



JORDAN

CAPITAL: Amman

POPULATION: 5.9 million

GNI PER CAPITA (PPP): \$5,530

SCORES	2006	2010
ACCOUNTABILITY AND PUBLIC VOICE:	2.74	2.57
CIVIL LIBERTIES:	3.13	3.11
RULE OF LAW:	3.10	3.05
ANTICORRUPTION AND TRANSPARENCY:	2.25	2.48

(scores are based on a scale of 0 to 7, with 0 representing weakest and 7 representing strongest performance)

Russell E. Lucas

INTRODUCTION

The Hashemite Kingdom of Jordan is often viewed as an oasis of stability in the tumultuous Middle East. The ruling family has led the country since its formation in 1921, and the current king, Abdullah II, took the throne on the death of his long-ruling father, King Hussein, in 1999. The kingdom's moderate foreign policy, its political opening in 1989, and its adoption of economic structural adjustment policies over the last two decades have arguably offered its citizens a shelter from the repression, strife, and occupation that afflict its neighbors.

Other observers, however, claim that the resource-poor country is a colonial artifice kept alive by Western aid and the repression of its citizens—especially its large Palestinian population. They point out that the intelligence services, namely the General Intelligence Directorate (GID, or *mukhabarat*), hold an inordinate level of power, which is at the disposal of the one true decision maker, the king. Although critics would admit that since 1989 repression has given way to some civil liberties and regular (with one exception) parliamentary elections, they also critique the electoral system for inflating the influence of Jordanians of East Bank origins and dismiss the parliament as a rubber-stamp body, or as a site of competition for state patronage.

Those on both sides of this debate agree that Jordan's domestic politics are heavily influenced by regional affairs and by its dependent economic position.

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The country's level of political freedom has consequently fluctuated over time in response to regional and global events. During its early years under the British Mandate and after independence in 1946, King Abdullah I used his personal patronage (and British fiscal and military support) to build the new state. Jordan annexed what is now known as the West Bank after the 1948 war with Israel, controlling it until it was captured and occupied by Israel in 1967. King Abdullah was assassinated in 1951, and due to the mental incapacity of his son, his young grandson, Hussein, took the throne amid domestic and regional instability.

The regime survived by banning political parties and relying more on the army than on the constitution from the late 1950s through the 1970s. Although Jordan lacked the oil resources of its neighbors, it did have an educated population, including many residents of Palestinian origin, who found work helping to build the oil states of the Gulf in the 1970s. Economic growth contributed to a more quiescent political atmosphere, but as remittances and foreign aid dried up in the 1980s, the state turned to greater repression. In 1989, a fiscal crisis resulted in a substantial political liberalization, including long-delayed parliamentary elections, the legalization of political parties, and greater press freedom. Over the course of the 1990s, however, external pressures from regional conflicts—especially in Iraq and Palestine—led the government to increase limits on the ability of the public to exercise their rights and hold officials accountable.

Jordan was the only Arab country to give citizenship to Palestinians, and after influxes associated with the 1948 and 1967 wars as well as Jordan's period of control over the West Bank, about half of its population is of Palestinian origin. Since the 1970 civil war, which pitted government forces against largely Palestinian guerrilla groups, Jordanians with East Bank origins (or "Trans-jordanians") have increasingly asserted their dominance over the state bureaucracy and the private sector. Class, tribal, and provincial divisions also continue to affect social and political affairs.

Hopes for greater liberalization under the new king in 1999 were dashed by continued regional crises, including the second Palestinian *intifada* (uprising), global antiterrorism efforts after the 2001 attacks on the United States, and the U.S. invasion of Iraq in 2003. The parliament was suspended from 2001 to 2003, and in the wake of a series of bombings in 2005, new antiterrorism legislation increased restrictions on Islamist political activists. Parliamentary elections were held again in 2003 and 2007, but proregime conservatives continued to dominate the voting and approve restrictive laws.

Faced with these challenges, King Abdullah II has attempted to continue economic reforms while staving off political liberalization. Jordan's economy has grown, but the benefits are not perceived to have reached the average Jordanian. Moreover, the country's lack of mineral wealth or a diversified industrial base has forced the state to continue to rely on external funding sources,

which has historically encouraged corruption and a lack of government transparency. The resultant growth in economic inequality has compounded social discontent. Economic and legal reforms tied to Jordan's desire for greater integration into the global marketplace have begun to address some of these transparency problems, but Jordan's recent performance in political reforms has been disappointing.

ACCOUNTABILITY AND PUBLIC VOICE	2.57
FREE AND FAIR ELECTORAL LAWS AND ELECTIONS	2.75
EFFECTIVE AND ACCOUNTABLE GOVERNMENT	2.25
CIVIC ENGAGEMENT AND CIVIC MONITORING	3.00
MEDIA INDEPENDENCE AND FREEDOM OF EXPRESSION	2.29

The king is granted wide-ranging powers under the 1952 constitution. While he delegates some day-to-day decisions to the parliament and cabinet, he holds the ultimate initiative and veto power in all matters of political importance. Nevertheless, relative to other countries in the region, there is significant space for an array of political and social groups to express their views, organize, and participate in public policy debates, so long as they do not directly criticize the king. Though it faces periodic harassment, the Muslim Brotherhood and its affiliated political party, the Islamic Action Front (IAF), have long had a presence on Jordan's political scene, forming the largest opposition group and sending members to the parliament.

