



Arab Reform Brief

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The Outcome of a Ten-Year Process of Political Reform in Bahrain

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It was ten years ago that Sheikh Hamad assumed the reigns of power in Bahrain, and announced his intention to usher in a new era of political reform to establish “a modern constitutional monarchy”. However, an examination of the reform process in Bahrain reveals that there is little cause for celebration. The political regime’s discourse and promises on reform have failed to translate into a clearly defined and effective strategy for reform, or substantial policies and improvements on the ground.

Considerable structural, social, historic and political obstacles stand in the way: a long history of authoritarian rule and power wielded by the royal family; a weak political organizational structure, and a restricted space for action by civil society and its various components, and the limited impact of measures designed to open up of the political system. The division of the population along factional and tribal lines compounds the fragility of society, and restricts the ability of its forces to confront the existing political regime which - empowered by the dividends from a rentier economy- is at a clear advantage in managing social and political tensions and disputes.

Some of these obstacles are closely related to the King’s own personality: viewing the reform process as a personal project, and his inability to curb the powers of the ruling family and the Defence Forces, two of the most powerful institutions that have held back political reform and the establishment of a modern state in Bahrain for decades. In a country where social and political dynamics are based on traditional alliances and its resulting corruption and cronyism are widespread,

The King’s reliance on (*makramas*) as an “instrument of reform” has only helped to thwart efforts at reform in the country.

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In a few months the King of Bahrain will celebrate the tenth anniversary of his reign. There is no doubt that the celebrations which Bahrain will be witnessing March next year will surpass all previous official celebrations in its magnitude. The opposition will use these celebrations as an occasion to highlight the ongoing divisions within the country's body politic. For, despite the efforts that have been made to promote the political reform program, leading figures within the opposition and the regime are still grappling with the same problems that their predecessors have been dealing with since the 1950s. That is, ever since 1953, when the opposition, at the time represented by the National Union Committee, launched its political program to overcome the effects of sectarian and tribal cleavages, and to build a nation of equals, and a state that is to guarantee equality to all its citizens.

However, anyone who follows the reports issued by the opposition, statements made by some of its leaders in the recent months, or is aware of the publications of regional and international organisations monitoring human rights and political reform in the region, may not see much worthy of celebration.

This paper assesses Sheikh Hamad bin Isa's efforts over the course of the past nine years in the area of reform, and of his assumption of the role of his role as a political reformer and modern state builder. It concludes that this outcome is a modest one, and has failed to live up to the hopes raised by public promises he made after his inauguration as Emir and then King. Many obstacles stood in the way of political reform, particularly the tribal setting and sectarian divides in the shadow of a rentier economy. Although some of these obstacles are the direct result of the King's own personality, most relate to the socio-political structures that he attempted to reform.

The course adopted over the past nine years

On March 6th, 1999, Sheikh Isa bin Salman Al Khalifa passed away. His eldest son, Sheikh Hamad and Commander in Chief of the Bahrain Defence Force at the time, succeeded him to the throne. Soon thereafter, the new Emir declared that he would follow in his father's footsteps, and that he would maintain strong military and political ties to the United States of America. However, he refrained from clarifying his position towards the demands of the opposition, which had joined forces in what was commonly referred to as the Committee for a Constitutional Petition. The formation of this Committee was marked by the beginning of a protest campaign demanding the return to a constitutional, parliamentary regime, and which continued uninterrupted from 1994 to 2000. These protests have led to clashes between protestors and the security services that left more than twenty people dead, hundreds of others injured, and thousands arrested, of whom only a small number have been brought before the courts.

Following the official period of mourning, the new Emir made a series of speeches in which he announced that the country was to enter an era of change for the better affecting all areas, and that his priority was achieving national unity and internal security. Although his speeches reiterated much of what Bahrainis had already heard in the past, there was no alternative to having faith in the Emir's promises. And in fact, the Emir subsequently disappointed his sceptics when, after months of indecision, he announced his intention to transform Bahrain into a "constitutional monarchy in the style of advanced constitutional monarchies". Soon thereafter, it became evident that that he intended to borrow the most important points of his regime's blueprint for reform from that of the late King Hussein of Jordan, including for the National Action Charter.

