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Freedom in the World - Jordan (2007)

Population:
5,600,000

Capital:
Amman

Political Rights Score: 5
Civil Liberties Score: 4
Status: Partly Free

Overview

Jordan struggled in 2006 to continue with political reform as set out in its comprehensive National Agenda while imposing tighter security controls through new antiterrorism legislation. The momentum of the country's political reform stalled with the renewed focus on security. There are concerns that the antiterrorism legislation will curtail civil liberties and that there will be no electoral reform before the scheduled elections in 2007.

The Hashemite Kingdom of Jordan, known as Transjordan until 1950, was established as a League of Nations mandate under the control of Great Britain in 1921 and won full independence in 1946. Following the assassination of King Abdullah in 1951, the crown passed briefly to his mentally unstable eldest son, Talal, and then to his grandson, Hussein. King Hussein's turbulent 46-year reign witnessed a massive influx of Palestinian refugees (who now comprise a majority of the population), the loss of all territory west of the Jordan River in 1967, and numerous assassinations and coup attempts by Palestinian and Arab nationalists. Although the 1952 constitution provided for a directly elected parliament, political parties were banned in 1956, and Parliament was either suspended entirely or emasculated by government intervention in the electoral process for over three decades. While political and civil liberties remained tightly restricted, Hussein proved adept at co-opting—rather than killing, jailing, or exiling—his political opponents. As a result, Jordan avoided the legacy of brutal repression characteristic of other authoritarian regimes in the Arab world.

As a result of declining oil prices, which translated into reduced aid and worker remittances from the Arab Gulf countries, Jordan was forced to implement economic austerity measures in the late 1980s. These developments led to widespread rioting and mounting internal pressure for greater freedom and representation. In response, the government launched a rapid process of political liberalization and progressively eased restrictions on civil liberties. However, the reform process ground to a halt in the mid-1990s and suffered some reversals.

By the time of Hussein's death in 1999 and the ascension of his son, Abdullah, the kingdom was again faced with severe economic problems. The "peace dividend" expected to follow from Jordan's 1994 peace treaty with Israel, in the form of improved trade with the West Bank and increased investment from Western Europe, had not filtered down to the population at large. Faced with a crippling public debt and 27 percent unemployment, Abdullah launched a series of major economic reforms and signed one of the Arab world's first free-trade agreements with the United States.

The September 2000 outbreak of the Aqsa *intifada* (uprising) in the West Bank and Gaza inflamed anti-Israeli sentiments among Jordanians of Palestinian descent, leftists, and Islamists, who dominated much of civil society. As the violence next door continued unabated, the Professional Associations Council (PAC) formed an antinormalization committee to spearhead mass demonstrations demanding the annulment of Jordan's peace treaty with Israel. The government reacted by suppressing criticism of Jordan's relations with Israel and banning all demonstrations.

In 2001, Abdullah dissolved the Parliament, postponed parliamentary elections scheduled for November, and replaced elected municipal councils with state-appointed local committees. For more than two years, Abdullah ruled by decree, issuing more than 200 "temporary laws" that weakened due process protections and imposed new restrictions on freedom of expression and assembly.

Although the U.S.-led invasion of Iraq further inflamed popular opposition to the kingdom's foreign policy, Abdullah quickly moved to restore the country's limited democratic institutions and relax restrictions on freedom of expression. Reasonably free and transparent, though not fair, parliamentary and municipal elections were held in 2003. An informal understanding was reached between the palace and dissident leftist and Islamist groups: in return for limited freedom to express themselves and participate in the political system, the latter reportedly agreed to curtail their efforts to mobilize public opinion against Jordan's pro-U.S. alignment as long as progress was being made at the economic level. Buoyed by an infusion of "oil grants" from the Arab Gulf states and a dramatic increase in economic assistance from the United States, Jordan's economy picked up steam.

In 2005, Abdullah appointed a 26-member National Agenda Committee to draft a framework for political, economic, and social reforms, but the committee's domination by palace loyalists indicated that its purpose was mainly to strike a consensus within the political elite, not the population at large. After returning from a visit to Washington, where his political reform program met with negative reviews from government officials and members of Congress, Abdullah replaced Prime Minister Feisal al-Fayez with Adnan Badran, a liberal academic.

Terrorist bombings struck Amman in November 2005, and Abdullah replaced his security advisers, dissolved the Senate, and appointed a new prime minister, Ma'arouf Bakhit, along with a new cabinet. The momentum of political reform was stalled with the renewed focus on security.

