agenda document was

presented to the king, on November 23, 2005. Finally convinced of the political elite's argument that the proposed election law was "dangerous and premature"—and not wanting to alienate his traditional constituency—the monarch did not mention the National Agenda effort in his letter of designation to the new prime minister until deep down in the document.²⁴

And while the king entrusted the latest government with "institutionalizing the process of reform and modernization using the National Agenda recommendations as guidelines for a comprehensive government reform program," the new prime minister, Marouf Bakhit, had no intention of doing so, having been one of the most vocal opponents of this very initiative. Throughout his tenure as prime minister, he merely paid lip service to the effort, while dropping all references to its political aspects from his government's program.

The completion of the National Agenda draft program coincided with three events that took place within a few short months: the 2005 parliamentary election in Egypt, where the Muslim Brotherhood secured 20 percent of seats; the bombing of three hotels in Jordan on November 9, 2005, by an arm of al-Qaeda in Iraq, which left 60 Jordanians dead; and the 2006 elections in the West Bank and Gaza, in which Hamas won a majority of parliamentary seats. External pressure from the West for reform had already abated due to these events, and the old guard in Jordan continued to employ these concerns in arguing that the time was not yet ripe for reform—which they framed as a tool that could potentially serve to empower radicals. On the other side, liberals argued that in a pluralistic society, Islamists would have to compete for votes instead of winning street-level support from those who were disenfranchised and disenchanted with the regime but had nowhere else to go in a closed political system. Brought to a standstill by such widely divergent perspectives, the reform engine had lost all of its steam.

The National Agenda served as the ultimate reform battleground and the old guard had prevailed. The first holistic, inclusive, and measurable reform program in the Arab world was dead on arrival, shelved just as soon as it was completed. For the next five years, action on reform would be replaced by rhetoric.

The We Are All Jordan Initiative, 2006

Pressed by the king to move reform efforts forward, Bakhit's government proved reluctant, and so assembled a forum of 700 participants over a two-day period in July 2006 to address the political, economic, and social challenges facing the country. Regardless of the fact that the National Agenda committee had spent seven months producing an in-depth analysis of those problems, which it had recently published, the participants soon produced the "We Are All Jordan" document.

The outline of the document was consolidated during this two-day "national consensus process" through discussions around a pre-selected list of priorities

for the country. The effort, a clear attempt to bypass the National Agenda's recommendations on political reform, selected a list of fifteen priorities. The first three, respectively, were "loyalty and nationalism," "sovereignty of the state and the protection of national interests," and "national security." The effort fooled no one, and was simply ignored by a largely apathetic public that had already lost faith in the seriousness of the process.

The Bakhit government did show some legislative initiative, albeit partly aesthetic: in November 2006, it passed an anti-corruption law that established an anti-corruption committee with broad and somewhat vague powers.²⁵ The law also included in its definition of corruption actions related to nepotism (*wasta*). The committee, however, had no real teeth and has been largely ineffective over the years.

Another law on financial disclosure was also passed by the government that month.²⁶ While it required all cabinet members, members of parliament, and other high-ranking officials to disclose their assets, such disclosures were kept in sealed envelopes until a complaint against an official was filed. In practice, no complaints were ever filed and no envelopes ever opened.

The first government of Bakhit ended up being notorious for its supervision of the 2007 parliamentary elections, which saw the participation of the Islamic Action Front (IAF), the political arm of the Muslim Brotherhood. Even though the election law had not been changed since the 2003 amendments, the IAF suffered its worst defeat, with its representation in parliament falling from seventeen seats to just six in the 110-member legislature. Although he implicitly blamed the intelligence services, Bakhit later admitted that the elections were rigged.

Far from enacting a modern election law, the old guard not only maintained an archaic version that would produce weak parliaments and opposition, but felt it also needed to rig the elections to minimize the representation of opposition members. When Bakhit resigned after the November 2007 elections, he left the prime ministry with the reputation as a weak, indecisive, security-minded, politically conservative leader to the point of inertia. His legacy of having overseen rigged elections would haunt him later.

Bakhit's replacement, Nader Dahabi, an efficient civil servant and an ex-minister and air force general, was tasked principally with carrying out social and economic reform, while political reform was de-emphasized. "Our most basic preoccupation must be with economic and social affairs,"²⁷ the king stated, in what by now amounted to a clear relegation of political reform to a much lower priority.

In July 2008, the government dealt a new setback to political reform by introducing a nongovernmental organization (NGO) law to parliament that placed harsh limitations on foreign funding of NGOs and allowed government officials to reject NGO attempts to register for almost no reason.²⁸ The parliament made the law even more restrictive before it was passed. Jordanian NGOs

would now be required to apply for approval from the full Council of Ministers before accepting funding from abroad.

