

BAHRAIN: REFORM—PROMISE AND REALITY

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The six member states of the Gulf Cooperation Council (GCC) are among the world's last true monarchies. The ruler of each state enjoys unparalleled power and other members of his ruling family hold most key positions in the government, as well as enjoying many other privileges. Despite significant steps toward institutionalization and the creation of governments that are frequently responsive, the structure and authority of these monarchical systems remain virtually unchallenged. The debate over democratization—a process that has touched the Middle East the least of all regions of the world—has acquired impetus in the Gulf only recently, quickened by the events of September 11, 2001 and the war in Iraq. The question of the future of liberalization in the GCC states is complicated by the continued legitimacy of the traditional pattern of leadership, as well as by uncertainty over the role that Islamists might play in the process.

Developments in Bahrain are particularly illustrative of the promise and the pitfalls of nascent democratization or liberalization in the region. Islamist forces in the country, among both the minority Sunni and majority Shi'i, constitute positive pressure toward liberalization, and increasing the stake of Islamists in the participatory process will have a salutary effect on their commitment to political reform, since they will benefit from it. Limitations on liberalization are the result of pressure from conservatives within the ruling family and its patrons, the rulers of the UAE and Saudi Arabia.



Among all the GCC states, the pressures for change are particularly strong in Bahrain. As it is the Gulf's first post-oil economy, many of the stresses in

Bahrain will soon be felt elsewhere in the Gulf. Among these are the privileged status of the ruling family, the Al Khalifa, the need to deal with declining oil revenues, control over increasingly unpalatable corruption, and the generation of employment for dramatically growing numbers of youth.

Bahrain's modern history has been frequently turbulent because of frictions between its ruling family and the majority of its population. From 1961 until 1999 Bahraini politics consisted of a condominium between the ruler, Shaykh 'Isa bin Salman, and the Prime Minister, his brother Shaykh Khalifa bin Salman. While Shaykh 'Isa seemed content to reign, Shaykh Khalifa took the more active role in deciding policy and running the government. The result was something of a "good guy, bad guy" partnership. Shaykh 'Isa made himself accessible to the people and retained considerable respect and loyalty. Meanwhile, Shaykh Khalifa appointed government officials including the cabinet, supervised the build-up of the security forces, and allegedly became the richest person in Bahrain with extensive holdings in land, hotels, commercial property (including office buildings leased by government ministries), and profits on government contracts. Family and tribal allies grew rich with him.

The last of many periods of unrest, an especially prolonged and violent episode throughout much of the 1990s,¹ ended with the accession of Shaykh Hamad bin 'Isa Al Khalifa in March 1999 (he proclaimed himself King in 2002). His initial moves seemed to defuse a highly volatile situation and produced expectations of a truly new era in Bahraini politics. But perhaps expectations soared unrealistically high. The pace of reform seemed to slow noticeably after calm had settled over the country. The government remained largely unchanged (Shaykh Hamad's hard-line uncle was retained

1 The 1994-99 uprising has been covered in Louay Bahry, "The Opposition in Bahrain: A Bellwether for the Gulf?" *Middle East Policy*, Vol. 5, No. 2 (May 1997), pp. 42-57; Munira Fakhro, "The Uprising in Bahrain," Human Rights Watch/Middle East, *Routine Abuse, Routine Denial: Civil Rights and the Political Crisis in Bahrain* (Washington, DC, June 1997); Joe Stork, "Bahrain's Crisis Worsens," *Middle East Report*, No. 204 (July-September 1997), pp. 33-5; Louay Bahry, "The Socioeconomic Foundations of the Shiite Opposition in Bahrain," *Mediterranean Quarterly*, Vol. 11, No. 3 (Summer 2000), pp. 129-43; Abdul Hadi Khalaf, "The New Amir of Bahrain: Marching Side-Ways," *Civil Society*, Vol. 9, No. 100 (April 2000), pp. 6-13; David M. Ransom, "Bahrain: New Emir, New Vision," *Middle East Insight*, Vol. 16, No. 3 (June-July 2001), pp. 35-36, 71; Naomi Sakr, "Reflections on the Manama Spring: Research Questions Arising from the Promise of Political Liberalization in Bahrain," *British Journal of Middle East Studies*, Vol. 28, No. 2 (November 2001), pp. 229-31; Falah al-Mdaires, "Shi'ism and Political Protest in Bahrain," *DOMES: Digest of Middle East Studies*, Vol. 11, No. 1 (Spring 2002), pp. 20-44; and J.E. Peterson, "Bahrain's First Reforms Under Amir Hamad," *Asian Affairs* (London), Vol. 33, Part 2 (June 2002). Additional material and insights were gathered during visits to Bahrain in 1985-86, 1990, 1999, and 2001.

as Prime Minister), the atmosphere of discrimination against the majority Shi'i population continued, and the restricted character of the new parliament caused widespread disappointment. Bahrain appeared to be stuck at a crossroads. Would the spirit of dialogue and conciliation continue, or would re-emerging differences mark a return to confrontation—perhaps not as overt and violent as that of the 1990s but just as damaging?

In large part, the key to future developments lies in the personality and intentions of the King. Considerable confusion surrounded the motivation of King Hamad. Were his initial reforms instituted simply to calm the unrest and arrest international criticism, or was he committed to continuing essential reforms and simply in need of time to carry them out safely? The question is not simply academic. In all the Gulf monarchies, the ruler holds disproportionate authority in decision-making and policy formulation and his decisions are the single most important factor in setting the direction of state action. King Hamad's namesake in Qatar, Amir Hamad bin Khalifa, has been committed to a path of gradual reform since his accession in 1995, even though there is little burning pressure for such reform in Qatar. Bahrain's pattern of cyclical unrest, underlying economic motivations, and unresponsive ruling family require a leader dedicated to long-term political reform.

Bahrain also provides a case study for the predominant role that Islamists are likely to play in any liberalization of political participation in the Gulf. The great majority of the political groupings in Bahrain are Islamist. The strongest of these are also from the majority Shi'i population and opposed to the government. Because of the sectarian political divide, the government supports the Sunni Islamist parties which did well in the 2002 and 2006 parliamentary elections.

Bahrain's Islamists, at present at least, are committed to legal participation within the system. None of the recognized groups advocates the overthrow of the government and, like most Bahrainis, all profess a wish to see the retention of an Al Khalifa ruler, albeit with significant changes and reforms to the present system. While the largest of the Shi'i Islamist parties chose to boycott the 2002 elections, they were joined in this action by the largest of the secular parties. They boycotted not because the elections were democratic but because they were not seen as democratic enough.

In short, Bahrain's experience demonstrates that Islamist opposition can be positive in pressuring governments toward more responsive accountability and increased participation. Indeed, it can be reasonably argued that

any process that increases the Gulf's Islamists' stake in participatory politics will strengthen their commitment to a reformed and energized system. And this is most likely to be true for Shi'i Islamists.

The accession of Hamad bin 'Isa and the promise of change

Not a lot was expected of the new Amir when he acceded in 1999. Shaykh Hamad bin 'Isa had been thought to be under Saudi influence and had a close personal connection with Shaykh Zayid bin Sultan Al Nuhayan, the Amir of Abu Dhabi and President of the United Arab Emirates. Most importantly, his uncle, Shaykh Khalifa bin Salman, had served as Prime Minister since Bahrain's independence in 1971 and virtually ran the state during the reign of his easy-going brother Shaykh 'Isa while he promoted his own financial interests.

Within months of his accession, Shaykh Hamad instituted a number of reform measures that had immediate and strong impact. He opened dialogue with opposition leaders in his palace and in the homes of Shi'a religious figures. The most prominent opposition leader, Shaykh 'Abd al-Amir al-Jamri, who had been held under arrest for most of the period of unrest, was convicted in July of espionage and inciting unrest.² Shaykh Hamad ordered his release the following day. Eventually all of the detainees from the unrest were released and Bahrainis in exile were welcomed back. On National Day (December 16), he announced elections for municipal councils and the right of women to vote in them. A further step was the abolition of the State Security Law and Court, one of the protesters' key demands.