The constitution, which has been amended several times, grants sweeping authority to the king as the head of the executive, legislative, and judicial branches of government. While the monarch is the head of state (Article 30), commander in chief of the military (Article 32), and head of government (Article 31), many functions are handled in practice by the prime minister and the cabinet. The king appoints these officials, who serve at his pleasure (Article 35). In November 2005, following a series of terrorist bombings, the king dismissed Prime Minister Adnan Badran, a liberal academic, after just seven months in office. His successor, Marouf al-Bakhit, was replaced by Nader al-Dahahbi shortly after the 2007 parliamentary elections. Under Article 62 of the constitution, the bicameral legislature is divided between the elected House of Deputies (*Majlis al-Nuwaab*) and the appointed Senate (*Majlis al-Ayaan*, or House of Notables), whose 55 members are chosen by the king.

The king can dissolve the parliament, as he did the Senate in 2005 following the terrorist bombings. Only the cabinet can initiate draft legislation, leaving the parliament to accept, amend, or reject bills. When the parliament is out of session, the cabinet—with the king's approval—can issue temporary decrees that have full legal force. While the House of Deputies has the authority to remove ministers by a vote of no confidence and the parliament can override

the king's veto on legislation, neither step has been taken in recent decades. The parliament has amended or rejected reform legislation on several occasions in recent years, in some cases blunting attempts to bring Jordan into compliance with international standards.

Most political groups, including the parliamentary opposition, tend to focus their energies on influencing government policies and reaping the patronage benefits of positions in the cabinet or parliament, rather than on changing the monarchical regime. Power tends to rotate not among parties, but rather between loose cliques and factions within the broad progovernment bloc, with a technocratic, economically liberal group generally balanced against a more statist and tribal bloc. Opposition groups use the parliament as a platform to criticize government policies—especially unpopular foreign policies such as the peace with Israel—but their level of representation is generally insufficient to enable any concrete action. Civic groups and common citizens have some input on legislation before the parliament, such as a series of public hearings held in April 2009 on amendments to a controversial real estate law.¹

Under the 1986 Election Law and its multiple amendments, the 110 members of the House of Deputies are elected for four-year terms. Of these, 104 are elected in multimember districts with a single, nontransferable vote system, meaning each voter chooses one candidate and the top vote-earners win seats. Together with gerrymandered districts, this system results in the underrepresentation of opposition-minded Palestinians living in urban areas and the overrepresentation of rural, loyalist, Transjordanian voters. For example, every lawmaker elected from Amman represents about 95,000 people, while those elected from the rural provinces of Al-Karak and At-Tafilah represent about 2,000 people.² Modifications made in 2003 provide a quota of six seats for women (elected separately from the geographical district system), nine for Christians, and three for ethnic Circassians, though the latter two groups are overrepresented as a result. Since 1989, the kingdom has held five parliamentary elections, though the body was suspended from 2001 until 2003.

A municipalities law passed in February 2007 cleared the way for municipal elections in July, with mayoralties and all city council seats at stake. An exception in the law left Amman under the previous system, with half of the city council members appointed by the central government. The IAF boycotted the July elections after security forces arrested nine of its members between May and June for allegedly “threatening national security,”³ though the party nevertheless won 2 out of the 965 contested seats.

Jordan held elections to the House of Deputies in November 2007, with some observers noting that the polls were subject to greater government interference than in the past. The elections garnered just over 50 percent voter turnout, partly due to the authorities' decision to extend polling for an additional two hours; a turnout of less than 50 percent would have invalidated the elections.⁴ Despite repeated calls from local activists for a new electoral law based on proportional representation, the government did not act on previous pledges

to reform the law before the 2007 elections. Nor did the government allow international observers to monitor the polls. Local groups were permitted to monitor the elections under the umbrella of the National Center for Human Rights (NCHR), a government-sponsored body known for its critical evaluations of the authorities' performance, but these groups were granted access to just 150 out of 3,995 polling sites. Vote buying and the transferring of voter registrations between districts were particularly prominent flaws that had been identified in the municipal elections as well.⁵ According to the NCHR, "the volume of violations incurred during all the election phases undermined the integrity of the elections, reduced their credibility and damaged the confidentiality of the election process."⁶ Surveys showed that about 37 percent and 33 percent of respondents witnessed the selling and transfer of votes, respectively.⁷

While political parties are legal in Jordan, the only significant party is the IAF, with most other candidates running as independents. In the 2007 elections, the IAF saw its representation in the parliament shrink from 17 seats to 6. In addition to the structural problems and irregularities noted above, the party suffered from internal power struggles and a decision to field fewer candidates. The country's other political parties, mainly leftist and Arab nationalist groups, garnered no seats in 2007. Independent deputies with ties to tribes and business elites consequently hold over 80 percent of the seats.⁸ Political parties are increasingly seen as out of touch with the concerns of average Jordanians, and the public has limited faith in the parliament's ability to affect government policy, leading citizens to vote along tribal or communal lines. In 2009, a majority of the public reported that they were unsatisfied with the performance of the parliament; among "opinion leaders" such as high-ranking officials, journalists, and professionals, the figure was 71 percent.⁹

The Political Parties Law was amended in 2007 and took effect in 2008. It raised from 50 to 500 the number of members necessary for a party to register, increased the number of districts from which those members must be drawn, and maintained the licensing of parties with the Ministry of Interior rather than the Ministry of Political Development or the courts. In April 2008, only 12 of 36 parties were deemed by the interior minister to have met the new legal criteria, leading to the dissolution or merger of the remainder.¹⁰ While some saw the reform as a boon that would allow larger parties like the IAF to increase their influence, others denounced it as an undemocratic move that would increase the marginalization of parties other than the IAF. Given the outcome of the 2007 and earlier elections, as well as the effects of the Political Parties Law, many opposition-minded or politically active groups and individuals have turned to professional associations as an alternative platform for political expression.