In June 2006, the Jordanian government ordered the arrest of four members of Parliament belonging to the Islamic Action Front (IAF) for expressing condolences to the family of slain al-Qaeda terrorist Abu Musab al-Zarqawi and praising him as a "martyr and a fighter." Two of the lawmakers were convicted of inciting sectarian tensions and jailed, but the king pardoned them in October. They nevertheless lost their membership in Parliament and will not be allowed to run for reelection in 2007.

The Parliament approved new antiterrorism legislation in August 2006 that many have criticized for curtailing political and civil liberties. The law criminalizes financing, interacting with, and recruiting for any terrorist group. It also gives military courts jurisdiction over terrorism claims, and permits surveillance of terrorism suspects and the detention of suspects for up to 30 days. There are no

provisions for judicial review.

In 2006, the government released its comprehensive National Agenda reform plan. In contrast to previous efforts, the new National Agenda provides mechanisms for genuine reform, including measurable indicators and clear milestones attached to budgetary requirements. The agenda also calls for the abolition of laws that discriminate against women and an update to association laws. The plan faces opposition from entrenched interests and a skeptical public that questions the government's commitment to implement it.

Political Rights and Civil Liberties

Jordan is not an electoral democracy. King Abdullah holds broad executive powers and may dissolve Parliament and dismiss the cabinet at his discretion; the king appoints members of the cabinet, led by a prime minister. The 110-seat lower house of the National Assembly, elected through universal adult suffrage, may approve, reject, or amend legislation proposed by the cabinet, but is limited in its ability to initiate legislation and cannot enact laws without the assent of the 55-seat upper house, or Senate, which is appointed by the king. Regional governors are appointed by the central government, as are half of all municipal council members.

The electoral system is heavily skewed toward the monarchy's traditional support base. The single-member-district system, introduced in 1993, favors tribal and family ties over political and ideological affiliations, while rural districts with populations of Transjordanian origin are overrepresented relative to urban districts, where most Jordanians of Palestinian descent reside. Activists have repeatedly called for a new electoral law based on proportional representation. Although the government has announced its intention to reform the electoral law before the 2007 elections, no concrete actions had been taken by the end of 2006.

The Jordanian government has been working on a revision of laws on political parties aimed at modernizing the kingdom's party system and consolidating the political landscape. The draft law guarantees parties' right to establish their own media outlets, increases the minimum membership level from 50 to 200 people and requires that parties include members from at least five different governorates. The government hopes to finalize the law by the end of 2006 but faces opposition from traditional groups that do not want their influence curtailed and some political activists who are concerned that the new law could be used to marginalize legitimate political forces. They are also concerned that they will not be able to meet the 200 mark and that proposed provisions mandating public funding for political parties could be used to unduly influence party platforms.

Corruption in the executive and legislative branches of government is widespread, though the authorities have made progress in combating it in recent years. In September 2006, the Parliament approved anticorruption legislation that would create a six-member commission, appointed by the prime minister, tasked with investigating graft. Jordan was ranked 40 out of 163 countries surveyed in Transparency International's 2006 Corruption Perceptions Index.

Freedom of expression is sometimes restricted. Vaguely worded portions of Article 150 of the penal code and other legislation criminalize certain types of peaceful expression, such as criticism of the royal family, slander of government officials, and speech that harms Jordanian foreign relations, enflames religious sensitivities,

or undermines the state's reputation. In 2006, two newspaper editors, Jihad al-Mu'mani and Hashim al-Khalidi, were found guilty of "offending the religious sentiments of the people" for reprinting a Danish cartoon of the prophet Muhammad. Both were sentenced to two months in prison. Although the Jordanian government has repeatedly and publicly promised to reform Article 150 and suspend its application until it does so, officials continued to apply the law in 2006.

The government has officially relinquished its monopoly on television and radio outlets and issued several private broadcasting licenses, but most broadcast news media remain under state control. In June 2006, the authorities interrupted a live interview session with slain terrorist Abu Musab al-Zarqawi's brother-in-law on the Qatar-based satellite station Al-Jazeera. The station's Amman bureau chief was briefly detained. Satellite dishes are widespread, however, giving most Jordanians access to foreign media. Jordan's first private television station, ATV, was approved in late 2005 and set to launch in early 2007. There are dozens of private newspapers and magazines, but the government has broad discretionary powers to close print publications and ban books. In May 2006, the General Intelligence Department (GID) detained and interrogated the editor of *al-Majd* for an article that raised questions about the intentions behind the government's announcement of a potential terrorist incident. The GID did not serve him with a summons or warrant, and forced him to publish a retraction as a condition for his release.

Authorities are routinely tipped off about the contents of potentially offensive articles by informers at printing presses, and editors frequently come under pressure to remove such material. Government intelligence agents often telephone Jordanian journalists with warnings about their writing. While the government denies restricting access to the internet—and in fact actively promotes it—websites airing critical views have been blocked in the past.