As was the case in Jordan, the marketing of the National Action Charter in Bahrain necessitated a number of extraordinary pre-requisite measures. First and foremost, it required the abolition of the State Security Law and the State Security Court, which over the previous twenty-five years had been used to rein in the opposition. These conciliatory measures included the release of political detainees and return of exiles, and were accompanied by additional promises made by senior official figures concerning the granting of freedom of expression to citizens, allowing the formation of political associations, and the invigoration of civil society. It was also announced that funds were to be allocated to alleviate a number of socio-economic problems relating to unemployment, education, and housing.

These promises and tangible measures, and in particular granting women the political rights to stand for election and to vote, heightened the expectations of the opposition forces that the promised reforms would once more set the country on a rapid path towards a constitutional form of government. With the exception of a few, unheeded voices of dissent, a popular consensus emerged. On 14 February 2001, this consensus resulted in the signing of the National Action Charter, which won a majority of votes during a national referendum. A rising tone of optimism could be detected in the rhetoric of the political elites, loyalists, and opponents alike. They seemed to underestimate however the structural obstacles and the absence of political will that would prevent reform from reaching beyond certain boundaries.

The decision to trust the intentions of the Emir – who frequently repeated the words of Turkish communist poet Nazim Hikmet, “the sweetest days are those that we have not yet lived” – was a common denominator among all parties. Faint signs of the dangers of rushing head-on towards

a political program whose dimensions were known only to the Emir himself did not alter the consensus. Nor was it diminished by indications that the reform plan was a mere window-dressing, was only designed to meet the circumstantial needs of the Emir, and to garner popular support in his showdown with his uncle the prime minister, Khalifa bin Salman, who was considered the country’s strongman throughout the previous four decades.

On February 15th, 2002, the Emir promulgated a new Constitution for the country, in addition to a number of royal decrees and other decisions. Under the new constitution, the Emir proclaimed his country “a modern, democratic and constitutional monarchy”, and crowned himself as its King. Hamad bin Isa took these decisions alone, without due regard for the opinions and objections of leaders of political organisations or that of other forces within society with whom he had met. Some of them had advised him either to proceed slowly, or to commit himself to fulfilling the promises that he made to his people at the time that of referendum regarding the Charter took place a year ago.

However, the King was not in a position to disregard two official institutions, namely the ruling family and the Defence Forces. Thus on the eve of the declaration of the new constitution, state television broadcast lengthy, silent scenes of two separate meetings held by the King: one with senior members of the Al Khalifa family and another with senior commanders of the Bahrain Defence Forces.

According to the new Constitution, the King is “Head of State, its nominal representative, and his person is inviolate. He is the loyal protector of religion, and the homeland, and the symbol of national unity.” He, and he alone, may appoint the prime minister, ministers, ambassadors, governors, judges, members of

the Consultative Council, members of the Constitutional Court, the commanders of the armed forces, the security agencies and the National Guard, or dismiss them. The King has the right to propose and amend laws, and to conclude treaties with other countries without requiring the ratification of those agreements by the National Assembly. He also has the final say in any disputes that arise between the three branches of government. The new constitution outlines a two-chambered National Assembly, equal in the number of members and powers granted to them: one of them, the Chamber of Deputies (*Majlis Nuwwab*) is directly elected, while in the second one, the Consultative Council (*Majlis Shura*), the King appoints members.

The new Constitution imposes restrictions on the authority and powers of the National Assembly. Thus, while members of the National Assembly have the right to propose legislation, only the government has the right to draft laws, and to put them to a vote. The new Constitution also gives the King the final word in any legislative conflict. In addition, in accordance with a royal decree issued in July 2002, the National Assembly is forbidden from deliberating on any matter or measure taken by the government prior to 14 December, 2002, marking the inauguration of the National Assembly.