Other measures followed in 2000. A key demand of the opposition for decades had been the removal of the Briton Ian Henderson, the long-serving head of security. Henderson had been named an advisor in December 1996 and his post as head of the State Security Investigations Directorate abolished. In July 2000, he abruptly resigned as advisor and left the country permanently. On September 27, the Amir appointed 19 new members of the Consultative Council (*Majlis al-Shura*) and promised that it would be converted to an elected body after about five years.³ Nineteen members of

2 Jamri was born in 1936 and studied Islamic law at Najaf in Iraq. Following his return to Bahrain, he was elected to the National Assembly of 1973-75 and then served as a judge in the Shi'i *shari'a* court until 1988. He has been active in the opposition since 1992. Bahry, "Opposition in Bahrain," p. 56.

3 The *Majlis al-Shura* had been created in 1992, apparently in response to the presentation to the Amir of a petition calling for restoration of the National Assembly. Human Rights Watch/Middle East, *Routine Abuse, Routine Denial*.

the Council were Shi'i. Shaykh Hamad had begun already to draw a group of intellectuals around him to discuss changes, and around October he promised that there would soon be a national dialogue over the constitution. This period was also marked by a significant expansion of the freedom of speech and of the press. For the first time in decades, Bahrainis felt free to discuss political matters in public and the air was full of high spirits and talk of "democracy." The immediate consequence was to bring a quick end to confrontational and sometimes violent opposition activities.

The trust engendered amongst the general population by the new Amir was increased when he promised a return to the constitution of 1973 and created two committees to this end: one to draft amendments to the constitution to ready it for implementation and the other to prepare a national charter. An Amiri decree of November 23 appointed 46 members of a Supreme National Committee to prepare a draft charter that would spell out "the general framework of the future course of the state in the fields of national action and formulate the role of state institutions and their constitutional authority."⁴ The deliberations of the committee to prepare the charter, headed by the Heir Apparent, Shaykh Salman bin Hamad, were transparent to the public. Initially, the government planned to have the charter approved by a popular forum of some two thousand carefully selected Bahrainis convened for this purpose. However, some members of the committee, believing this to be an attempt to give the appearance of a democratic regime without the substance, resigned from the committee. The government was thereupon forced to rethink the idea and devised the idea of a referendum.⁵

But as it turned out, the activities of the constitutional committee, headed by the Minister of Justice, Shaykh 'Abdallah bin Khalid Al Khalifa, and composed of seven ministers, were not transparent. The committee did not meet publicly and did not take into account any of the recommendations of the other committee or of the popular petitions.

The recommendations of the committees were made public on December 14 with announcement of a National Charter to reaffirm the constitutional premise of the government and to formulate certain amendments to the constitution (the charter is discussed more fully below). The charter proposed that Bahrain should become a constitutional kingdom and that a bicameral legislature should be established with one elected house and a

4 Reuters, November 23, 2000.

5 Interviews in Bahrain, January 2003.

second appointed one. Shaykh Hamad reaffirmed these provisions in his second National Day speech on December 16.

The public, however, wavered in its support of the charter and the Amir. The charter was uncomfortably vague about how the new parliament would be constituted, stating only that "the first council shall be formed through direct and free elections and shall have legislative attributes. The second council shall be appointed and shall comprise people of experience and competence who will offer their advice and knowledge when needed."⁶

A worried Amir agreed to meet with four leading Shi'i religious figures a week before the referendum. The meeting was held at the home of Sayyid 'Abdallah al-Ghurayfi, who had been exiled during the unrest, with Shaykh 'Abd al-Amir al-Jamri also present. The Amir looked over their list of demands, which included a demand that legislative power would belong to the elected body alone and that the function of the Consultative Council would be only consultation, and then signed the document. Copies of the document with the Amir's signature and photographs of him signing it circulated widely throughout the country. The Amir also promised to make his agreement public and the following day, the Minister of Justice made an announcement of reforms to be introduced. The Amir's son, Shaykh Salman, also affirmed the reforms in a press conference.⁷

Shaykh Hamad went to the homes of other religious leaders to discuss the proposed changes. Meetings were held nearly every day at his palace with groups of journalists, opposition figures, representatives of civil society, and former exiles. He even met with the leaders of the secular liberal movement, most of whom had been in extended exile, who went away convinced that they had been invited not to exchange views but were expected simply to listen to a summary of what he intended to do.⁸

The government took other measures as well to secure a positive vote. All of the political prisoners, numbering about a thousand, were released between December 2000 and the referendum and, in late January, all restrictions on the movement of Shaykh al-Jamri were lifted.

The organized opposition prevaricated on whether to oppose or support the charter but eventually advocated that the electorate, consisting of all male and female Bahrainis over the age of twenty, should vote yes. As a result, government fears of a less-than-convincing result were not realized

6 Text of the National Charter, as published in the *Bahrain Tribune*, December 21, 2001.

7 Interviews in Bahrain, January 2003.

8 Interviews in Bahrain, January 2003.

and the charter received a resounding 98.4 percent of the vote in favor of the proposed changes.

The victory of the referendum seemed to signal a significant change in the conduct of Bahrain's politics. The Prime Minister, Shaykh Khalifa bin Salman, announced during a cabinet meeting on February 18 that the government would abandon the State Security Law, enacted just before the National Assembly was suspended in 1975, and abolish the State Security Court. This had been one of the opposition's key demands and both the draconian law, which permitted long periods of detention without formal charges, and the court, which existed outside the judiciary system, had prompted widespread criticism from abroad.

A general amnesty announced on February 5 brought immediate results and nearly all exiles had returned, at least for a visit and to assess the situation personally, by the end of April. Among them was Shaykh 'Ali Salman, a young Shi'i religious leader whose arrest in November 1994, while protesting the detention of Shi'i villagers after runners in a marathon were stoned, had been a principal spark of the unrest. In addition, citizenship was granted to more than a thousand *bidun*, those people born in Bahrain but denied citizenship. For the following year, the situation seemed stabilized and the outlook positive. On February 14, 2002, Shaykh Hamad declared himself King of Bahrain and announced that municipal elections would be held on May 9 and parliamentary elections on October 24—an acceleration of the original timetable.

But the details of the new parliament revealed by the government at this time raised fresh misgivings and marked an end to the period of optimism. The enthusiasm for King Hamad shown in the first two years of his rule soon waned. In the end, the amended constitution (popularly derided as a "new constitution") was presented to the people as a given, rather than as an instrument to be discussed and negotiated. The vagueness of the bicameral representative body, as described in the National Charter and approved in the referendum, was translated into a bicameral legislature with an elected lower house and an appointed upper house.