The civil service has traditionally been staffed by Jordanians of East Bank origin rather than those of Palestinian origin, especially since the 1970 civil war. Recruitment and selection often take place through family or tribal *wasta* (connections), which also make it difficult to dismiss underperforming state employees. However, structural adjustment policies have slimmed Jordan's

bloated bureaucracy to some degree, and a combination of rising education levels, administrative reforms, and competition between patronage groups has raised the quality of the civil service.

Jordan's civil society organizations "enjoy one of the most favorable political environments in the Arab world."¹¹ Nevertheless, freedom of association remains limited. Nongovernmental organizations (NGOs) must obtain licenses from the government, and this barrier can be used to curb participation by some groups, especially those tied to foreign organizations (such as the Palestinian Islamist group Hamas). In July 2006 the Ministry of Social Development replaced the entire board of the Islamic Center Society, a health and education charity tied to the Muslim Brotherhood that was one of Jordan's largest NGOs. The previous board, all members of the Muslim Brotherhood, were charged with economic crimes and violating the association's bylaws, but as of July 2009 they had not yet been brought to trial. The incident took place soon after the victory of Hamas in Palestinian elections, which provoked tension between the Jordanian government and the Jordanian Muslim Brotherhood and IAF, raising concerns that the board replacement was politically motivated.¹²

The parliament passed a new Societies Law in 2008, and although some analysts found it to be an improvement over the previous legislation from 1960, it severely limited NGOs' independence, providing the government with supervisory power over their budgets and the authority to reject foreign funding. Following protests from local and international civil society groups, the government opened a consultative dialogue about the law in early 2009.¹³ An amended version passed in July 2009 liberalized the 2008 bill to some extent, but it retained many restrictions, including the need for cabinet approval prior to receipt of foreign funding.¹⁴ Furthermore, the royal family often sponsors NGOs that can crowd out more independent-minded organizations by attracting foreign donations, especially in the realm of economic development.¹⁵

The constitution protects freedom of expression, provided it does not "violate the law" (Article 15). In practice, a lively range of debate and opinions are expressed in the Jordanian public sphere, but within clear red lines forbidding criticism of the monarchy, friendly foreign leaders, or prominent politicians. The press generally does not expose corruption or human rights abuses and especially avoids naming specific officials. In recent years, freedom of expression and the press has remained essentially unchanged. The media operate under the Press and Publications Law of 1993, which was amended in 1998 and 2007. While the latest version of the law eliminated imprisonment as a penalty for press offenses, it also drastically increased the possible fines for speech that offends religious beliefs or slanders the government.¹⁶ In addition, other laws such as the penal code still allow imprisonment on charges of defamation, insulting the security forces, undermining national unity, or *lèse majesté*. In March 2008, five journalists received three-month prison sentences for "insulting the judiciary and commenting on its rulings" and for insulting government officials. Nevertheless, in November 2008 King Abdullah pledged not to detain

journalists for practicing their profession if they behave responsibly, and as of June 2009, there were no reports of journalists being arrested since the king's statement. In some cases, courts have also been known to defend freedom of speech and reject libel accusations.¹⁷ In April 2009, an Amman court cleared columnist Khalid Mahadin of charges that he had slandered the parliament in an online article in February that criticized the lower house's performance.¹⁸

Jordanian officials regularly impose both direct and indirect restrictions on media content. Authorities are often tipped off about potentially offensive articles by informers at printing presses, and editors may then face pressure from officials or security agencies to remove the material. In a 2009 survey of journalists, a third reported that they had faced some form of censorship and about half had experienced softer forms of "containment," such as bribes or promises of government jobs. This climate contributes to widespread self-censorship. Indeed, the most common source of censorship cited by journalists in the survey was the media organization itself (81 percent), especially when it came to criticism of the security forces (74 percent) or issues of national unity (73 percent).¹⁹

The state dominates the media industry through direct and indirect financial control. Private outlets encounter financial and legal obstacles in obtaining licenses,²⁰ particularly if they wish to broadcast political content or challenge government personalities or policies. The state ended its legal monopoly on terrestrial television service in 2001, but a *de facto* monopoly remains in place. While the country's first private television station, ATV, was approved in late 2005, its planned launch has been delayed since 2007 due to regulatory obstacles. A number of independent radio networks broadcast, but most do not carry political programming. One outlet that does, Amman Net radio, was denied a license to expand its service to the city of Zarqa in November 2007. The state owns the two dominant newspapers, *Al-Rai'* and *Ad-Destour*. Independent papers such as *Al-Arab al-Youm* and *Al-Ghad*, as well as a number of weekly tabloids, offer political alternatives, though they tend to show caution in dealing with sensitive political affairs lest they face harassment, as exemplified by the weekly *Al-Majd*. The April 30, 2007, edition of the investigative weekly was banned for reporting on secret plans to undermine the Palestinian president, and its editor was tried (but acquitted) for defaming a former prime minister. Political parties are allowed to issue their own publications.

