

61 August
2012

Jordan: A Flowerless Spring

*Sufian Obeidat **

To this day, the reform movement in Jordan has yet to embrace the slogan, “down with the regime”. The Jordanian political system has become submissive and the King remains, even if only in public, cordoned off by a red line exempting him from accountability. Criticizing him is punishable by law according to the Constitution. There are also highly influential cultural factors reinforced by the deeply-rooted opinion held by many Jordanians that royalty is fully above rebuke. However the issue is naturally not this simple. According to the Constitution, the King claims a monopoly over power in Jordan. The Constitution stipulates that the ruling system is a parliamentary monarchy which is vested with political and legal authority on behalf of the King. When the country is subjected to a crisis, the majority feel that the King should be in charge of running state affairs. What makes the crisis worse is that, because of the Constitution, the King is fully unaccountable.

The reason behind the political system’s subservience is the fact that the King rules Jordan by his will alone, to the point that he has stripped Jordan’s institutions of all power. It is the King who appoints and dismisses governments as he sees fit; who administers general elections and dissolves the Chamber of Deputies whenever he wishes; who appoints and dissolves the Senate and grants amnesty to its members whenever it pleases him; who molds foreign policy according to his views; who leads the armed forces and the security sector through direct commands and appoints and dismisses its leaders. This in

addition to the fact that the ruling power is committed to maintaining the system of Special Courts to ensure the eternal presence of the country’s Security Courts, whose judges are a mix of appointed soldiers and civilians headed by a military justice. Because of all of this, the King has established a total monopoly over power under the auspices of a constitution that stipulates the separation of powers and that the political authority of the government be vested in the freely elected Chamber of Deputies.

*** A Jordanian lawyer and a member of the Jordanian Bar Association. He is a founding member of the National Reform Front.**

Reform in Jordan requires ending the isolation of political decision making and allowing other political groups to participate in government through democratic means and frameworks. It requires putting an end to the King's prerogative over power and resorting to the institutions of rule as stipulated in the Jordanian Constitution as it was written nearly 60 years ago. That system is the parliamentary system that operates through an elected Chamber of Deputies and an accountable government formed by political parties—guaranteed by the constitutional right to freedom of assembly—which represent broad sections of the Jordanian people. The right to govern is to be determined through competition over seats in the Chamber of Deputies. If these changes are implemented, the institution of the Jordanian monarchy will forever change from an absolute monarchy to a constitutional monarchy wherein the King is still king but does not reign supreme.

This type of reform seems simple at first glance, however the practical reality is subject to delicate and highly complicated geopolitical issues in addition to local and international factors. The style of rule which has pervaded during King Abdullah II's reign, which began in early 1999, only further complicates matters. Under his reign, terrible divisions spread throughout Jordanian society, the abyss of the political void deepened, and the peace between the peoples of Jordan waivered. Economic deterioration and widespread corruption soon followed which in turn weakened the prestige of the state and corroded the norms of governance to the extent that doubts were cast on the stability of the country.

Yet the reign of King Abdullah II should not be blamed entirely for what happened and continues to happen to Jordan. One must realize that the seeds of the crisis were sown at Jordan's founding and recognize that the

Jordanian-Israeli peace treaty, which was dubbed the Wadi Araba Treaty and was entered into by former King Hussein bin Talal, further subjected Jordan to a foreign policy which promoted Israeli interests. The treaty also deepened divisions in Jordanian society between Jordanians and Palestinians; such divisions were compounded by the PLO's signing of the Oslo agreement.

If the King were to forsake the prerogative of individual rule as he currently practices it and replace it with a parliamentary system in which power circulates amongst political parties, sovereignty would be in the hands of the government. This government would be formed by political coalitions and promote clear social, political and economic platforms to run the affairs of the country. Ideally, this would mean that the government would craft the foreign policy of Jordan, run the army and head the security apparatus as well as structure and manage the resources of the army and security apparatus. It would run the economic and social organizations and would be able to bring about economic growth, social development, and give Jordanians a chance at a decent life. The Jordanian government needs to enjoy a type of legitimacy that can only be achieved through a clear national consensus on detailed issues. This will serve as a springboard to a democratic system which will represent all Jordanian citizens and make them equal before the law.