The municipal elections were held as scheduled on May 9, 2002, with run-offs for closely contested seats on May 17. Initially, the two largest political organizations—al-Wifaq and the National Democratic Action Society—were undecided on whether to participate, although five other major groups agreed to field candidates despite their concern over the manner in which electoral districts had been created. The first elections in thirty-two

years created great interest and a total of 306 people competed for the fifty seats, thirty of the candidates being women. About 51 percent of Bahrain's eligible voters elected an all-Islamist council with twenty-three Sunnis and twenty-seven Shi'is. No female candidates made it past the first round of voting. Despite the Islamist label, successful candidates appeared to be elected on individual merits without much organized party planning.⁹

The next step was parliamentary elections. Although political parties have never been legal in Bahrain, a number of *de facto* parties emerged at this time, calling themselves societies rather than parties. Most, but not all, were Islamist in character and there were both Sunni and Shi'i Islamist organizations. It should also be remembered that the lines were mixed even within the Islamist parties: as one political activist pointed out, his family is Sunni, his wife is Shi'i, and his sister participates in the Shi'i Islamist party al-Wifaq.¹⁰ The principal political groupings in Bahrain included the following:

1. *Al-Wifaq (jam'iyyat al-wifaq al-watani al-islamiyya)*:¹¹ a Shi'i Islamist party that enjoys the largest support and dominates the Bahraini political scene. Its leader is Shaykh 'Ali Salman who had been forced into five years of exile in London.¹² Before the 1990s, elements of al-Wifaq operated clandestinely and were known as the Islamic Enlightenment. It has no known ties, past or present, to the Iranian government. Its decision to boycott the parliamentary elections was apparently necessary in order to avoid a split within the party.¹³

2. The *National Democratic Action Society (NDAS; jam'iyyat al-'amal al-watani al-dimuqrati)*: the most prominent secular party with a mixed Sunni and Shi'i membership, headed initially by 'Abd al-Rahman al-Nu'aymi, a long-time leftist activist who spent thirty-three years in exile. Formed in April 2001, the NDAS sought to group all the leftist groups, including liberals, Ba'this, the Arab Nationalists' Movement (ANM), and Communists, under its umbrella, but the Communists and some other groups left after two months. It also boycotted the parliamentary elections.

9 On the elections, see Reuters, May 10, 11, 18, 2002; Associated Press (AP), May 12, 2002.

10 Interview in Bahrain, January 2003.

11 Its full name translates as the Islamic Society for National Unity.

12 Shaykh 'Ali Salman Ahmad Salman came from a poor Shi'i family and had received a fellowship to study at King Sa'ud University in Riyadh, Saudi Arabia, before pursuing theological studies in Qom, Iran. Interviews in Bahrain, January 2003.

13 Interviews in Bahrain, January 2003.

3. The *Nationalist Group (al-tajammu' al-qawmi al-dimuqrati)*: a secular Ba' thist party made up of both Sunnis and Shi'is, with Dr Hasan al-'Ali as its vice-president.

4. *Islamic Action (jam'iyyat al-'amal al-islami)*: the more outspoken of the Islamic Shi'i groups, headed by Shaykh Muhammad 'Ali Mahfuz. Shaykh Muhammad had headed the Islamic Front for the Liberation of Bahrain, which was active during the 1990s unrest from its base in Tehran and openly advocated the overthrow of the Al Khalifa.

5. *Al-Wasat (al-wasat al-'arabi al-islami al-dimuqrati)*: an Islamic nationalist party, mostly Sunni, and including some Nasserists. It is headed by 'Abdallah al-Huwayri.¹⁴

6. *Islamic Platform (al-minbar al-watani al-islami)*: a Sunni Islamist party regarded as being associated with the Kuwait al-Islah/Muslim Brotherhood party. Although Dr Salah al-'Ali is the declared president, its real head is said to be Shaykh 'Isa bin Muhammad Al Khalifa, a former Minister of Labor and Social Affairs and uncle of the King.

7. *Asalah*: a Sunni Islamist party linked to the *salafi* movement and headed by 'Adil al-Ma'awida. The party won six seats in the Council of Deputies (*Majlis al-Nuwwab*) and is regarded as pro-government.

8. The *Islamic League (al-rabita al-islamiyya)*: a Shi'i Islamist group regarded as pro-government and headed by Muhammad 'Ali Sitri, the Minister of Municipalities and a member of the original National Assembly. It won three seats in the Council of Deputies, although it is believed that none of its members would have been elected if al-Wifaq had not boycotted the elections.

9. *Islamic Education (jam'iyyat al-tarbiya al-islamiyya)*: a Sunni Islamist group seen as pro-government and headed by Khalid al-Mu'ayyad, a brother of the former Minister of Information, Tariq al-Mu'ayyad.

There exists, in addition, another Shi'i Islamist group headed by the journalist 'Abd al-Wahhab Jawad, but it follows a different Shi'i school from that of the Islamic League.

While these nascent parties appear to represent the full range of Bahraini political opinion, they remain more fluid than ideologically driven. The emphasis in Islamist parties, particularly the Shi'i groups, is not on replacement of the existing system but on ensuring that the system adheres to Islamic values. These are generally defined in such a way that cooperation is

14 Its full name translates as the Arab Islamic Democratic Middle Path.

readily maintained with liberals who espouse a relatively more “secularist” approach to politics. Because the concrete goals of both camps are broadly similar, they are able to sustain a loose coalition. The Sunni Islamist parties stand apart, generally speaking, in that they seem more accommodationist and are more predisposed to work with the government, which is dominated by Sunnis; indeed, their opponents claim that they are supported by the regime because they are more malleable and stand as a bulwark against the Shi‘i majority.¹⁵ What nearly all groups share is a conviction that so far Bahrain has seen only the beginning of acceptable change.

Throughout the year 2002, political debate in and among the parties centered on whether to boycott the elections on the principle that the new parliamentary system did not conform to the 1973 constitution as King Hamad had promised. On the one hand, there was considerable support for eschewing participation on the grounds of principle: if “the people” caved in on the question of the constitution at the beginning, the government would have “won” and would be free to change the rules of the game whenever it liked. On the other hand, by boycotting and thus remaining outside the parliament, the parties risked forfeiting their right to speak for “the people” and could find it impossible to enter the arena in the future. In the end, a coalition of the first four parties listed above, including the two biggest (al-Wifaq and the NDAS), chose to boycott.

The Consultative Council was dissolved on February 16, 2002, two days after King Hamad announced that parliamentary elections would be held in October. At the same time, he produced an amended constitution and minor changes to the country’s flag. Then, on July 3, details of the new parliament’s composition were released: the new parliament (*al-Majlis al-Watani*) would be composed of a 40-seat elected lower house (*Majlis al-Nuwwab* or Council of Deputies) and an upper house (*Majlis al-Shura* or Consultative Council) with 40 appointed members who could be drawn from the ruling family, former cabinet ministers and retired military officers. Candidates for office were required to be literate Bahrainis, male or female, and at least thirty years old. All Bahrainis over the age of twenty were eligible to vote, although the question of voting privileges for military personnel was deferred.¹⁶ Another decree barred the societies from taking part in the elections, although this was later rescinded.

15 For similar reasons, the regime in Kuwait followed a strategy of supporting Sunni Islamists to counter the influence of the liberals.

16 Details were reported by Reuters, July 3, 2002.

As a consequence, al-Wifaq and three other parties jointly announced in September their intention to boycott the election. Thus the 190 individuals, including eight women, who registered as candidates were independents or drawn from other parties. Shaykh 'Ali Salman, the president of al-Wifaq, justified the action by claiming that "[d]ue to the nature of the new constitution, the parliament will be crippled and weak.... People would be more politically active if they were electing a parliament with full legislating and monitoring powers, but I believe participation will be low as can be seen from the number of candidates."¹⁷ (More than 300 had registered as candidates for the municipal elections earlier the same year.) The King's concern was evident in a televised address a few days before the election when he urged voters to consider, "What shall fathers and mothers say to their sons tomorrow if we boycott the future?"¹⁸

In the end, some 53 percent of eligible voters participated, slightly more than the 51 percent recorded in the municipal elections. Nineteen members, including three running unopposed, won seats on October 24, while the other twenty-one seats were decided in run-off elections held a week later. Not surprisingly, because of the boycott, Sunni Islamists won about one-half of the total seats. Two women made it into run-off elections but did not gain seats. The King quickly appointed a new *Majlis al-Shura*, as well as a new cabinet with his uncle remaining as Prime Minister, and inaugurated the parliament on December 14. A Sunni Islamist, Khalifa al-Dhahrani, was elected speaker of the Council of Deputies.