Jordan has a lively internet environment with numerous internet cafés and rising home usage. The penetration rate reached nearly 25 percent of the population in 2008, and the government has actively sought to promote access to new media technologies. In September 2007, the Press and Publication Department attempted to regulate online news. While a court later blocked the action, ruling that the internet is not subject to the Press and Publications Law, an estimated 20 legal cases were reportedly filed against Jordanian-based news websites in the first quarter of 2009, most of them libel suits brought by parliamentary deputies and other members of the elite.²¹ Internet café owners log

visitors' identification numbers, and internet service providers must route information through government servers. In October 2007, a former lawmaker and head of the Jordan National Movement, Ahmad Oweidi Abbadi, was sentenced to two years in prison by a state security court for posting online an open letter to members of the U.S. Congress that accused the interior minister and other officials of corruption.²²

CIVIL LIBERTIES

3.11

PROTECTION FROM STATE TERROR, UNJUSTIFIED IMPRISONMENT, AND TORTURE	2.88
GENDER EQUITY	2.67
RIGHTS OF ETHNIC, RELIGIOUS, AND OTHER DISTINCT GROUPS	3.25
FREEDOM OF CONSCIENCE AND BELIEF	4.00
FREEDOM OF ASSOCIATION AND ASSEMBLY	2.75

Although the constitution and penal code expressly outlaw torture and arbitrary arrest, Jordan's citizens enjoy little protection from such abuses in practice, particularly because complaints of mistreatment rarely result in prosecution. A January 2007 report by the United Nations Special Rapporteur on Torture found that "the practice of torture is widespread in Jordan, and in some places routine."²³ Having ratified the UN Convention against Torture in 1991, Jordan amended its penal code in 2007 to adopt the definition of torture provided by the treaty, but the code has yet to be amended to fully comply with the treaty's provisions.²⁴ International human rights groups have repeatedly reported on Jordan's role as a hub in the U.S. government's extraordinary rendition program, in which terrorism suspects have been moved secretly across international borders for detention and interrogation.²⁵

Torture and abusive punishment have been heavily employed against domestic opponents, especially Islamists, since the 2005 Amman bombings. The UN Special Rapporteur on Torture specifically accused the GID of regularly engaging in torture during interrogation of suspects,²⁶ while a 2008 Human Rights Watch report cited evidence suggesting that five prison directors personally participated in the torture of detainees.²⁷ No death sentences have been carried out in Jordan since May 2006, but 45 inmates currently await execution, and the death penalty remains in place.²⁸ Administrative detention without trial continues to be common: 12,178 individuals were reported to be administratively detained in 2007 under the Crime Prevention Law of 1954.²⁹

According to domestic and international observers, Jordan's prisoners face hardships including overcrowding, solitary confinement, and lack of legal aid. The authorities have undertaken the construction of new prisons and improvements to existing facilities, but reforms of detention procedures and prosecutions for prisoner abuse are lacking. There has been an increase in riots by prisoners protesting ill-treatment in recent years,³⁰ including an April 2008

incident at Muwaggar prison in which three inmates died in a fire, allegedly after guards prevented them from leaving their cell.³¹ In its annual report for 2007, however, the NCHR found “qualitative improvement” in the administration of detention centers.³²

The government tolerates a fair degree of dissent from political opponents. Groups are typically able to organize as long as their methods are peaceful. Nevertheless, incidents of harassment continue to be reported, particularly against Islamists. Two IAF lawmakers were jailed in 2006 for paying funeral condolences to the family of the slain Jordanian-born leader of al-Qaeda in Iraq, Abu Musab al-Zarqawi; they were later pardoned by the king. The 2006 Prevention of Terrorism Act, passed in the wake of the 2005 Amman bombings, includes broad provisions criminalizing indirect financing of or interaction with terrorist organizations and permits detention of suspects for up to 30 days without charge. While antiterrorism and other security laws are used to stifle peaceful dissent, the rates of ordinary crime in Jordan remain low, with only 2.6 murders per 100,000 people recorded in 2007.³³

Victims of abuse can register complaints through a number of channels, including prosecutors from the prison service and the government Grievances Office. However, the close relationship of these bodies to alleged perpetrators, the lack of confidentiality surrounding complaints procedures, and their inability to protect prisoners from retaliation discourage many from reporting abuse, resulting in very few complaints and even fewer prosecutions.³⁴ The NCHR, a legally independent, quasi-governmental body established in December 2002, has the authority to investigate and report human rights violations, but it is mostly financed by state sources and the current and previous heads of its board of trustees were former prime ministers. In an incident that highlighted the limits of the center’s independence, former chairman Ahmad Obeidat resigned abruptly in July 2008, having been summoned to the prime minister’s office shortly after he joined 149 other activists, lawyers, and politicians in signing a petition that sharply criticized the government’s economic policies.³⁵ In 2007, the NCHR received 288 complaints, 62 of which it closed with a “satisfactory result.” Of the remainder, 14 were closed without a “satisfactory result,” and 160 remained open for follow-up at year’s end.³⁶