A divided society

Jordanian society suffers from divisions on several levels, the most dangerous of which is that between its most-basic components: the eastern Jordanians and the Palestinians. The tension characterizing Jordanian-Palestinian relations can be traced back to 1948 when the Israelis forced their way into Palestinian lands and established their state. What remained of those lands came to be named the West Bank

and was joined to the Hashemite Kingdom of Jordan, which itself is located on the eastern bank of the River Jordan. On the basis of that annexation, the Constitution of Jordan that established the current parliamentary monarchy system was issued. Soon after, the Chamber of Deputies was elected and its seats were equally divided between the East and West Bank. In 1956 the government formed a parliament from a coalition of political parties representing the political spectrum on both banks of the Jordan. However King Hussein aborted the experiment, dismissing the government, dissolving the political parties and banning them until the early 1990s. Since then, political life in Jordan has deteriorated and so too has its social fabric. Jordanian cohesion endured setback after setback, eventually leading to the divisions Jordan suffers from today.

In 1967 Israel occupied the West Bank, tearing it away from its inhabitants and trampling on Jordanian sovereignty. In 1970 armed Palestinian resistance cells clashed with the Jordanian Army in bloody conflicts and were thereafter banned from residing in Jordanian lands. In 1974 the Arab Summit in Rabat unanimously recognized the PLO as the sole legitimate representative of the Palestinian people, which included the Palestinians of the West Bank, some of whom were citizens of Jordan. In 1988 the proclamation of the Palestinian state by the Palestinian National Council in Algeria coincided with King Hussein's unilateral decision to legally and administratively disengage from the West Bank. This four-way division has caused confusion and deepened rifts in the Jordanian-Palestinian relationship. Gradually these divisions would affect the social fabric of Jordan, the most important component of which is the Jordanian-Palestinian relationship. The death knell to Jordanian-Palestinian solidarity came in 1993 when the PLO signed the Oslo Agreement.

Not long after the Jordanian government followed suit by signing a peace treaty with Israel dubbed the Wadi Araba Treaty. Since then, and in light of the project undertaken to establish a Palestinian state in the West Bank, a polarizing process began wherein the PLO and Jordanian leadership would contradict and turn their backs on each other, evoking and employing past historical events to further their own interests. But while searching for what each side thought helped their case, they forgot about the large bloc of people that had been affected by these changes, regardless of whether they lived on the West Bank or the East.

A near-consensus between the Jordanian people and the political class of Jordan developed in opposition to the Wadi Araba Treaty, but the ruling powers pursued an aggressive agenda to market and sell the treaty to the Jordanians. The government carried this out by passing a new electoral law based on an unprecedented system which at the time was called the Single Vote Law. It aimed to double parliamentary representation and thus dilute the powerful caucuses and influential individuals present in Parliament in an attempt to marginalize the Islamists and the Jordanians in the eyes of their Palestinian bases. This all came to pass, and to this day the Jordanians continue to suffer from the despicable single vote concept. The law limited the voter to casting his vote only once regardless of how many seats were being contested in his electoral district, thus forcing him to cast his vote to the social identity closest to him. This all took place in a society that had never before known political parties. And so Single Vote did what it did to Jordanian society, forcing the Jordanian voter to cast his vote for only the narrowest familial, tribal and regional circles surrounding him. This law took effect in all regions and affected all segments of Jordanian society and would eventually lead to the

fragmentation of society in accordance with these narrow circles.

The government committed shameless electoral fraud in the parliamentary elections that followed. With the aid of the Single Vote Law, representation in the houses of parliament amounted to no more than narrow factional and regional interests. This severely damaged the quality of representation which is the basis for all parliamentary governance in Jordan. Thereafter the government openly praised the Wadi Araba Treaty and its achievements. Anyone who opposed it was driven away and the elites who supported it were financially compensated for their contribution. This led to the appearance of many people of small stature on the political scene whose only purpose for occupying the foremost seats of parliament was to overcome the political obstacle that peace with Israel created. In this manner the country's prominent politicians remained influential. When King Hussein died, he bequeathed this stagnant political system along with the throne to his eldest son who at that time was in his late thirties and had never imagined he would someday ascend to the throne. In addition, he is not proficient enough in Arabic to practice the patriarchal rule the country has lived under for nearly 80 years.