There was an encouraging sign in 2006 when the largest of the opposition groups, al-Wifaq, and the next largest, the National Democratic Action Society (also known as al-Wa'd), announced their intention of participating in the November 2006 parliamentary elections, thereby reversing their boycott of the initial elections four years previously. It was a controversial decision, however, and some of al-Wifaq's hardliners split off to form al-Haq, a new rejectionist party. The atmosphere was further disturbed by the "Bandargate" affair. In September 2006, an employee of the Bahrain government, of British citizenship but of Sudanese origin, made public a collection of documents that detailed corruption within the government and pointed to government efforts to fix the parliamentary elections. Although the government denied the veracity of the documents and deported

17 Interview with Reuters, October 6, 2002. Al-Wifaq claimed to have received 50.28 percent of the votes in the municipal elections.

18 AP, October 21, 2002.

the employee, the affair confirmed opposition suspicions that the Al Kha-lifa and the regime would never allow free elections. The government took strong action to prevent discussion of the matter, including blocking the NDAS website.¹⁹

The Shi'i Islamist opposition did relatively well in the elections. Al-Wifaq captured eighteen of the total of forty seats in an election that saw an encouraging 72 percent of the electorate voting. On the other hand, no NDAS candidate was elected and the Sunni Islamist groups al-Asalah and Islamic Platform captured seven and five seats respectively. Sunnis outnumbered Shi'a in the final analysis by twenty-two to eighteen. One woman won a seat in the parliament when she faced no opposition in her constituency, but a prominent female activist running under the NDAS banner accused the government of rigging the results in her constituency and then quashing a legal challenge to the results. Al-Dhahrani was re-elected speaker of the Council of Deputies and the king appointed twenty Sunnis, eighteen Shi'a, one Christian, and one Jew to the upper house.²⁰

The inauguration of the new parliament in 2002-3 had contributed to the emergence of an atmosphere in Bahrain that was undeniably calmer and more positive than it had been four years earlier. The unrest of the 1990s had shuddered to an uneasy halt. People were freer to express their opinions and to organize within limits. The government under the new king had responded to some of the grievances and addressed them with certain changes. But many underlying factors remained unresolved.

The political atmosphere was disturbed in October 2002 by the return of Col. 'Adil Fulayfil. Regarded by many in Bahrain as the most notorious official in the security forces and accused of being the forces' main torturer, Fulayfil had fled the country illegally on May 3, 2002, soon after allegations of extortion and embezzlement prompted an official investigation into his activities. Although he seemed to be comfortably esconced in Australia, where he made numerous property purchases, he made an equally abrupt return to Bahrain in late November. Once there, he was said to be quietly residing in his home and not under arrest.²¹

19 *Khalij Times* (Dubai), September 27, 2006; Reuters, October 15, 2006; AFP, November 3, 2006.

20 AP, October 17, December 4, 2006; AFP, October 17, November 29, 2006; Reuters, November 26, December 5, 2006; *Financial Times*, November 26, 2006; *Gulf News* (Bahrain), November 27, 2006.

21 Reuters May 5, 2002; *Gulf Daily News* (Bahrain), May 9, 2002 and August 9, 2002; Reuters, August 28, 2002; Human Rights Watch email of December 17, 2002; interviews in Bahrain, January 2003.

It is not clear whether Fulayfil's return was forced by the prospect of facing legal action in Australian courts or simply facilitated by the promulgation of Royal Decree 56/2002 on October 23. This decree granted amnesty to members of the security and intelligence services for acts taking place prior to the general amnesty decree of February 2001. To many, this appeared to be an attempt to prevent any action being taken against the security forces, regardless of the legality of their actions, including torture.²²

No action was taken against Fulayfil in the following years and Ian Henderson even returned to Bahrain. Meanwhile, political activists continued to run afoul of the government both before and after the 2006 parliamentary elections. Several activists calling for a boycott of the election were arrested and other activists were detained in early 2007 on charges of publicizing the Bandargate affair. At the same time, demonstrations continued to take place from time to time, principally over economic problems and unemployment.

Given the lack of movement through the mid-2000s, it seemed to many that the fundamental problems of Bahraini politics had not really changed and that the dialogue for change had reached an impasse. It was uncertain how much the King was committed to true reform. Furthermore, his uncle, Shaykh Khalifa bin Salman, remained Prime Minister and in daily charge of many of the most important aspects of the government, the Al Khalifa retained their dominance of senior government positions, and the key complaint of corruption remained largely untouched. During the 1990s, nearly all walls in the Shi'i villages had been covered with graffiti, only to be quickly whitewashed or made illegible by the security forces. In the following decade, the graffiti were back with its terse exhortations of "No National Charter," "Death to Khalifa," and "Death to America."

Reformer or pragmatist: initial reforms and unresolved grievances

While democratic reforms in Bahrain have been significant since the accession of King Hamad, they have been limited and serious questions can be and are being raised about whether the process of reform will continue

22 Amnesty International press release, November 29 2002, online at <http://web.amnesty.org/802568F7005C4453/0/80256AB9000584F680256C800054851C?Open&Highlight=2,bahrain>; Human Rights Watch letter to King Hamad of December 17, 2002, online at www.hrw.org/press/2002/12/bahrain1217ltr.htm; REDRESS letter to the Bahraini ambassador in Geneva, December 17, 2002, online at www.vob.org/english/e-main.htm; interviews in Bahrain, January 2003. At the same time, Ian Henderson's deputy, Shaykh 'Abd al-'Aziz bin 'Atiyatallah Al Khalifa, was promoted to the post of Governor of Manama. Interviews in Bahrain, January 2003.

in the future. Much of this speculation revolves around the personality and intentions of King Hamad himself. Is he a true reformer or simply a pragmatist? Is he committed to taking the risks to truly transform and democratize the Bahraini political system or has he taken just the minimum steps necessary to stabilize his state and ensure continued Al Khalifa rule in the same manner as before?

Those who regard him as a true reformer point to the real gains made to correct injustices and to seek the trust of the people. They point to his termination of the antiquated and uniquely Bahraini policy of exiling dissidents. He ordered the release of all political detainees, whose detention had been another unsavory feature of Bahraini politics for a century. Furthermore, he rescinded the draconian State Security Law and abolished the State Security Court, both organs of essentially political control. Under his reign, the long-time British head of security resigned and left the country, his deputy was moved to a post as governor, and the chief torturer, in the eyes of dissidents, abandoned his post after the initiation of an investigation into his financial affairs. One elected deputy remarked that ten or fifteen years ago, he was among those who felt that the system must be completely overthrown; now, however, he believed that change could be achieved within the system and that the process of change was only beginning.²³

It can be argued that the wheels of change have slowed because King Hamad can only proceed slowly. Too much change too quickly risks spinning the process out of control. The legislative process in Bahrain is untested and the opportunities for mistakes and the degeneration of debate into personal antagonisms are numerous.

Furthermore, the King faces considerable opposition from the conservative majority of the Al Khalifa, who argue that King Hamad is in danger of repeating the mistakes of the 1970s when the government concluded that it was necessary to suspend the first parliament. Some family members—as well as other Al Khalifa allies—fear the loss of their privileged status and government jobs, not to mention the possible airing of murky financial dealings.

King Hamad must take into account the advice and concern of the leaders in Riyadh and Abu Dhabi with whom he is close. Bahrain is highly dependent on Saudi Arabia for the gift of much of its oil production, for the contribution to its economy made by the thousands of Saudis who cross the causeway to spend weekends in the island state, for the close military ties between the two countries, and simply because Saudi Arabia is a far

23 Interview in Bahrain, January 2003.

bigger and more powerful country with an intense and justifiable anxiety over what happens in its close neighbor. In addition, King Hamad was undoubtedly guided by his close personal relationship with Shaykh Zayid bin Sultan Al Nuhayan, the President of the United Arab Emirates and Amir of Abu Dhabi, who died in November 2004. King Hamad was a frequent beneficiary of Shaykh Zayid's largesse, and as Shaykh Zayid made no moves toward democratic representation in either Abu Dhabi or the UAE over the course of his long years of rule, it can be reasonably assumed that his counsel was conservative in this regard. Matters do not seem to have changed under his successor, Shaykh Khalifa bin Zayid.