Jordan is both a destination and transit country for human trafficking, especially for natives of South and Southeast Asia and workers bound for Iraq. Domestic servants have been particularly vulnerable to exploitation and abuse by employers. In July 2008, the parliament passed a law protecting the rights of domestic workers, including the right to compensation should they quit following sexual assault at their place of employment.³⁷ In 2009, the parliament passed an antitrafficking law that assigns penalties of six months in prison and a US\$7,000 fine for forced prostitution or child trafficking. Enforcement of both of these laws remains to be seen. Although passage of the new law helped raise Jordan’s status in the U.S. State Department’s 2009 Trafficking in Persons Report, weak enforcement efforts were cited in the report.³⁸

Article 6 of the constitution calls for legal equality on the grounds of “race, language, or religion,” but not gender. While women enjoy political rights and legal equality on issues such as health care and education, they continue to face legal discrimination related to inheritance, divorce, and child custody—which fall under the jurisdiction of Sharia (Islamic law) courts—as well as in the provision of pensions and social security benefits. Jordanian women have had the right to vote since 1974. A parliamentary quota guarantees that at least six members of the House of Deputies are women. In the 2007 elections, one woman was elected outright beyond the quota. At least 20 percent of municipal council seats are also reserved for women. In July 2007, 25 years after ratifying the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), Jordan published the treaty in the official gazette, giving it the force of law and allowing it to be invoked in lawsuits; local women’s groups have not yet fully taken advantage of this option, however.

Jordan maintains a number of reservations to CEDAW, especially in relation to nationality and freedom of residence.³⁹ Children of a Jordanian woman and a foreign man remain unable to obtain citizenship, leaving them with lesser access to public education and government health services. Despite government pledges to reform the relevant legislation, the parliament failed to ratify or even rejected changes that would reduce Jordan’s CEDAW reservations.

Domestic violence continues to be a concern, particularly given cultural norms that discourage victims from reporting rape and other forms of abuse to the authorities. In January 2008 the parliament passed a Family Protection Law intended to improve the management of domestic violence cases by medical professionals and law enforcement bodies. Training projects in recent years have also reportedly contributed to improved treatment of victims by police officers, judges, and prosecutors. The government opened the Family Reconciliation House, the country’s first major shelter for abused women, in February 2007. Despite these advances, an estimated two dozen honor killings—in which women are killed by male relatives for perceived sexual transgressions—are committed each year.⁴⁰ The killers often receive light sentences or go free because of provisions in the penal code allowing lenient treatment for those who commit a crime in a “state of fit or fury.” While amendments to remove such loopholes have been rejected by the parliament, in August 2009 a special tribunal was seated that will hear honor crimes cases and unify jurisprudence on the issue. Governors are authorized to incarcerate women for their own protection, and roughly 25 women are so detained in Jordanian prisons at any given time, with some remaining in protective custody for several years.⁴¹ Women generally lag behind men in employment and income, partly because of a legal framework that reinforces their dependence on male relatives for financial support.

While national origins are not addressed by the country’s census, Jordanians of Palestinian origin are believed to make up a large share, if not a majority, of

Jordan's population. However, they have historically faced discrimination in government employment, especially in the security forces, as well as in university admissions and scholarships.⁴² The Palestinian-Transjordanian social divide has been a lingering issue in Jordanian politics since the 1970 civil war.⁴³

The government's procedures for granting or revoking citizenship are often inconsistent and nontransparent, offering little opportunity for individuals to appeal a Ministry of Interior decision.⁴⁴ Since 1988, and especially since the second Palestinian intifada in 2000, the government has downgraded the passports of some Palestinians with residence in the West Bank from five years to three years. In July 2009, it was reported that the government was revoking the citizenship of thousands of Palestinians of West Bank origin, raising fears that their freedom of movement and other rights as citizens would be impeded.⁴⁵ An estimated 130,000 Palestinian residents from the Gaza Strip are not eligible for citizenship under Jordanian law; according to the government, approximately half (those who previously had Egyptian travel documents) were granted only two-year travel and residency documents.⁴⁶ Though the government's treatment of refugees from Iraq has often been progressive, as when it granted refugee children access to public schools, their growing numbers have reportedly drawn increasing discrimination from employers and landlords and exacerbated budget strains and high unemployment levels.⁴⁷ A number of Jordanians of East Bank origin have called for a return of "visitors" (Palestinians and Iraqis) to their respective homes. Such nativist rhetoric, especially from high government officials or their associates, has caused unease among many Jordanians of Palestinian origin.