The fact that the Constitution had been drafted and issued by the King alone drove the opposition to consider it a “grand gesture”, and as a clear indication that he did not intend to keep the promise he had made when the vote over the National Action Charter was cast, namely that the Constitution will be the result of a process of national deliberations and agreement. The opposition was led by four political organisations: the most important was the National Islamic Society (*Al Wifaq*), which represents the predominant force amongst the Shiite political trends; the leftist forces, which

up until the mid-1980s had been able to boast of their role in leading covert action, but were incapable of playing an influential and independent role and maintain a unified position regarding the new Constitution; the Progressive Democratic Front, which includes communists and former members of the National Liberation Front, and which accept the new political reality. Finally, the Popular Front, whose members had joined the Democratic Action Organisation and endorsed the decision of the National Islamic Society to boycott the process.

The King displayed no visible concern regarding the objections of the opposition, or its acts of protest, which in any case was not strong enough to pose a security threat. On October 14th, 2002, parliamentary elections were held in the country, the first elections of this nature since 1973. The call of the four opposition political organisations to boycott the elections contributed to a voter turnout rate of just 53.4%, which paled into insignificance, if compared to the 98% of voters who had taken part in the plebiscite on the National Action Charter eighteen months earlier. In any case, the boycott of the elections put an end to exaggeratedly optimistic expectations that a speedy and smooth reform process was in the making.

In October 2006, elections to the second Bahraini parliament were held under the new Constitution, with the participation of all the political organisations that had boycotted the 2002 elections. Although the opposition’s communiqués accused the authorities of interfering in both the electoral process and its result, they did not threaten to boycott. The results of the election were welcomed by both the government and the various religious organisations. The Shiite National Islamic Society won seventeen seats out of a total of forty, while its leftist ally the Democratic Action Organisation failed to win any. A

majority of the remaining parliamentary seats were won by the Sunni Islamic organisations, an organization close to the regime.

After a brief moment of euphoria over its electoral achievement, the Shiite opposition quickly began to discover the severity of the restrictions imposed by the National Assembly by-laws (drafted by the government) and how they constrained the ability of its members to exercise their supervisory and legislative roles. The lack of political experience of the majority of the members of the National Assembly and their sectarian divisions compounded the difficulties they encountered in performing those roles. In response the deputies of the Shiite bloc resorted to the tactic of pulling out of the parliamentary sessions, and threatened to mobilize the public in the streets. However, their withdrawal had an opposite effect to what was intended: even in the absence of all the deputies of the *Al Wifaq* bloc, the government was able to form a parliamentary quorum, and as a result, continued to legislate as it pleased. Thus the Shiite members of Parliament found themselves faced with the prospect of undergoing a transformation from being deputies in the opposition to deputies serving their constituency, whilst holding on to their habit of protesting between one parliamentary session and the other

Self-imposed obstacles: “Makramat” as solutions to problems

The confused nature of these initial efforts at political reform in Bahrain came as no surprise to observers of developments in the country, and to students of its modern history. It was clear that for Sheikh Hamad to be able to play the role of political reformer, he would have to do more than he was doing. Serious obstacles would have had to be pushed aside in order for him to accomplish the goals he had announced. The failure to do so resulted from his unwillingness to pay the price for those

reforms, i.e., namely confronting the power centres within the ruling family itself, who are the same individuals and alliances who held back political reform and the establishment of a modern state in Bahrain for decades.

One additional factor that has helped to thwart efforts at reform in Bahrain, is the King’s conviction that the most effective instrument of reform is the distribution of royal favours (*makramat*) and gifts. In all fairness, the distribution of concessions at the beginning of his reign was an effective method: by granting favours to individuals and groups, the King had been able to quell some of the opposition protests, and draw their leading figures into his orbit. This maybe is why he ignored the the warning signals that *makramat* and gifts cannot substitute in the long term for a serious reform strategy.