Most importantly, the key constraint on the King's authority and freedom of action must be the continued presence of his uncle, Shaykh Khalifa bin Salman, as Prime Minister. Shaykh Khalifa has spent more than thirty years in this office strengthening his position, effectively running the country during the reign of his late brother Shaykh 'Isa, surrounding himself with loyal supporters, and shaping the personnel and structure of the government to suit his purposes. While, as heir apparent, King Hamad served as commander-in-chief of the armed forces, Shaykh Khalifa exercised control of the security forces through his control of the Ministry of the Interior. Much of the ire of the dissidents during the 1990s unrest, and before and after, focused personally on Shaykh Khalifa.

Others argue that King Hamad's motivations were, at best, mixed. King Hamad was fully aware that it was necessary to bring the unrest to an end and he sought to avoid inheriting the bad reputation of the past. He recognized the pressing need to make some changes, such as curbing corruption and granting limited freedom of speech. At the same time, however, he holds the same view as the Prime Minister on the need to control the country through the appointment of senior members of the Al Khalifa to key positions. This has prevented the reform program from seeing further light. True reform, as one opposition leader argues, requires sacrifices. The King must reach a firm decision on how to deal with the Prime Minister but he has done nothing, probably because of opposition from the family.²⁴

There are some who would argue that King Hamad should be given the benefit of doubt; perhaps he genuinely did wish to institute reforms but did not have a clear idea of how far he wished to go; and he may have run up against stiffer opposition from his uncle Shaykh Khalifa than he had anticipated. They do not believe that King Hamad sees the present

24 Interview in Bahrain, January 2003.

developments as the final step; instead, he may have a more evolutionary process in mind.²⁵

The impact of September 11, 2001 is also cited as a reason why further reforms may have been placed on hold. One Islamist leader argued that the genuine momentum for change might have led to further reform but September 11 had a negative impact, making the regime more cautious. The government contended that the world had changed and therefore there was no place for Islamists, and that “concessions” made to Islamists must be revoked. Taking the positive view that the international situation will not remain the same forever, this leader argued that the Islamist opposition believes it must work closely and cooperatively with the government for more reforms in the future.²⁶

These positive views, however, are not universally shared and appear to constitute a minority opinion. Certainly, many Bahrainis have concluded that King Hamad is simply a pragmatist. They argue that he had no choice but to offer political concessions because Bahrain faced continuing unrest domestically and was isolated internationally. The demonstrations and violence had an undeniably serious and negative impact on tourism and the financial sector. Human rights supporters in Britain and other countries were successfully arguing their case in the media and threatening legal action against Bahraini officials and Ian Henderson, the head of security.

They further argue that the proof of a pragmatic strategy lies in the abrupt change of attitude between King Hamad’s first eighteen months—when he took the initial steps to release prisoners and welcome back the exiles—and the subsequent period after the referendum was approved. During the first period, Shaykh Hamad was easily accessible and engaged in dialogue both at his palace and in the homes of opposition leaders. After the referendum, gaining an audience became nearly impossible and the constitutional changes and details of the new parliament were simply announced and not open to debate.

As one opposition leader put it, in the beginning the government needed to deal with the opposition and it was easy to meet with King Hamad. After the referendum, the government no longer needed to deal with the opposition and it became very difficult to see him. During the pre-referendum process, Shaykh Salman bin Hamad said in a meeting that perhaps only 51 percent of people would agree to the National Charter, demonstrating

25 Interview in Bahrain, January 2003.

26 Interview in Bahrain, January 2003.

the low expectations held by the government. But because the opposition threw their support behind the charter, it received a 98.4 percent approval. Afterwards, the opposition tried to get an audience with King Hamad and wrote letters to him in an attempt to discuss the constitution. "We did our best to cooperate with the government, to push for new changes," one opposition leader declared. "We wish to tell the government to listen and that the government still needs the opposition. We are the people who are needed to keep people under control." Instead of listening, he averred that the government takes no steps to keep crises from occurring. He drew a comparison with Morocco where changes have been much more significant: for decades there was no dialogue with the opposition, but then the government opened up and the head of the opposition was now Prime Minister; the government listened and did as people demanded. But the government of Bahrain still does not listen, he complained.²⁷

Even Shaykh 'Ali Salman conceded that the government had made some corrections of mistakes of the past: (1) it eliminated the State Security Law; (2) it freed political prisoners; (3) it eliminated exile for opposition figures. He also saw other positive developments: (1) the right to organize as political or civil societies; (2) all those opposed to the regime over the past three decades have been allowed to return to Bahrain and to work overtly in Bahrain; (3) freedom of speech exists, as well as freedom of the press; (4) trade unions have been established; and (5) although the outcome of the October 24, 2002 election may be contestable, just the opportunity for people to go to the polls has created a new atmosphere. Even so, he maintained that this was only part of the story.²⁸ Another human rights activist remarked that people had paid the price for these positive developments over the years in opposing and applying pressure on the government. In his view, changes were the result of a purely pragmatic decision by King Hamad; he concluded that, after all, "that's politics and King Hamad played it well. We can credit him for the liberties but we still have to safeguard our constitutional rights."²⁹

As a consequence, the atmosphere in Bahrain in 2003 and into 2004 was tinged with considerable disappointment. Violent confrontation appeared to have been consigned to the past but many of the essential reforms urged upon the government over the last thirty years were still no closer to be-

27 Interview in Bahrain, January 2003.

28 Interview in Bahrain, January 2003.

29 Interview in Bahrain, January 2003.

ing addressed. Bahraini youth may become more radicalized, particularly if unemployment continues unabated and little is done to redress discrimination against Shi'is, and this may entail a return to sporadic violence.

In the meantime, Bahrain's opposition remains uncertain and divided. While distinctions in some cases reflect the Sunni-Shi'i divide, as well as a divergence between Islamic and liberal ideologies, the fundamental differences largely flow from disparate assessments of King Hamad and his policies. Individual and party thinking tends to vacillate between the two poles of rejecting King Hamad's changes as inadequate and accepting them on faith that liberalization is and will continue to be an evolving process. In particular, heated discussion continues to swirl around a long list of specific grievances, the most important of which are summarized here.

1. *The National Charter*. Much of the opposition argues that the National Charter was ambiguous and conflicting but the people had no choice but to accept it: either they voted in favor in order to get rid of the State Security Law and Court and bring back the exiles, or they would be turning their back on change. Their choice boiled down to either remaining in a situation of oppression or trying their chances with a badly drafted document. The charter, they contend, put forward a promise to expand democratic participation and not simply to return to the 1973 constitution, a promise that King Hamad affirmed in writing.

Some members appointed to the Supreme Committee for the National Charter suffered disappointment from the beginning. They believed their function was to discuss and then write the charter. Instead, a completed charter was handed to them at the first meeting and they were expected to look it over and approve it. They wanted to examine similar charters in Morocco, Egypt, and elsewhere, and to incorporate relevant points into the Bahraini charter, but the government contended there was not enough time, since deliberations began on December 3 and the government intended to finish the work of the committee by December 16. In addition, the members were told that King Hamad and the National Charter should be empowered above the constitution. This prompted five members of the committee to resign.³⁰

30 The other thirty-five were said to have remained on the committee because they feared the loss of business with the government or the loss of their jobs. The five who resigned were then victims of a government campaign to discredit them. When a Kuwaiti newspaper reported allegations against them, the five sued the paper in Kuwaiti courts and won. They were, however, unable to take any action in Bahrain. Interview in Bahrain, January 2003.