Under the new reign, there seemed to be an unprecedented amount of power being given to the intelligence apparatus, which holds sway over all segments of Jordan, including the political establishment. The King began to form one government after another composed of men most of whom had no political achievement or credentials to their name. Their only qualification was that they were weak, and thus, complicit tools in the King's hands and willing to execute any order given to them. During that time, patterns of governance developed that mocked the general mindset that had been forged over the lifetimes of many Jordanians. They began

expelling Hamas' leadership from Jordan and banned them from returning to the country even though they were Jordanian citizens and the Constitution forbids the expulsion of citizens. They also began the process of revoking the nationality of Jordanian citizens of Palestinian descent without any legal premise on the pretense of disengaging from the West Bank. Likewise the prestige of the Jordanian Treasury collapsed when one of the governments undertook registering state-owned land in the name of the King. Election fraud reached the point where officers of the armed forces were obligated to cast their votes aloud and in public on the grounds that they were illiterate and doing so ensured that they followed the instructions given to them to vote for the candidate of the state. All of that coincided with a broad campaign to privatize many public sector companies and services, which led many to suspect the Treasury of fraud and corruption. Universities watched as security groups interfered in their administrations and infiltrated the student body and its organizations to the extent that universities became a venue for tribal fighting and a breeding ground for thugs.

In the midst of all this, there rose a sordid faction composed of businessmen, bankrolled media pundits, state employees, ministers and political representatives who saw to enriching themselves through pure political and financial corruption. For each one of them, their professional or tribal position became both paralyzing and polarizing, all at the expense of the institutions. In the absence of political institutions that truly represented the citizen, and due to rampant bribery amongst the elite, electoral fraud, and senseless appointments made to the most prominent of government positions, the divisions moved to east Jordanian society itself. Members of the ruling power were pitted against one another, culminating in some Jordanian tribes using thuggish tactics against their relatives who

worked as activists in popular movements calling for political reform.

A political void

Political parties were banned in Jordan between 1957 and 1992. The Muslim Brotherhood was a partial exception to the rule, as they were allowed to continue practicing their charitable activities in Jordan. These activities developed economic and social institutions that attracted many members and supporters through the use of religious rhetoric. As for the remainder of the political parties and political organizations present on the scene, they lacked legal cover and they were not able to develop inroads to the Jordanian elite or build popular bases on the ground. The Muslim Brotherhood was constantly embattled with the security apparatus and the government. In Jordan's political vacuum, it rivaled the ruling regime in its administration and decision-making; however the ruling regime had the upper hand in that it had a somewhat clear platform realistically capable of being implemented within the limitations of the Jordanian state. This was what made political life in Jordan tantamount to a power struggle between two undemocratic powers, consisting of the ruling regime embodied by the security apparatus on the one hand, and the political powers manifested in the political parties and opposition organizations on the other. The latter strove not to share power but rather to seize it and remain in power indefinitely. This failure on the part of political parties in turn affected their position on the Syrian revolution. Many of them demand political reform in Jordan while at the same time supporting the Syrian regime in killing its people and seeing the Syrian rebellion as a fight for Palestinian liberation.

During that entire period, Jordanians never had the opportunity to form political parties capable of developing and implementing

economic, political and social programs. The banning of the opposition from taking part in the political process prevented determining who amongst them was capable of running the government. The poor electoral system and rampant electoral fraud compounded these issues and eventually shattered the civil ties in Jordanian society. There arose instead factions based on narrow familial and tribal associations that split the people's loyalty between these factions and the state.

Aside from the Muslim Brotherhood, who operated under the auspices of the Islamic Action Party, there were no longer any organizations capable of building a presence on the ground or enter into parliamentary elections with a hope of earning a majority. And although the Muslim Brotherhood is a large bloc capable of diminishing the present political vacuum, it is not within its power to fill it. This is due to the fact that it does not have any political, social or economic platform capable of being implemented. This is natural and no direct fault on the part of the Muslim Brotherhood. Generally speaking, all of political Islam lacks this type of program. Therefore the Muslim Brotherhood in Jordan does not dare announce a clear definition of the "civil state", not to mention "secularism" which includes diversification both in work and in political participation.

Making matters worse, the Muslim Brotherhood suffers from the divisions that characterize the rest of Jordanian society. They also wage an internal battle which is split along Jordanian-Palestinian lines that has led to the widely held misconception found amongst eastern Jordanians that the Muslim Brotherhood is a Palestinian force operating in Jordan under the guise of political Islam. This in turn further compounds Jordan's already divided nature.