Meanwhile, rising food and energy prices—further compounded by the global financial crisis—were taking their toll on most Jordanians. Rumors of corruption abounded, particularly concerning reported deals involving the sale of state-owned lands. Social tensions rose to unprecedented levels, with some citizens attacking police and government buildings out of frustration, often associated with local feuds unrelated to the government. Economic difficulties, coupled with political stagnation, were pulling social cohesion apart at the seam.

Responding to such pressures, the king dissolved the unpopular 2007 parliament—widely perceived as the product of systematic rigging by the intelligence services—and entrusted a new prime minister, Samir Rifai, with returning to the comprehensive reform process that had been abandoned after the publication of the National Agenda four years earlier. In his letter to Rifai, the king wrote that it was urgent to continue “the process of reform and modernization started several years ago,” and highlighted the importance of continuing to build on the “plans, programs and objectives of the National Agenda.” Once again, the king stated that “reform is a comprehensive political, economic, administrative and social regime that does not reach its fullest potential unless it is pursued equally in all sectors.”²⁹

By now, the public was extremely skeptical of the seemingly aimless process, of promises that had yet to be implemented, and of prime ministers who were uncommitted to political reform. The choice of Rifai was particularly controversial, given his lack of government experience and his affiliation with the conservative school of thought, led by his father, Zeid Rifai, who had led the fight against reform for decades. His unpopularity, almost from the day he was appointed, reflected a widespread sentiment that he was ill-equipped to carry out a genuine reform process.

Entrusted by the king to enact a modern election law and to make “qualitative steps” in reform, Rifai produced an election law that once again retained the one-person, one-vote formula while introducing minor amendments at the margins, all without any convincing consultative process. As a result, the Muslim Brotherhood announced an elections boycott and made good on its promise.

In August 2010, a cyber crimes provisional law was passed by the cabinet, supposedly in an effort to crack down on hacking or obtaining information illegally. Instead, the law contained broad and ambiguous provisions that were designed to curb online expression. The law came under heavy fire from Jordanian bloggers, as well as domestic and international watch groups. Furthermore, the government enacted more than 40 provisional laws in the parliament’s absence, adding to its unpopularity among citizens.

Meanwhile, the interior ministry, led by the ultraconservative Nayef Qadi, engaged in a questionable policy of stripping select Jordanians of Palestinian origin of their citizenship. By doing so, the ministry invoked the disengagement

decision by King Hussein in 1988, but without providing clear guidelines. This resulted in widespread criticism of a process seen as increasingly opaque and exclusionist.

Elections were held in November 2010, producing once again a weak, largely pro-government body, with no organized opposition now that the Muslim Brotherhood was out. To the dismay of wide sectors of Jordanian society, the parliament proceeded to grant the new government, led again by Rifai, a vote of confidence of 111 out of 120 members.

Between November 2010 and January 2011, riots became increasingly widespread—protestors mocked both Rifai and the parliament with equal vigor—until the king finally dismissed him on February 1. By the time Rifai left, he had not only failed to move the political reform process forward, but, given his government’s actions, had in fact set it back considerably.

A Decade in Review: Looking Back

No reform process can be implemented overnight. It is thus difficult to pass judgment on any such process by observing a single snapshot of time or cross-section of policy. But it is more credible to review such a process through a wide, decade-long window. Enough time has passed to discern emerging trends that can help determine whether the process has moved in the right direction—or in any direction at all.

“Apply the concept of political development in which all powers of society take part”³⁰

Political parties continue to be virtually nonexistent in Jordan, with the only viable opposition taking the form of the IAF. The king, in one of his first letters of designation in 2003, insisted that the government work to advance “a modern political parties law to contribute to political development which will be the basis for elections in 2007.”³¹

Instead, the harsh stipulations of Political Parties Law No. 19 of 2007³² severely curbed the freedom of such parties. The law also transferred oversight of political party activities from the ministry of political development to the ministry of interior, further eroding the independence of these parties. The law also continues to allow the ministry of the interior to control the central electoral commission and to oversee the electoral process (rather than allow for monitoring by an independent institution). Without a parallel election law that can facilitate the representation of at least some of these parties in the parliament, the effort to build a strong, multi-party political system in Jordan remains primarily rhetorical.

The law governing parliamentary elections has also been subject to two iterations over the last decade (Law No. 34 of 2001 and Law No. 9 of 2010³³). Changes from one law to the next have been minimal and primarily aesthetic. Attempts to overhaul the electoral law in a more comprehensive fashion and in a way that would lead to stronger legislative authority have been met with strong opposition from the political elite.