The opposition contended that the approval given the government by the referendum was for a return to the 1973 constitution at a minimum. Instead of making only two changes (renaming the country a kingdom and establishing a bicameral parliament), they charged that King Hamad had altered the 1973 constitution completely and done so without seeking the agreement or even the input of the people. Objections to the new system embodied in the National Charter arose because, first, it was enacted in an unconstitutional way and, second, it completely changed the constitution against the rights of the people.³¹ Some of those who stood for election and won seats in the *Majlis al-Nuwab* argued that their presence would enable them to work for changes to the new constitution. However, the chances of amendments being made successfully are slim, since any change requires the vote of a two-thirds majority of both houses combined.

2. *The amended or "new" constitution.* In the words of one activist, "the ruling family gave Bahrain the 1973 constitution but then they took it away. The people wanted a return to the 1973 constitution but they returned us to 1873."³² The same activist remarked that he had been told by one of the King's advisors that King Hamad never believed in the 1973 constitution and that outsiders had forced it on Bahrain. But as heir apparent and Minister of Defense, King Hamad pledged in the opening session of the 1973 National Assembly to respect the constitution. Thus, the activist argues, he has accepted it and is bound by it. The King has used the charter as a way around the constitution in order to propose very limited amendments to his new "amended constitution" as it is officially termed.³³

31 Interview in Bahrain, January 2003. The "Opinion on the Constitutional Issue" (draft, January 2003) prepared by a number of Bahraini lawyers concludes that "the referendum on the National Action Charter is a sort of political referendum that was intended to reflect the views of the people on these general thoughts and principles, and pave the way for reconciliation. But it certainly does not contain any legal rule of any legislative nature, particularly what might be interpreted as a mandate that empowers the Amir alone, to amend the constitution."

32 Interview in Bahrain, January 2003.

33 Interview in Bahrain, January 2003. The "Opinion on the Constitutional Issue" cited above quotes the 1973 constitution, article 104, clause (a) as stating: "Notwithstanding the provisions of Article (35) of this Constitution, for an amendment to be made to any provision of this Constitution, it is stipulated that it shall be passed by a majority vote of two-thirds of the members constituting the Assembly and ratified by the Amir." In addition, the opinion rejects the claim that "the document issued in February 2002 is an amended constitution in response to the public will expressed in the National Action Charter" because the Explanatory Memorandum to the 2002 Constitution states "that the National Action Charter resulted in repealing all the provisions contained in the 1973 Constitution."

3. *Constitutional monarchy.* The National Charter declared that “the time has now come for Bahrain to be among the constitutional monarchies with a democratic system that achieves the aspirations of its people for a better future,” by implication like the United Kingdom and other European parliamentary states. Instead, Bahrainis point out that their king rules as well as reigns, the newly constituted parliament has little power, and the powers of the elected membership are equally balanced by the powers of the appointed upper house.³⁴

As another opposition leader pointed out, Bahrain has not become a constitutional monarchy “like the great constitutional monarchies elsewhere in the world.” Instead, the new constitution makes the legislature subordinate to the executive. It leaves all power in the hands of the king and the prime minister. No one can make a new law or stop a law being made unless the king and/or the prime minister agrees. This, it is contended, shows that there has been no real change.³⁵

4. *The new parliament.* The powers of the new parliament have been circumscribed by comparison with the older National Assembly. Under the 1973 constitution, the National Assembly was to consist initially of 30 elected members and a maximum of 14 government ministers serving as *ex officio* members (similarly to Kuwait); the number of elected members was to rise to 40 during its second legislative term. Under the 2002 constitution, the National Assembly consists of the same number of 40 elected members but 40 members appointed by the government have replaced the 14 government ministers. Not only are the numbers of elected and appointed made equal but the president of the Consultative Council (the upper house) is given voting rights in case of a tie, thus providing a 51 percent majority for appointed representatives.

Originally, King Hamad promised that the appointed upper house would be purely consultative and legislative functions would be reserved for the elected lower house. Instead the two bodies together are considered

34 One opposition figure argued during a discussion with Shaykh Hamad on February 9, 2002 that Shaykh Hamad had no power to change the constitution. At first, Shaykh Hamad agreed. But then his Egyptian constitutional advisor intervened to say that while the right did not exist in the constitution, it derived from the assertion of the Supreme Committee for the National Charter that the charter empowered the ruler above the constitution. This assertion had been contained in a draft of the covering letter for transmission of the charter to Shaykh Hamad but, after some committee members objected, the letter was redrafted and another letter placing the National Charter under the constitution was sent in its place. Interview in Bahrain, January 2003.

35 Interview in Bahrain, January 2003.

to be the legislative body. In addition, any amendments to the constitution require a two-thirds majority of the combined houses. As one Bahraini lawyer puts it, "the 2002 Constitution's Parliament is no more than a modified version of the previous Consultative Council. The difference is only that one half is elected and the other half is appointed."³⁶

Under the 1973 constitution, the government could suspend the parliament for two months but then was required to hold new elections. Under the amended constitution, the government can suspend the parliament for four months without elections but the King also has full discretion to postpone elections without any time limit if the government advises him that new elections should not be held. In addition, the 1973 constitution mandated that an audit bureau be created and made subordinate to the National Assembly. The 2002 constitution removed the bureau's function of reporting to the National Assembly, and a royal decree in July 2002 ordered the audit bureau to report directly to the King, thus removing the legislature's ability to monitor the state's financial affairs.³⁷

It should be noted that not all Bahrainis are so critical of the parliament; in particular, not surprisingly, those elected to it are not. One of the Sunni Islamist deputies points out that the government is not part of the new parliament and it cannot vote even in the Consultative Council. In fact, all participants in the National Assembly are new, apart from the Speaker.³⁸ The new parliament was a positive development because small things could be changed from inside the Council of Deputies, even though the Consultative Council represented the old system and government.³⁹

Another Sunni Islamist deputy remarked that reforms and democracy must be introduced gradually since the country was not able to absorb it fully all at once. This, he added, was the cause of the trouble in the 1970s with the confrontation in the National Assembly and the numerous strikes. The regime needed to become used to changes and to learn to trust the people. In his view, the essential and urgent problem is corruption, particularly because the government is a one-man show. Everyone likes freedom but it has its boundaries in order to assure that all can be free. "Freedom is like salt in the food: too little and it is tasteless, too much and it is inedible."⁴⁰

36 Jalila Sayed Ahmed, draft commentary on "Constitutional Issues: Bahraini Women's Political Rights," January 5, 2003.

37 "Opinion on the Constitutional Issue."

38 Interview in Bahrain, January 2003.

39 Interview in Bahrain, January 2003.

40 Interview in Bahrain, January 2003.

Another Shi'i observer who disagreed with the opposition's decision to boycott the election argues that it is better to have an elected body that annoys, questions, and attacks the government as an opening step in a continuing process. Because of the boycott, he notes, the parliament is composed of very low quality people who, for example, demanded that the government change the parliament's laws without realizing that they had the power to do so themselves.⁴¹

5. *The uncertain legality of political parties.* Although restrictions on civil societies and the activities of sporting or social clubs have been relaxed, political parties are still forbidden. This is why political groupings employ the term "society" (*jam'iyya*) in their titles. Everyone knows the parties and what they stand for and the government generally tolerates their unofficial existence. However, this did not prevent the government from harassing the parties. Al-Wifaq held its first annual conference in January 2003 in defiance of the government's demand that it should not be called a conference because that denoted it was a political party. After al-Wifaq booked the Exhibition Hall for its conference, the government forced the hall's management to cancel the booking. The organization then arranged for and booked the hall of a sporting club, but again the government forced cancellation of the booking. The opening of the conference finally took place in the hall of the Medical Society, which was far too small to accommodate all the attendees, and most people listened to the speeches outside under a tent in light rain.