The Jordanian population is overwhelmingly Sunni Muslim (roughly 92 percent). Various Christian denominations together form the largest religious minority (about 6 percent), while small Shiite Muslim, Druze, and Baha'i communities comprise the remainder. Nearly all of the population is ethnically Arab, aside from the small Circassian and Chechen community and the even smaller Armenian community. Islam is the state religion, and Arabic the official language. Minority religious and ethnic communities are generally well treated, including those like the Druze and Baha'i that are not officially recognized. Nevertheless, during 2007 and 2008, several Christian churches were either ordered to close or faced lease-renewal difficulties, apparently due to orders from the Ministry of Interior. Individuals converting from Islam to another religion may face discrimination and lose certain rights, including those to inheritance or child custody. In March 2008, Muhammad Abbad Abbad, a convert from Islam to Christianity, fled the country with his wife and children, fearing the loss of civil and personal liberties after being detained on charges of apostasy. The following month, a Sharia court found him guilty of apostasy in absentia, annulled his marriage, and declared him to have no religious identity.⁴⁸

The Ministry of Religious Affairs controls the kingdom's religious institutions and oversees imams and mosques. Preachers must be licensed by the

ministry under legislation passed in 2006. Violations of the law can lead to imprisonment and up to JD 600 (US\$840) in fines.⁴⁹ In February 2009, the IAF complained that the government had used administrative measures rather than the new law's procedures to bar a dozen imams from preaching.⁵⁰

The 2007 Law on the Rights of Persons with Disabilities mandates changes to building codes, offers aid to the disabled, and encourages education on disabilities. Jordan ratified the UN Convention on the Rights of Persons with Disabilities in May 2008, making it one of only two Arab states to do so. However, it is unclear whether the law and convention have been fully implemented beyond foreign-funded projects.⁵¹

The Public Gatherings Law requires permits for assemblies, which regional governors frequently refuse to grant. Furthermore, the Prevention of Terrorism Act (PTA), passed in the wake of the 2005 bombings, penalizes any "damage to infrastructure," no matter how minor, as "terrorist acts," and some observers fear this provision could be used to stifle peaceful assemblies.⁵² The Public Gatherings Law was amended in 2008 to require governors to respond to permit requests within 48 hours, and organizations are now allowed to hold routine meetings without permits.⁵³ Although the government tolerates some protests, others have been banned or forcibly dispersed. For example, the authorities in 2008 denied permission for an IAF demonstration outside the Egyptian embassy to protest the treatment of the Muslim Brotherhood in Egypt, a women's charity breakfast, and an academic workshop on the impact of lifting fuel subsidies. In January 2009, police used tear gas as well as physical force and arrests to turn back protesters marching on the Israeli embassy during Israel's military operations in Gaza, although the authorities later allowed a large rally to take place at a sports stadium.⁵⁴ In May 2009, 11 people, including trade union leaders, were arrested over protests calling for a boycott of Israeli produce.⁵⁵

Given the weakness of political parties other than the IAF, much political activity has been organized by Jordan's 14 professional associations, which represent lawyers, engineers, doctors, and other professionals, and in which membership is mandatory. The government has largely been tolerant of the frequent protests organized by these associations. Elections in many of the associations are quite competitive between supporters of Islamist, leftist-Arab nationalist, and conservative ideologies. The government often threatens to increase regulation of the professional associations and demands that they avoid straying into political matters. However, recent moves to step up regulations have not secured support in the parliament and were removed from the agenda with the appointment of Nadir Dhahabi as prime minister.⁵⁶ Jordan has 17 worker associations under the umbrella of the General Federation of Jordanian Trade Unions, although only 10 to 15 percent of workers are unionized.⁵⁷ State employees and teachers are not permitted to organize; although 75 lawmakers submitted a petition in 2007 proposing a bill for the establishment of a teachers' union, there has been no further progress on the proposal.⁵⁸

RULE OF LAW**3.05**

INDEPENDENT JUDICIARY	3.00
PRIMACY OF RULE OF LAW IN CIVIL AND CRIMINAL MATTERS	2.60
ACCOUNTABILITY OF SECURITY FORCES AND MILITARY TO CIVILIAN AUTHORITIES	2.25
PROTECTION OF PROPERTY RIGHTS	4.33

Jordan's legal system is divided into three types of courts: civil courts, for civil and regular criminal cases; Sharia courts and their Christian counterparts, for personal status and family cases; and the State Security Court (SSC), for national security crimes including terrorism, drug trafficking, defamation of the monarchy, and financial offenses. The prime minister appoints the SSC's three judges, usually two military officers and one civilian. The PTA in 2006 expanded the SSC's powers, allowing it to order surveillance and to ban individuals from travel. Since 2001, the prime minister has had the authority to move cases from the regular courts to the SSC, with no possibility for defendants to appeal the transfer. SSC procedures, which routinely fail to meet basic international standards, include lengthy pretrial detention without charge, lack of access to counsel, secret hearings, and limitations on media coverage.⁵⁹ According to human rights groups, the SSC regularly accepts confessions extracted through torture by the GID, sometimes using them as the main basis for convictions. According to the U.S. State Department, the court adjudicated 1,450 cases between January and September 2008. In 2008, the media reported on at least 21 SSC convictions, including some for nonviolent offenses such as *lèse majesté*.⁶⁰

Civil and ordinary criminal court judges are appointed directly by the king or by the High Judicial Council (HJC), whose own members are appointed by royal decree or government recommendation. Judicial promotions are granted based on evaluations from the Judicial Inspection Service, which is accountable to the minister of justice. The king and the HJC jointly decide on judicial dismissals. The Ministry of Justice (MOJ) retains significant power over the judiciary, including over the appointment of administrative staff at all levels of the system.⁶¹ The MOJ also holds responsibility for all financial and administrative matters, though the president of the HJC has some leeway in determining judges' wages.⁶² Judges generally view themselves as subservient to the MOJ. There is no professional association for judges, and the authorities have discouraged the creation of such a group.