Geopolitical and International Complications

It is difficult for the ruling powers in Jordan to ignore the international pressure and geopolitical intricacies affecting the domestic scene. For instance, Saudi Arabia provides Jordan with significant material support and employs many Jordanians working abroad and in turn makes many demands of Jordan regarding political reform. Therefore it is easily understood why the ruling powers do not welcome a popular, grass-roots movement supporting political reform, since that movement's cause is already attributed to the Saudis. It is also easy to understand why the regime would consider any democratic change effected in a neighboring country as a serious threat. Although the ruling powers in Jordan never seem willing to concede any ground to those demanding political reform, occasionally they will buckle under the pressure, making the shadow of Saudi influence loom larger. Moreover, the Saudis have been exerting pressure on all parties, including on western countries and organizations, to expedite the fall of the ruling regime in Damascus. Jordan's stance towards Syria in turn looks all the more shameful, especially considering the depth and closeness of the Jordanian-Syrian relationship.

Many people in Jordan are bound to Syria by the unbreakable ties of family and friendship and feel a strong affinity for their neighboring country. The relationship between the two countries also contains an important economic dimension, especially in the populous northern region of Jordan, where many people depend on the cheaper Syrian goods smuggled daily across the border. In the political sphere, there is a sharp divide over the Syrian situation splitting the Jordanian people. One side stands ostentatiously at the side of the ruling regime in Damascus, while the other is diametrically opposed to them and

demands their overthrow even if that meant international military intervention. In between those two positions is a small, undecided faction that sees the Syrian regime as criminal that should not be given refuge; at the same time, it does not condone an international military intervention that would kill many Syrians and defile Arab lands once more. In addition, those who support the ruling Syrian regime are worried that the Muslim Brotherhood may replace the current regime which would only serve to strengthen the Jordanian Muslim Brotherhood.

At the international level, America and the large European states, which are the largest benefactors of Jordan, have assumed a posture which in large part seems to advance Israeli interests regarding the Palestinian issue. This influential bloc exerts concerted pressure on the issue of electoral law, especially regarding allotting more seats and thus more political clout to those regions heavily populated with Palestinians under the pretense that it would be more just and reflective of the demographic reality. This seems part of a larger campaign to steer international pressure away from Israel and the complicit Palestinian Authority. Indeed this pressure is a large weight bearing down on the ruling regime in Jordan, and implementing it would be tantamount to giving into foreign demands, which would only deepen the crisis of the already embattled regime. Moreover, allocating the additional demanded seats would infuriate the eastern Jordanians who would claim it strengthened only Jordanians of Palestinian descent. This is what causes many to level the charge that this pressure is part and parcel of a plan aiming to create what is called "an alternate homeland" for the Palestinians at the expense of the Palestinian cause and Jordan's stability. And while on the subject of Israel's stance towards Jordan, there is no doubt that the establishment of a truly democratic Jordan worries Israel in that

it would strip it of its claim that it is the sole democracy in the region, a claim it uses to further its presence in Palestine.

Where to now?

In light of the United States' willingness to abandon its most important allies during the Arab Spring, and in light of the many recent changes in the regional and international landscape which helped mold Jordan and its current political system, it is a mistake to believe that Jordan can continue to maintain a status quo dictated by regional and international factors. These factors have been altered and there are new and changing interests in the region that will be pursued. Yet it seems that neither the ruling powers, nor the people, nor the political forces in general realize this.

Indeed it is impossible for spring to bloom in Jordan unless the political forces and reform movements of Jordan realize that they must transform into a movement committed to affecting radical change in the values and prevailing thoughts of all sectors of Jordanian society. They must promote a deeper understanding of the social, economic and political interests at stake and pull society away from the narrow-minded inclinations and beliefs it adheres to now. This requires a massive political and intellectual effort to destroy the divisive factors and to fill the political vacuum present in Jordan. In doing so, they will weave a new social and political fabric that will stand up to all of the challenges that threaten Jordan and the region, including the Zionist threat which looms largest of all. More importantly, for a country of Jordan's size and makeup it is impossible to make political decisions fully independently and abandon Arab solidarity and especially Palestinian solidarity in resisting the Zionist expansion in the region.

As for the ruling powers: after his ascension to the Spanish throne, King Juan Carlos enacted the changes that Spain needed to free it from the conditions which had plagued it for half a century. He began his reign by cultivating a democratic party system which eventually matured into one of the most sophisticated democracies in the world. Settled comfortably on his throne, he has become a constitutional monarch who enjoys the respect of the Spanish people and of the world. Now King Abdullah II must realize that it is impossible to continue with individual rule in Jordan for eternity and that opposing the reform movement in the manner he does now will lead in due course to the destruction of Jordan, its social fabric, and eventually its ruling regime. It is upon him to free the country from this bottleneck and lead a peaceful transition to a democracy that will ensure that Jordan becomes a country based on law and political plurality.