6. *The security services.* Bitterness remained deep over the continued unimpeded role of the Bahraini security forces. No action has been taken against any security official with regard to allegations of abuses during the uprising. As one activist noted, "Many [activists] were imprisoned simply for speaking up for their rights. Alright, they have been released. But those of us who were imprisoned for five years have been punished while those who committed the crimes of torture have not been punished."⁴² Allegations of widespread use of torture continued to reverberate around the country.

Meanwhile, senior officers of the security forces have been rewarded. Ian Henderson retired to Britain with a medal from the government but has since returned. His deputy, Shaykh 'Abd al-'Aziz b. 'Atiyatallah Al Khalifa, has been promoted to minister of state. 'Adil Fulayfil returned without prosecution. Furthermore, as mentioned previously, Decree 56/2002 pro-

41 Interview in Bahrain, January 2003.

42 Interview in Bahrain, January 2003.

vided amnesty for members of the security services on an equal basis with opposition figures.

The composition of the security forces remains unchanged, with the Al Khalifa and their Sunni allies monopolizing command positions and a high proportion of the ranks consisting of non-Bahrainis. The United Nations High Commissioner for Human Rights, Mary Robinson, chided the King on this matter when she visited Bahrain in March 2002.⁴³

The security services continue to operate in the same manner as before, although they are slightly less obtrusive. It could, however, be argued that this suited the purposes of the government by showing that public safety was endangered in the absence of tough measures, as for example in the 2002 New Year's Eve riots (discussed below).

7. *Corruption and the role of the ruling family.* There has been no change in the status of the ruling family, which largely remains above the law and continues to reap unfair economic benefit from the system. Tales abound of the top members of the family taking over nearby islands as their personal estates, owning hotels, shopping malls, and office buildings. Poorer members of the family earn a comfortable income through so-called "free visas": expatriate workers pay a fee of about \$1,300 to an Al Khalifa to get a work visa, and then they must find their own jobs and continue to pay their sponsors \$25 or \$50 a month out of a salary that may not be more than \$160. This contributes to a continuing climate of corruption at all levels of government.⁴⁴ Indeed, one opposition figure charges that the principal reason why the Al Khalifa and other government officials oppose democracy is that it threatens to expose their record of corruption.⁴⁵

In addition, there seems to be increased prevalence of family members in government positions: in 2007, fourteen of the twenty-six ministers were from the Al Khalifa and they predominate in other recent government appointments.

8. *Continued discrimination against the Shi'is.* Many Shi'is argue that nothing has been done to alter their inferior social and economic situation. One activist pointed out that the village of Sitra is the poorest part of Bahrain and endured the most arrests during the unrest. After the release of

43 Reuters, March 3, 2002.

44 In this connection, the opposition hailed the arrest of a former general manager of a Bahrain bank on charges of corruption but reiterated its demand that 'Adil Fulyayfil should also stand trial. *Gulf Daily News* (Bahrain), March 6, 2003.

45 Interview in London, January 2003.

the detainees in 1999, the people of Sitra carried King Hamad on their shoulders. Now the same people, he said, are angry: they are still poor and unemployed, and those that do have jobs receive a salary of only about BD 150 (\$390) on which to maintain a family of five or more.⁴⁶

Others cite figures to the effect that only 10 percent of the top 500 government positions are held by Shi'a (who form approximately 70 percent of the total Bahraini population), or that there is only one Shi'i among the approximately 40 under-secretaries, or that none of the 600 officers in the *Diwan al-Maliki* (King's Office) are Shi'i.⁴⁷ Indeed, it is held that the government actively encourages sectarian conflict for its own purposes by persuading Sunnis that the Shi'is threaten them and the system. While many Sunnis supported the demands and objectives of the mainly Shi'i-led unrest of the 1990s, they are said to have kept quiet in order to save their jobs or business prospects.⁴⁸

9. *Naturalization policy.* It is alleged that the government is embarked on a substantial policy of naturalization of Arab Sunnis from Jordan, Syria, and Yemen—especially employees of the security forces and their families—in order to alter the sectarian balance.⁴⁹ Opposition figures have claimed more than 100,000 naturalizations, although the government contends that the total is 60,000, consisting mostly of Iranians long settled in Bahrain, the majority of whom are Shi'i.⁵⁰

Bahrain's tentative liberalization: an assessment

There is no doubt that considerable progress was made in the first years of King Hamad's reign. But there remains widespread disappointment at the limited number and nature of changes he has instituted, and there is considerable doubt that further progress will occur in the foreseeable future. At best, Bahrain's political liberalization may be regarded as a work in progress. If another referendum were held today, undoubtedly the National Charter would not get anywhere near the 98.4 percent acceptance it once received. The opposition is determined to keep up both internal and external pressure on the government to carry through promises that it feels

46 Interview in Bahrain, January 2003.

47 Interview in Bahrain, January 2003.

48 One person pointed out that permission was required from the security forces for employment even in the private sector. Interview in Bahrain, January 2003.

49 Interview in Bahrain, January 2003.

50 Interview with senior Bahraini government official, Washington, DC, July 2007.

have been made but not kept. This resolve lay behind the announcement on March 3, 2003 that six parties (al-Wifaq, al-Wasat, Islamic Action, NDAS, Democratic Platform, and Nationalist Forum) had joined forces under a new "charter of unity" that underscored their opposition to the amended constitution.⁵¹ Similarly, the parties talked of organizing a popular petition with 100,000 signatures to present to the government.⁵² But efforts to publicize this effort and to collect signatures were stoutly resisted by the government, which arrested nineteen activists for conducting illegal activities and undermining the state and put fifteen of them on trial in May 2004. The societies were forced to abandon their campaign as a *quid pro quo* for the release of the activists.⁵³

Three preliminary conclusions give concern for the future. First, parliament has not been particularly effective. An attempt to legalize the recognition of societies as political parties seems to have been inconclusive. Complaints continue to be voiced about the low quality of MPs. Islamist MPs have raised confrontational issues a number of times and succeeded on one occasion in obtaining the lifting of a ban on women driving while veiled. One of the few major tests of parliament's legitimacy and will to act independently vis-à-vis the government occurred in the first part of 2004 over the investigation into the handling of two government-managed pension funds. The Council of Deputies established a commission to investigate the problem, over the government's objections, and produced a lengthy report in January that detailed extensive mismanagement and corruption. Again over the government's objections, the ministers responsible for the funds were called before the house and questioned. The government succeeded in limiting the scope and duration of the questioning, and prevented the Prime Minister from appearing. The matter was effectively shelved, no one was punished, and the funds have remained in a precarious state, facing insolvency by 2007.⁵⁴

Second, the passage of time without significant further change seems to confirm that King Hamad is simply a pragmatist. In other words, since he has control and he has peace, why should he go any further down the path to reform and change?

51 *Gulf Daily News* (Bahrain), March 3, 2003.

52 Interview in Bahrain, January 2003.

53 *Gulf News* (Dubai), May 3, 10, 13, 2004; Reuters, May 3, 2004; *Gulf Daily News* (Bahrain), May 4, 10, 15, 2004; BBC Online News, World Edition, May 6, 2004.

54 *Gulf News* (Dubai), January 4, 23; April 29; May 31, 2004; Abdulhadi Khalaf, "Bahrain's Parliament: The Quest for a Role," *Arab Reform Bulletin*, Vol. 2, Issue 5 (May 2004).