Instead, weak and unrepresentative parliaments have prevailed. While there have been numerous recommendations for electoral reform (the National Agenda and the National Centre for Human Rights draft law³⁴) that would enable the creation of conditions for a more transparent and representative electoral framework, traditional supporters of the regime blocked the advancement of most of these recommendations.

The election law today, pending any serious changes resulting from the current amendment debates, differs very little from that of ten years ago, with the exception of the introduction of a quota for women. The law has been structurally designed and maintained to prevent the evolution of a strong parliament capable of exercising true oversight and authority. This design has been left largely intact.

The laws surrounding civic associations have been persistently limiting. Through the law on public gatherings, the law on societies and social bodies, and the law on professional associations, NGOs and civil society are limited in role they can play and can only be utilized for social services, with little room for political advocacy.

“Development of a free, independent and professional media”³⁵

The government continues to play a strong hand in regulating the spread and flow of information; the media is regulated by the 2007 press and publications law, which continues to allow the government indirectly to—through the state court—block the publication of any printed materials it deems offensive. It also allows courts to block publication of any printed material and withdraw media licenses, but limits the government’s ability to shut down printing presses. The law calls for fines up to JD 28,000 for offensive speech against religion, the prophets, or the government.

The Right to Information Act (Law No. 47 of 2007)³⁶ was heralded by the government as a move to safeguard the right of Jordanian citizens to any information they seek. However, this law was severely hampered by the existence of the State Secrets Law of 1971 (Provisional Law No. 50 of 1971³⁷), which prohibits the free flow of government information to the public and remains in effect today. The absence of any accompanying systematic archiving process that facilitates obtaining such information renders the Right to Information Act largely irrelevant.

Growing cyber activity and bloggers/online sites were eventually regulated by the Temporary Information Systems Cyber Crimes Provisional Law of 2010, under the Rifai government.³⁸ Although contextualized as an effort to crack down on hacking or illegally obtaining information for financial transactions, the Cyber Crimes Law essentially allowed the government to shut down questionable media outlets. The law includes a number of ambiguous provisions that can be utilized to curb online expression, and immediately came under fire from local Jordanian bloggers, site owners, the National Centre for Human Rights, and the independent, New York-based media watchdog, the Committee to Protect Journalists. Jordanian journalists point to it as yet another demonstration of government attempts to control local media.

The proliferation of a vast number of media outlets, both virtually and physically, throughout the country has nonetheless persisted despite attempts to regulate their activity. Jordanian bloggers and independent e-zines have established themselves firmly and show no sign of abating or disappearing. The steady growth of such media is highly encouraging and demonstrates the power and value of public expression and the importance of freely flowing information. This has happened, however, despite the government's directives, not because of them.

“Effective and real participation by Jordanian women”³⁹

Some progress has been made on gender issues and the role of women in the decision-making process: a six-seat quota was introduced for women in parliament. While the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) was signed, stipulations were included that essentially render its signing less meaningful.⁴⁰

Women still suffer from discriminatory statutes like the Nationality and Citizenship Law (Law No. 6 of 1954), which prohibits the passing of Jordanian citizenship from women to their spouses or children.⁴¹ The amendments made to the Personal Status Law in 2001 showed signs of heading in a positive direction on women's rights (Law No. 82 of 2001). But these amendments were revisited by parliament in April 2010 and reversed. Women also face gender-based discrimination in family laws, in the provision of pensions and social security benefits, and on matters of property ownership.

These legal obstacles—when also taken in conjunction with gender-based violence—prevent women from fully integrating into society and the economy or even achieving financial independence. Despite the fact that the National Agenda recommended the removal of all forms of discrimination against women in Jordanian laws by 2015, little has been done in that regard.

“Increase productivity”⁴²

A testament to the economic inefficiency of rentierism is the growth of the government deficit by 440 percent over the last ten years, a stark contrast to real economic growth of a meager 190 percent.⁴³ Traditionally, the Jordanian government has relied on concessional foreign debt and borrowing from the Central Bank to finance the budget deficit, in addition to foreign grants. In 1999, Jordan’s deficit stood at 2.4 percent of GDP, including foreign grants, and 5.8 percent without them.⁴⁴ At the end of 2009, Jordan’s deficit stood at 8.5 percent of GDP, including grants, and 10.3 percent without them.