The government reportedly interferes regularly in politically sensitive cases, including those before the Court of Cassation, the highest appellate court.⁶³ Even when it does not interfere directly, the executive branch exercises indirect influence through appointments and administrative matters. In addition, due to low remuneration, many judges and court staff are vulnerable to corruption;

one 2007 study reported an increase in the acceptance of bribes among court employees.⁶⁴ Over a quarter of judges surveyed in 2005 reported facing pressure from various sources during their decision-making processes.⁶⁵ Tribal connections in particular have often affected judicial decisions, at times to the detriment of Palestinian Jordanians.

While court decisions are generally enforced, judicial authority is undermined by the Criminal Prevention Law, which authorizes governors to investigate and detain individuals. These powers have reportedly “been employed on several occasions even after innocent verdicts or the release of the accused.”⁶⁶ Moreover, the king has the constitutional power to issue sweeping pardons, essentially overriding any judicial decision. In 2006, the HJC formed a permanent ethics and accountability committee following the publication of a code of ethics the previous year, but enforcement has been weak and the HJC’s own limited independence detracts from the committee’s credibility.

By law, defendants are presumed innocent until proven guilty and have the right to counsel, as well as to cross-examine witnesses. However, government-provided legal aid remains limited to trials that might result in life imprisonment or the death penalty, and lawyers often encounter obstacles when trying to meet clients, particularly during the early stages of an investigation.⁶⁷ By law, defendants must be brought before a judge within 24 hours. In practice, those detained are often held for extended periods, sometimes incommunicado, before being given judicial review.⁶⁸ The length of trials and repeated delays, in violation of legal deadlines, remain common complaints; it can take years for a defendant to receive a first instance criminal verdict. Courts at all levels suffer from a shortage of judges and other staff, contributing to significant backlogs in both civil and criminal cases. Enhanced computerization, lowered court costs, and other recent reforms have reportedly increased transparency and efficiency to some degree, but significant changes have yet to be enacted.

In 2003, the government adopted the Judicial Upgrading Strategy (JUST), a plan that was later supplemented to cover reforms through 2009. Implementation has reportedly been sluggish, however, and primarily limited to courts in Amman. Moreover, the plan itself faced criticism due to a lack of civil society involvement in its development and the decision to entrust the MOJ with overseeing measures meant to enhance judicial independence.⁶⁹

Prosecutors are appointed by the government and supervised by the MOJ. While the attorney general has the legal right to ignore an order by the justice minister, this has never been known to happen.⁷⁰ From 2006 to 2009, no high-ranking public officials were prosecuted for abuse of power. According to Human Rights Watch, only a handful of prison officials have been prosecuted for abuses in their facilities, and their sentences have been excessively lenient. In one case, a prison director “found to have personally beaten as many as 70 inmates received a \$180 fine . . . the court exonerated 12 other guards who had also beaten these inmates.”⁷¹

The military, police, and the GID are under the king's direct control. GID officers are granted extensive powers and face little risk of prosecution for abuse. Domestic and international observers have documented the practice by the GID (in the case of security crimes) and the Public Security Directorate's Criminal Investigations Department (in the case of regular criminal investigations) of routinely holding suspects incommunicado and using torture to extract information. The GID's role has especially expanded in the wake of the 2005 hotel bombings.⁷²

Jordan has a generally market-oriented economy, but there is still a large public sector. The constitution guarantees the right to private property, contracts are generally enforced, and expropriations are rare. Nevertheless, land wealth and political patronage have historically been linked, and in recent years there have been more rumors of royal land grabs in which state or municipal land is redefined as crown land.

ANTICORRUPTION AND TRANSPARENCY 2.48

ENVIRONMENT TO PROTECT AGAINST CORRUPTION	2.00
PROCEDURES AND SYSTEMS TO ENFORCE ANTICORRUPTION LAWS	2.75
EXISTENCE OF ANTICORRUPTION NORMS, STANDARDS, AND PROTECTIONS	2.50
GOVERNMENTAL TRANSPARENCY	2.67

The king frequently and formally instructs his governments to reduce corruption, and in late 2006 Jordan hosted the first Conference of the States Parties to the United Nations Convention against Corruption. Jordan's ratification of the convention the previous year has spurred a number of legal reforms aimed at improving transparency and accountability. Nonetheless, few if any steps have been taken to tackle the primary sources of corruption, weaken extensive patronage networks, or consistently punish high-ranking officials.

The distribution of patronage has been one of the monarchy's key tactics for rewarding allies and building support among key social groups. Important goods granted to individuals and groups include jobs, subsidies, land, and contracts. Conversely, political opponents can be denied access to these assets. While the government has publically repudiated corruption, in part to encourage foreign investment, the practice of quietly distributing patronage continues. Moreover, a greater share of state funding has been allocated to the military, and presumably the intelligence services, since the 1990s, with a US\$300 million increase in the most recent budget.⁷³ This spending acts as a social welfare program by providing employment for citizens from more rural and tribal areas.⁷⁴