Third, developments in 2003-7 exhibited a growing division between the leadership of the opposition—relatively moderate and committed to working within the system—and younger, more radical elements, who pushed the envelope, demand more change immediately, and were less likely to listen to their leaders. Hardliners captured eight of eleven seats on the executive of al-Wifaq in the January 2004 elections.⁵⁵ Al-Wifaq's decision to participate in the 2006 elections provoked a formal split. Even more important, this period saw a growing number of incidents—some of them violent—including protests at the US embassy, attacks on policemen, Shi'i demonstrations against entertainment and the drinking of alcohol, the arrest of website organizers who were viewed as critical of the government, and actions against women's and human rights activists.⁵⁶

These incidents suggest the possibility of a split between leadership and radical followers, particularly if widespread unemployment and discrimination against Shi'is continues, with a possible return to chronic violence and diminished control over the opposition. The incidents also indicate a return to hardline responses by the security services. The fear of a downward spiral back into violence may have prompted the King to replace the long-serving Minister of the Interior, Shaykh Muhammad bin Khalifa, with the chief of staff of the Bahrain Defense Forces in 2004. However, Shaykh Muhammad's departure from the scene was nearly inevitable in any case, given his age and poor health.

Bahrain's experience since 1999 has demonstrated that a sustained opposition movement with moderate goals and a willingness to enter into dialogue can achieve positive results. It has also confirmed the fundamental role that Islamists can and do play in guiding and orchestrating this opposition. Furthermore, Bahrain's Islamists have been quick to organize their efforts, to recruit support for their cause in the West, and to utilize the web, e-mail lists, and press contacts to present their case. They have also been very receptive to alliances with secular liberals and across sectarian lines. This, however, may be a phenomenon unique to Bahrain because of the long history of strife and anti-government agitation by most Bahraini communities.

At the same time, though, Bahrain's recent experience also illustrates the pivotal role played by traditional rulers and the continued strength

55 *Gulf News* (Dubai), January 9, 18, 2004.

56 AP, March 24, 2003; *Gulf Daily News* (Bahrain), October 5, 2003. Reuters, October 22, 28, 2003; *Gulf News* (Dubai), October 26, 2003; Reuters, 17, 18 December, 2003; *Gulf News* (Dubai), March 15, 2004; AP, March 24, 2004; *Gulf News* (Dubai), March 28, 2004. Reuters, March 18, 2004; *Gulf News* (Dubai), April 23, 2004.

of their positions. While Bahrain's opposition undoubtedly can rightfully claim success for obtaining the recent reforms enacted by the regime, they were presented more as concessions by the ruler and less as the restoration of rights of the people. In Bahrain, as elsewhere in the Gulf, the ruler's authority remains unhampered and the ruling family is still a privileged caste. Shortly after independence in 1971, Bahrain adopted its first formal constitution, formally declaring that sovereignty rested in the people, and established a freely elected parliament. Even after the recent reforms, Bahrain still has far to go to return to the promises of liberalization made some thirty years ago, let alone being transformed into a truly constitutional monarchy.

Bahrain in the context of change in the Gulf

The answer to the question posed at the beginning—whether King Hamad is a true reformer or simply a pragmatist—may lie in between. The real crux of the system of politics in the Gulf is whether ruling families will gradually loosen their control and acquiesce in the eventual emergence of constitutional monarchies. In recent years, the Gulf states have instituted practical moves to answer domestic demands and international pressure—for example, the restoration of the National Assembly in Kuwait and the establishment of the appointed Consultative Council in Saudi Arabia.

However, moves toward liberalization and greater participation essentially are presented as “gifts” of the ruler. In no cases have rulers given up total authority over finances, defense, the media, and the interior. The closest to such change is Kuwait where the National Assembly has exercised its ability to contest government decisions, including arms purchases and financial questions.

Pressures for change are growing throughout the Gulf. Demographic pressures and rising unemployment threaten to alienate youth in most GCC countries. Corruption and abuses by members of ruling families are causes of complaint in every country. Liberals criticize regimes for not permitting participation in decision-making and more personal freedoms. Islamists attack corruption and deviance from Islamic values. Economic stagnation has been the norm—mitigated only by the bounty provided by high oil prices—and true economic development is stymied by top-heavy governments run by aging rulers and self-absorbed families.

In the short run at least, it is likely that Islamists will be the major beneficiaries of political liberalization throughout the Gulf. In Saudi Arabia,

the decade-plus since the 1991 Gulf War has produced a number of highly vocal Islamist opposition figures and most observers believe that Islamists would dominate any elected Consultative Council.⁵⁷ A close observer of the UAE political scene estimates that if full elections were held for the Federal National Council, Islamists would comprise some two-thirds of the body. Together with tribalists who would probably win half of the remaining seats, they would form an anti-American alliance of perhaps 90 percent.⁵⁸

Most prominent Islamists have focused on demands for reform and not revolution. There is a wide variety of groups and beliefs in the Gulf states. Extremists, where they exist, are in a tiny minority, and widely condemned even by other Islamists.⁵⁹ Most Islamist groups—whether Salafi, al-Islah/Muslim Brotherhood, or Shi'i—are committed to working within the system. A prominent Islamist in Qatar, jailed for three years for submitting a reform petition to the Qatari *Majlis al-Shura* and refusing to apologize for it, declares that he will petition again when the time is right and risk another imprisonment. He has no objections to joining cause with other, non-Islamist, groups in future petitions.⁶⁰

The growth of Islamist groups in Bahraini politics has been driven in part by sectarian divisions, which lead political organization to take the form of Islamist parties. Shi'i Islamist groups spearheaded the opposition during the 1990s and form some of the most important political groupings today, while Sunni Islamist groups have emerged partly in response to the challenge they see from the Shi'i groups. Kuwait's ruling family also supported Islamists to counter the liberals. But in recent years, the government has become alarmed by Islamist strength, although it is too weak to confront them.⁶¹ It should be noted that Islamist groups in Kuwait and Bahrain diverge on many issues. Bahraini Islamists believe that women should

57 This belief has been prevalent at least since the 1980s. Interviews in Saudi Arabia, December 1985.

58 Interview in the UAE, January 2003.

59 In a press conference after his election to the new parliament, Shaykh 'Adil al-Ma'awida, the head of al-Asala in Bahrain, denied that Bahraini Islamist groups had any ties to extremists, noting that he had visited Afghanistan during the period of the Taliban and al-Qa'ida but did not agree with their philosophy because they held "apostate ideas to which we are opposed." In his words, "We look like them, but do not belong to them," adding, "When the United States supported them, we in Bahrain set up youth camps and spoke against the apostates and their apostasy. ... Some people were happy for what happened on 11 September, but we were sad." *al-Hayat* (London), November 1, 2002.

60 Interview in Qatar, January 2003.

61 Interviews in Kuwait, January 2003. As a consequence of growing Sunni Islamist power, the government has courted Shi'i Islamists as a counter.

participate fully in politics and society, in contradistinction to Kuwaiti Islamists. Bahrainis are not so doctrinaire in their insistence on application of the *shari'a* and Kuwaiti Islamists would not ally themselves with socialists and leftists as the Bahraini groups have.⁶²

In the end, the path to democracy in the Gulf is far more tortuous and uncertain than is often considered. Liberalization has been evident nearly everywhere, but often with such slow progress that it seems imperceptible. For the GCC states, the unanswerable question is whether this slow advance will suffice to mollify increasingly impatient citizens. The answer lies more in the resilience of and modifications to the relationship between ruler and ruled than in strategies imposed from the outside.

62 Interview in Bahrain, January 2003. The Bahraini political commentator Ibrahim Bashmi explained the domination of the political arena by Islamists by saying they "have been closer to the people; they have the mosques, the charities and the ability to influence people with all their talk of the Holy Quran." On the other hand, he explained that the liberals have been "absent" since the National Assembly was dissolved in 1975. "They isolated themselves. They were alienated and people could no longer understand what they were talking about because younger generations have been influenced by the rise of Islamism with the Iranian revolution and other religious movements." *Gulf Daily News* (Bahrain), October 27, 2002.

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editor

Political Liberalization in the Persian Gulf



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