Islam is the state religion. Sunni Muslims constitute 92 percent of the population, but Christians and Jews are officially recognized as religious minorities and allowed to worship freely. Baha'is and Druze are allowed to practice their faiths, but are not officially recognized. The government appoints Islamic clergy, pays their salaries, and monitors sermons at mosques, where political activity is banned under Jordanian law. The Senate recently amended a bill regulating mosques to require preachers to obtain written government permission to lead services or teach the Koran. Unauthorized preachers would face a month in prison and a fine. The Parliament in 2006 also approved a measure that allows only state-appointed councils to issue religious edicts, or fatwas, and makes it illegal to criticize these fatwas. Academic freedom is generally respected in Jordan. Jordanians are free to openly debate and discuss political and societal developments; however, there have been reports of a heavy intelligence presence at some university campuses.

Freedom of assembly is heavily restricted. The Law on General Assemblies bans public demonstrations lacking written authorization from the regional governor. Although opposition groups have complained that most of their requests were denied, IAF supporters were allowed to demonstrate against the detention of two IAF former members of Parliament.

Freedom of association is limited. While dozens of licensed nongovernmental organizations (NGOs) addressing political and social issues are allowed to operate freely, the government occasionally withholds licenses from NGOs deemed subversive. There is a prohibition on NGOs participating in political activity. The

Ministry of Social Development registers and regulates the activities of all NGOs in the country. Workers have the right to bargain collectively but must receive government permission to strike. More than 30 percent of the workforce is organized into 17 unions. The government has threatened to dissolve the PAC, and a draft law barring professional associations from engaging in politics is awaiting decision in Parliament. In March 2006, the government banned a planned demonstration of professional unions against the draft law.

The judiciary is subject to executive influence through the Justice Ministry and the Higher Judiciary Council, whose members are appointed by the king. While most trials in civilian courts are open and procedurally sound, the State Security Court (SSC) may close its proceedings to the public. A temporary law promulgated in 2001 allows the prime minister to refer any case to the SSC and denies the right of appeal to people convicted by the SSC of misdemeanors, which can carry short prison sentences.

Jordanian citizens enjoy little protection from arbitrary arrest and detention. Under the constitution, suspects may be detained for up to 48 hours without a warrant and up to 10 days without formal charges being filed; courts routinely grant prosecutors 15-day extensions of this deadline. Even these minimal protections are denied to suspects referred to the SSC, who are often held in lengthy pretrial detention and refused access to legal counsel until just before trial. Torture and mistreatment of individuals held in GID custody is a widespread problem. Interrogations by the GID are geared toward obtaining confessions for SSC cases. The UN Special Rapporteur on torture reported in June 2006 that "torture is systematically practiced" at the GID. Amnesty International also issued a report in July 2006 that alleged systematic torture by authorities, including prolonged beatings, extended solitary confinement, and threats of sexual abuse. Nearly every defendant before the SSC complained of torture.

Capital punishment is legal in Jordan, but the government announced in 2006 that the death penalty would no longer be imposed for a number of offenses, such as drug-related crimes. Jordanian courts that year imposed 25 death sentences, 22 of which were issued by the SSC against defendants convicted of national security offenses. Seven of the 25 sentences have been commuted.

Jordanians of Palestinian descent face discrimination in employment by the government and the military, and in admission to universities. Labor laws do not protect foreign workers. In May 2006, the National Labor Committee issued a report detailing abuse of foreign garment workers in a number of factories. After the report was issued, the government took immediate action to rectify the problem, closing five apparel factories highlighted in the report and pursuing criminal cases against several factory owners. An update to the report states that "the majority of Jordan's garment factories ... have shown substantial improvements. Conditions in these factories are far better now than they were in May of 2006." Freedom of movement and travel is generally respected, and there were no reports in 2006 of mothers being prevented to travel alone with children.

Women enjoy equal political rights, but face legal discrimination in matters involving inheritance and divorce, which fall under the jurisdiction of Sharia (Islamic law) courts, and child custody. Government pensions and social security benefits also favor men. However, new provisions within the National Agenda aim to change this and abolish laws that are discriminatory toward women. Marital rape

is not illegal. A 2002 temporary law granting women the right to initiate divorce proceedings has been rejected repeatedly by the legislature, but remains in effect. Although women constitute only 14 percent of the workforce, the government has made efforts to increase the number of women in the civil service. Women are guaranteed a quota of six seats in Parliament. Article 98 of the penal code allows for lenient treatment of those who commit a crime in a "state of fit or fury" resulting from an unlawful or dangerous act on the part of the victim. In practice, Article 98 is often applied to benefit men who commit "honor crimes"— the murder or attempted murder of women by relatives for alleged sexual misconduct.