Transparency International ranks Jordan 47 out of 180 countries in its 2008 Corruption Perceptions Index, and its score of 5.1 is shared by Hungary, Costa Rica, and Malaysia.⁷⁵ This slight improvement on its 2007 score was

probably linked to the activity of the Anti-Corruption Commission (see below). According to a 2008 survey, over 17 percent of Jordanians found that corruption, favoritism, and nepotism represented an obstacle to democracy, and this combination was the most commonly cited problem in both 2007 and 2008.⁷⁶

In an episode that highlighted the monarchy's involvement in policy making, internal regime divisions between market liberals and statist, and the lack of transparency in privatization, the government was forced to admit in 2008 that the chief of the royal court had made plans to privatize the King Hussein Medical Center and surrounding lands and transfer them to foreign developers. When the chief of the royal court, Bassam Awadallah, was subsequently dismissed, some argued that as a Jordanian of Palestinian origin, he had been made a scapegoat by the mostly Transjordanian cabinet and parliament. As with most such scandals in Jordan, the episode was brought to light by rival officials rather than news media or independent watchdogs.

Financial disclosure laws were adopted in 2006, forcing officials to submit statements of their (and their spouses') assets every two years. As of May 2008, 514 officials had not complied, and the prosecutor general was preparing nearly 150 indictments.⁷⁷ However, there had yet to be any high-level convictions by mid-2009.

The Anti-Corruption Commission (ACC) was created under legislation approved by the parliament in 2006. Its six members are appointed by the king on the advice of the prime minister, though the king has committed to granting the commission a "free mandate." While cases are generally referred by the prime minister, citizens and other government departments may also submit complaints.⁷⁸ Since its creation, the ACC has examined over 1,000 cases, referring 55 and 92 to the prosecutor general's office in 2008 and 2009, respectively, of which at least 35 resulted in guilty verdicts. Most investigations have targeted low-ranking or municipal-level officials. In July 2009, three employees of the Greater Amman Municipality (GAM) came under investigation for fraud and forging signatures,⁷⁹ and in September, violations and inconsistent figures at government-subsidized animal fodder distribution centers were being investigated.⁸⁰ In an effort to increase transparency, the ACC presented a report of its activities to the speaker of the lower house of parliament for the first time in May 2009.⁸¹

Occasionally, the parliament has sought to exercise direct oversight regarding official corruption. In 2008, the House of Deputies investigated charges that the director of the Aqaba Special Economic Zone Authority, a former minister, had steered a project to an engineering company owned by his wife. However, the House failed to conclude its investigation before the parliamentary session ended, and the case remained unresolved.⁸² The media rarely act as a corruption watchdog and generally only report cases that are already in the courts. Individuals who submit cases to the ACC may be subject to civil and criminal prosecution if they are determined to have made baseless allegations, and recent legislative reforms have not included whistleblower protections.⁸³ In

the past, accusers have often faced repercussions for coming forward with information on official malfeasance.

The tax administration is not entirely free from political interference, but reforms in recent years have helped to unify standards and streamline collection.⁸⁴ In the education system, connections and patronage can be used to secure admission to public universities, and certain policies favor students with ties to the military. However, competition for admission is based mainly on merit.

The state budget relies heavily on revenue from external sources, especially foreign economic and military aid, and from the export of minerals (chiefly potash and phosphates). Spending allocations are partly visible in the formal budget debated by the parliament, but sensitive items—including the details of military and GID budgets—are not publicly available, and there is little effective public or opposition pressure to make them so. A Freedom of Information Law, the first of its kind among Arab countries, was passed in June 2007. However, it was criticized by many journalists, since full access to information is still limited by the 1971 State Secrets Law. Moreover, officials have 30 days to respond to requests, and requests can be denied in matters of “national security, public health and personal freedoms.”⁸⁵ An Information Council (IC) was established to handle complaints that the government was not complying with the new law, but as of September 2008, no such complaints had been filed. This was attributed to lack of public awareness of the council and doubts among journalists as to its potential effectiveness.⁸⁶

While government contracts are in theory open to competitive bidding, well-connected individuals and companies typically prevail over rival bidders. Companies affiliated with Transjordanians, especially those with ties to the military, are often chosen over Palestinian bidders. Wasta through parliamentary deputies or ministerial officials also plays an important role in allocating resources. When bribery is a factor, the assets or payments may go to members of an official’s family rather than the official himself, making the bribe more difficult to trace in the unlikely event of an investigation. While Jordan is considered a success story of privatization by the World Bank, many key privatized assets have gone to foreign investors working with well-connected Jordanian companies at the expense of smaller local investors.

RECOMMENDATIONS

- The government should end the use of torture and grant domestic and international human rights organizations unrestricted access to prison facilities.
- The king’s commitment to ending prosecutions of journalists for practicing their profession should be reflected in the country’s laws. Provisions in the Press and Publications Law and the penal code that punish speech with prison terms and fines should be eliminated.
- The Public Gatherings Law provision requiring permission for assemblies and meetings should be replaced with a simple notification requirement.

Sections of the Prevention of Terrorism Act that serve to stifle Jordanians' right to peacefully assemble should be eliminated.

- The Electoral Law should be amended to eliminate gerrymandering of districts for the House of Deputies. Electoral districts should be redrawn based on population, so that each voter is equally represented in the legislature.
- The monarchy should begin to extricate itself from direct political power and make Jordan a true constitutional monarchy. The constitution should be amended to make the prime minister and cabinet primarily responsible to elected lawmakers.

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