Most of the Jordanian government’s expenditure is concentrated in the current account, and a bloated public sector is the prime beneficiary. The National Agenda had as one of its most significant initiatives a plan to move the economy away from a rentier system to a self-sufficient economy, and to reach a budget surplus of 1.8 percent by 2017. Granted, the global financial crisis has affected this plan, but it is still noteworthy that the budget deficit (excluding grants) has increased from 6.7 percent in 2006 to about 11 percent in 2010, with public debt rising from JD 8.2 billion in 2006 (approximately USD 11.6 billion) to over JD 11.5 billion today (approximately USD 16.2 billion).⁴⁵

Conclusion

After a decade of political reform efforts in Jordan, it does not appear that the process has made any significant advances. In fact, as is clear from some of the key indicators above, the process seems not only to have stalled, but regressed as well. Reversals in civil liberties and political rights caused Jordan to lose significant international standing. In the annual Freedom House rankings, Jordan declined from a rank of 4 in 2001 (partly free) on a scale of 1 to 7 (1 being most free) to a rank of 6 (not free) in 2010.

Corruption has also become a major issue in the country in the last few years. From 2003 to 2007, the Jordanian Center for Strategic Studies asked citizens in its annual poll to rate their priorities for the country. Over the four-year period, they consistently ranked corruption among their top priorities; it came in a close second to poverty and unemployment. Jordan also fell in the rankings of the highly respected Transparency International Corruptions Perceptions Index from 37 (1 being the least corrupt in about 180 countries studied) in 2003 to 50 in 2010.

It is clear that Jordan’s political establishment has no interest in implementing the king’s explicit orders to move ahead on political reform and, in most cases, took measures that set the process back. The uprisings that Jordan is

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The king's own policies on political reform—often aimed at striking a balance between the traditional elements and the reformers—have not borne fruit, and almost always resulted in appeasing traditional elements at the expense of reform. Reform needs reformers who are cognizant of the need for an orderly, gradual process but are also committed to a serious roadmap that would lead to true power-sharing through strong legislative and judicial bodies. The selection of several prime ministers did not lead to serious progress on reform, precisely because they were neither true believers in its value, nor did they have

Instead of holistically addressing all needed areas of reform, reform programs were instead reduced to ad-hoc initiatives that did not add up to any serious and structural changes in governance systems.

a critical mass of reformers inside their governments able to counterbalance the traditional elements who wanted to preserve the status quo at all costs.

Thus, instead of holistically addressing all needed areas of reform, reform programs were instead reduced to ad-hoc initiatives that did not add up to any serious and structural changes in governance systems. The king's practice of handing a prime minister a plan for reform that the latter does not believe in and expecting him to deliver on it regardless has simply failed. The National Agenda, an example of such a holistic and gradual program to move toward a more inclusive and democratic system, was never implemented; now, current demands have gone beyond it.

The king himself has expressed frustration many times over this, both in domestic speeches and in international appearances. When Fareed Zakaria asked him about the future of reform in Jordan in a World Economic Forum debate aired on CNN on February 7, 2010, the king volunteered the following answer regarding the reform process over the last ten years: "Sometimes you take two steps forward, one step back. There is resistance to change. There is a resistance to ideas. When we try to push the envelope, there are certain sectors of society that say this is a Zionist plot to sort of destabilize our country, or this is an American agenda. So, it's very difficult to convince people to move forward."⁴⁶

The king faces a formidable task any time a reform process is initiated, as he must confront, address, or co-opt the traditional constituency of the regime. Finding a way of doing this—whether through attempting to arrive at a consensus among the different societal forces, changing the make-up of his coalition, substituting certain benefits to the traditional constituency with others, or convincing the political elite that the status quo is unsustainable—will determine to a large degree whether a serious reform process will ever gain traction.

The various attempts to put economic liberalization in the country ahead of political reform did not succeed either. While it is easy to argue that citizens want bread before freedom, economic liberalization took place without the

development of a system of checks and balances and resulted in the benefits of economic reform being usurped by an elite few. To the average citizen, neither bread nor freedom was attained.

As a result, the public has come to view liberalization and globalization negatively. Economic reform must be accompanied by political reform, such that institutional mechanisms of accountability are developed to monitor excesses and ensure benefits are made available to all.

Finally, no reform process can be effective without sustained implementation. Frequent changes in governments, plans, and priorities have all contributed to the failure of the reform process in Jordan over the past decade. In view of the recent uprisings in the Arab world, the political elite must recognize that the only way they can retain power is by sharing it, and governments will have to acknowledge that substituting serious implementation with reform rhetoric fools no one.

Given that Jordan enjoys a rather distinctive position—its monarchy enjoys widespread legitimacy and plays a role in stability that is acknowledged by all sectors of society, including the opposition—the king is in a unique position to lead a serious reform process. The choice in Jordan seems to be similar to that of other countries around it: either lead a reform process from above in a gradual, orderly, and serious way, or watch it take place in the streets below with uncontrolled consequences.

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Notes

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