The unilateral decrees issued by Sheikh Hamad or his government in the aftermath of the plebiscite of 2002 dissipated the sense of optimism and ended the state of euphoria that had swept the country at the time. However, two points are worth considering: firstly, the decrees termed by the opposition as “mass naturalisation” decrees, by which Bahraini nationality was granted to thousands of people lured over from Yemen, Syria, and Pakistan in recent years, to serve in the armed forces, the security services and the National Guard. Secondly, Decree No. 56 issued in 2002, which reinterpreted a previous general amnesty decree to extend it to the employees of the Ministry of the Interior. From the perspective of the opposition, this decree afforded impunity to members of the security services accused of having committed human rights violations. The opposition also considers that this decree left thousands of political detainees and hundreds of political exiles and torture victims without the possibility of pursuing the prosecution and indictment of individuals who had violated their

rights or of obtaining appropriate redress for those violations in court.

Sheikh Hamad continued to regard reform as a personal project, and as his own private initiative. From his point of view, this project was his “grand gesture”. He has therefore continued to avoid consulting any of the political groups over any of the country’s unresolved yet critical issues. He remains the only one who possesses the right to set the parameters of the political process, and to chart its path, pace, and scope. Indeed, the King has remained adamant that he alone should determine which social groups and political networks should have the right to express their opinions on public affairs.

Impeding structural factors

The failure of the reform program in Bahrain cannot be explained solely by factors related to the errors or misjudgements of the King or the leaders of the opposition. Rather, they are also the result of the country’s social and political structure, a structure that has prevented Bahrain from enjoying the relative stability of the other member countries of the Gulf Cooperation Council (GCC), where a certain level of accord prevails between the forces within society and the ruling families.

One of the most significant determinants of the social and political structure is otherwise termed as a “legacy of conquest”. This legacy dates back to the year 1783, when the Al Khalifa clan and their tribal allies in the Arabian Peninsula invaded Bahrain, and subjected its Shiite population to their rule. To this day, the ruling family still prides itself on this “conquest”, and uses it to underscore the legitimacy of its rule. This pride was noticeable in the pomp and splendour surrounding the 1983 celebrations that marked the second centennial anniversary of the “conquest of Bahrain”.

The legacy of conquest is not restricted to a few symbolic tokens such as titles, or even to patterns of behaviour and conduct towards people, but is reflected in the practices of daily life.

Clearly, one of the greatest obstacles facing reform in Bahrain is the lack of a defined role for the ruling family within the constitutional monarchy that the Emir intended to establish. The ruling family enjoys inherited privileges in excess of anything that even the most favoured groups within society could dream of. By this, I do not refer only to the financial benefits that come with these privileges, but also to unrestricted access to the sources of political, economic and social power, and the legal and extra-legal immunity that comes with it. The privileges enjoyed by the members of the Al Khalifa family have actually increased over the past ten years. For example, over half of the members of the incumbent government are members of the ruling family, which is the largest proportion of positions held by the family since the establishment of the administration in Bahrain in 1926. Moreover, members of the family are responsible hold strategic portfolios within the cabinet.

The account of the conquest helps to explain how the Al Khalifa family has up and till now been able to remain both outside and above society, while playing the role of the overarching intermediary between society’s different components. This role allowed the ruling family to extend its control over the apparatus of the state and the revenues generated by oil transit pipelines. This authority, the legal and organisational parameters of which were set in the 1930s by the British protectorate authorities, allowed the ruling family to develop a complex system of vertically divided and competitive social segments representing the various tribal, ethnic, factional, and regional alliances. The growth in

financial resources that followed the oil boom of the 1970s only served to increase the dependency of notables within the rival alliances on the ruling family, to intensify the rush and struggle to develop close relations with them, and to multiply efforts to win their favour. Thus, control over the distribution of revenues among the various alliances, either directly or through their notables, became an effective means of perpetuating the existing political order, and ensuring its stability and survival.

Complicating rather than solving the problem

To grasp the King's failure, I shall recall an old theory proposed by Samuel Huntington in his discussion of the problems associated with reform in a conservative environment, and the difficulties that every absolute ruler encounters when attempting to modernise his regime. This theory, referred to figuratively as "the King's dilemma", can be summarised in issues such as how the reform-minded ruler strikes a balance between two forces that stand in fundamental contradiction to each another; i.e., how he weighs the demands of his opponents for reform and modernisation, on one hand, against the pressures exerted by his followers and traditional bases of support intent on preserving the status quo, on the other.

When Sheikh Hamad unilaterally promulgated the 2002 Constitution and proclaimed himself King, he was simultaneously announcing that he had adopted a low-cost solution to his King's dilemma. His solution consisted simply of continuing to prioritise cohesion within the ranks of the ruling family, even if that meant accepting the continued influence of hard-liners within the family, who refuse to relinquish their privileges, and continue to reject efforts at reconciliation with the opposition parties.

One can understand the emphasis that the King placed on seeking the kind of solutions that would not incur the wrath of the old guard, since internal balances between the power centres in the Al Khalifa family itself served to convince him of the need to stay away from trying to encroach upon the powers, influence, and privileges of the old guard. Moreover, the opposition did not demand that he does so, or to be more precise, none of the opposition forces were in a position to make such demands, nor did they attempt to do so. Thus he continued to consolidate and enhance the privileges of the ruling family, and to pursue the "Khalifanisation" of the state (as the opposition termed it), i.e. appointing members of the Al Khalifa family to the majority of senior positions in the Bahraini government apparatus and public institutions.

What I consider to be a failure others may view as a resounding success. It is in this latter sense that the interest in the Bahraini experiment by the ruling families of other GCC countries should be understood, along with the conspicuous amount of attention paid by the States Department in the US to the Bahraini model, and the lavish praise meted out to the King of Bahrain by President Bush and his aides. Indeed, the measures taken by King Hamad could provide a suitable model for the rest of the regimes in the Gulf region to build on, a model that employs the discourse of reform only to the extent that it allows the regime to appear reformist from the outside, while leaving the family to enjoy all of its inherited and newly-granted privileges, including its control of economic and financial resources, its hegemony over the political, legislative and judicial authorities, and its absolute control over the armed forces and security apparatus. However, notwithstanding its attractions, the Bahraini model has yet to prove its ability to guarantee stability in the country, or to lessen the causes of internal political discord.

Sheikh Hamad bin Isa's failure to transform himself into a reformist king and constitutional state builder stems from the fact that when he opted for the more convenient solution to his dilemma, he created new dilemmas for himself. The first kind of dilemma is connected to what the opposition forces consider to be the King's breach of his promises to them. Consequently, the Shiite opposition, represented in the National Assembly, which had agreed to participate in the political process under conditions imposed by the King, is also compelled to meet the demands of its constituency, and demonstrate that it is no longer bound by those conditions. This conflict is reflected in the quarrels that routinely break out within the Bahraini parliament, which frequently reverberate in the media or Internet blogs and forums. It is also mirrored in the scattered protests taking place daily in Shiite dominated areas, to demand solutions to the problems of unemployment, housing, and the rising costs of living, or the release of detainees that were rounded up in previous demonstrations. Thus far, the King has continued to rely on *makramat* to contain the grievances of the leaders of the opposition and the protests of their constituencies. However, it is unlikely that he will be able to continue relying on this method on the long run, or to ignore the drain on his resources, caused by the demands for royal favours.

The second kind of dilemma created by the King relates to the expectations that he

generated among the people. In order to garner popular support for himself and for his project, Sheikh Hamad employed the vocabulary of reform, calling for a "constitutional monarchy of the standard of constitutional monarchies in the developed world." The prevailing media discourse after September 11th, 2001, which forecast democracy and the closure of the "democracy deficit," also helped to raise expectations concerning the political reform program.

The recurrent political tensions in Bahrain point to some of the consequences of these elevated expectations. The vocabulary of political discord, be it at the level of protest, demonstrations, the contents of Internet sites, or discussions in public forums, is no longer limited, as was the case ten years ago, to demands for improved living conditions, the release of detainees or the return of exiles. Rather, the political discourse has now begun to connect protests against privileges and discrimination with calls for the devolution of power and the establishment of a state that guarantees equal citizenship rights for all. Sheikh Hamad is now faced with signs that suggest that dispensing royal favours is no longer an adequate form of dealing with the consequences of the failure to achieve reform. The danger is now that political gridlock and disillusionment will degenerate into an all out political and security crisis.